



**COUNTY RIGHT-OF-WAY
CUT & ENTRY REGULATIONS:
ROAD INSPECTION & MAINTENANCE FUND (RIM)
ROAD ENTRY & ACCESS PERMIT (REAP)**

PLANNING & DEVELOPMENT DEPARTMENT

*ADOPTED JULY 30, 2018
EFFECTIVE OCTOBER 1, 2018*

**ROAD INSPECTION & MAINTENANCE FUND (RIM)
FEES, PROCEDURES & REQUIREMENTS**

Pursuant to Texas Local Government Code Chapter 240.907, the County of El Paso, “the County,” shall establish a fund for the future inspection, repair and maintenance of a cut road through the establishment of a fee for each cut made to County rights-of-way. All road cuts shall be subject to the fees and requirements described below.

For the purposes of the RIM process, the following definitions are adopted:

1. “Right-of-way” is all area dedicated to the County for a public purpose, which may include the roadway as well as sufficient land, where reasonably available, for ditches, repairs and the convenience of the traveling public.
2. “Paved area” includes impervious surfacing to include, but not limited to, asphalt, concrete, chip seal and double-penetration asphalt;
3. “Unpaved area” includes native soil, caliche or base treated shoulders and/or roadway;
4. “Original repair” is all repair work completed by the applicant following completion of the work that originated the payment of a fee to the Road Inspect & Maintenance Fund;
5. “Subsequent repair” is work deemed necessary by the Public Works to address any failures and/or defects in the Original or previous Subsequent Repairs;
6. “Repairs” are remediating the County right-of-way to the previously undisturbed state, to include, but not limited to, repair of the cut area as well as areas immediately disturbed or affected by the operations related to the road cut and/or repair.
7. “Quality of Life” projects are those determined by the Commissioners Court to contribute to the overall safety, health and welfare of the community, and *may* have all applicable fees reduced. *SEE APPENDIX A*

Applicants shall be required to:

1. Pay a Preliminary Permit Fee, as identified below, if the fee is paid in full prior to disturbing any County right-of-way. If the applicant fails to make the payment in full prior to disturbing the County right-of-way, the applicant will be subject to the Standard Permit Fee, as identified below.
2. Make repairs necessary, as identified by the Public Works Department, to include both original and subsequent repairs as requested and in adherence to reasonable timelines determined by the County.
3. Provide a one-year warranty on all repair work to the County in a form acceptable to the County. The warranty period shall commence upon the County’s written acceptance of all original and subsequent repairs.
4. Reimburse the County for any costs of reasonable repairs imposed by the County if the applicant fails to make all necessary repairs as identified by the Public Works Department.
5. Follow all adopted County design standards related to the cuts and rights of entry along rights-of-way.

The permit fees assessed, in accordance with state law, are as follows:

	Unpaved ROW	Pot Hole (Each)	Paved ROW (75 ft² or Less)	Paved ROW (Over 75 ft²)
Preliminary Fee	\$100	\$150	\$250	\$400
Standard Fee	\$200	\$250	\$350	\$500

**ROAD ENTRY & ACCESS PERMIT (REAP)
FEES, PROCEDURES & REQUIREMENTS**

Pursuant to Texas Transportation Code Chapter 251, the County of El Paso, “the County,” may make and enforce all necessary rules and orders for the construction and maintenance of public roads. The County is further authorized to adopt a reasonable fee and permitting process related to the disturbance of County right-of-way for which a fee is not otherwise prescribed. The County hereby adopts the fee schedule and processes as described below, which shall be annually reviewed and adopted during the County budget process.

For the purposes of the REAP process, the following definitions and determinations are adopted:

1. “Right-of-way” is all area dedicated to the County for a public purpose, which may include a roadway as well as sufficient land, where reasonably available, for ditches, repairs and the convenience of the traveling public.
2. “Paved area” includes impervious surfacing to include, but not limited to, asphalt, concrete, chip seal and double-penetration asphalt;
3. “Unpaved area” includes native soil, caliche or base treated shoulders and/or roadway;
4. “Original repair” is all repair work completed by the applicant following completion of the work that originated the request for a Road Entry & Access Permit;
5. “Subsequent repair” is work deemed necessary by the Public Works to address any failures and/or defects in the Original or previous Subsequent Repairs;
6. “Repairs” are remediating the County right-of-way to the previously undisturbed state, to include, but not limited to, repair of the cut area as well as areas immediately disturbed or affected by the operations related to the road cut and/or repair.
7. “Low Impact Access & Entry Facilities” are installations determined by the County Public Works Department to have a minimal impact on County right-of-way that do not exceed 300 ft² of surface area. Such installations, or others as identified by the Public Works Department, are *not* subject to the REAP process.
8. “Quality of Life” projects are those determined by the Commissioners Court to contribute to the overall safety, health and welfare of the community, and *may* have all applicable fees reduced. *SEE APPENDIX A*

Applicants shall be required to:

1. Make repairs necessary, as identified by the Public Works Department, to include both original and subsequent repairs as requested and in adherence to reasonable timelines determined by the County.
2. Provide a one-year warranty on all repair work to the County in a form acceptable to the County. The warranty period shall commence upon the County’s written acceptance of all original and subsequent repairs.
3. Reimburse the County for any costs of reasonable repairs imposed by the County if the applicant fails to make all necessary repairs as identified by the Public Works Department.
4. Follow all adopted County design standards related to the cuts and rights of entry along rights-of-way.
5. Follow the County Road Inspection & Maintenance Fund (RIM) process unless otherwise exempted.

The permit fees are based on historic costs and roughly proportional impact to County right-of-way (*SEE APPENDIX A*). The following fee schedule, based on classification of right-of-way, is as follows:

Asphaltic Pavement Cost (per yd²)

Residential & Collector Streets

- 100 yd² or less: \$6.50
- Over 100 yd²: \$5.20

Arterial & Other Streets

- 100 yd² or less: \$7.65
- Over 100 yd²: \$6.12

Concrete Pavement Cost (per yd²)

Concrete Road Pavement

- 100 yd² or less: \$11.51
- Over 100 yd²: \$9.21

Concrete Driveways & Sidewalks: \$5.68

Unpaved Rights-of-Way Cost (per yd²)

Unpaved Area Projects: \$1.93

**APPENDIX A:
ROAD ENTRY & ACCESS PERMIT (REAP)
FEE SCHEDULE (TABLES 1-5)**

The following estimates were developed by the El Paso County Public Works Department’s historic analysis of costs and time related to the repairs of various County rights-of-way. Further, the County estimates five percent of all repairs made through the permitting process will fail, requiring the County to review and repair the affected right-of-way. Therefore, the rates reflected in the REAP fee schedule are based on 5 percent of the entire determined impact to the County. Such a determination reflects the accurate and potential impact an access or entry request has on a County right-of-way. These costs shall be annually updated by the Public Works Department and presented to the Commissioners Court during the budget process to account for cost deviations over time.

The El Paso County Commissioners Court reserves the right to reduce fees if a road cut is directly related to a project determined by the Court to contribute to public health and safety of the community, to include, but not limited to, first time water and wastewater installations/projects. Further, REAP fees may be administratively reduced by the Public Works Department if the repairs resulting from the entry into County right-of-way requires total or partial reconstruction of the County right-of-way: Total reconstruction may be eligible for a 50 percent reduction, partial reconstruction (a minimum 15’ wide reconstruction) may be eligible for a 25 percent reduction.

Table 1: Asphalt Repair for 100 yd² (Residential/Collector streets)				
Item	Unit	Unit Cost	Quantity	Total
<u>Labor</u>				
Labor 1	hr	\$16.96	16	\$271.36
Labor 2	hr	\$16.96	16	\$271.36
Labor 3	hr	\$16.96	0	\$0.00
Operator 1	hr	\$20.18	8	\$161.44
Operator 2	hr	\$20.18	0	\$0.00
<u>Material</u>				
2-sac	cy	\$100.00	33	\$3,300.00
HMAC (2")	ton	\$10.00	10	\$100.00
Delivery fee	ea	\$300.00	2	\$600.00
Demolition/removal	ea	\$300.00	1	\$300.00
<u>Equipment</u>				
Backhoe	hr	\$27.25	8	\$218.00
Roller/Compactor	hr	\$28.75	8	\$230.00
Water Truck	hr	\$36.75	4	\$147.00
Truck	hr	\$26.00	16	\$416.00
Trailer	hr	\$11.25	16	\$180.00
Traffic Control (barricades/plates)	day	\$150.00	2	\$300.00
			Total	\$6,495.16
			Total/sy	\$129.90
Adjusted County Permit Rate per Sq. Yard (5% of Total)				\$6.50

Table 2: Asphalt Repair for 100 yd² (Arterials and other streets)				
Item	Unit	Unit Cost	Quantity	Total
<u>Labor</u>				
Labor 1	hr	\$16.96	16	\$271.36
Labor 2	hr	\$16.96	16	\$271.36
Labor 3	hr	\$16.96	0	\$0.00
Operator 1	hr	\$20.18	8	\$161.44
Operator 2	hr	\$20.18	0	\$0.00
<u>Material</u>				
2-sac	cy	\$100.00	33	\$3,300.00
HMAC (3")	ton	\$10.00	15	\$150.00
Delivery fee	ea	\$400.00	2	\$800.00
Demolition/removal	ea	\$300.00	1	\$300.00
<u>Equipment</u>				
Backhoe	hr	\$27.25	8	\$218.00
Roller/Compactor	hr	\$28.75	8	\$230.00
Water Truck	hr	\$36.75	4	\$147.00
Truck	hr	\$26.00	16	\$416.00
Trailer	hr	\$11.25	16	\$180.00
Traffic Control (barricades/plates)	day	\$600.00	2	\$1,200.00
			Total	\$7,645.16
			Total/sy	\$152.90
Adjusted County Permit Rate per Sq. Yard (5% of Total)				\$7.65

APPENDIX A (CONTINUED)
ROAD ENTRY & ACCESS PERMIT (REAP)
FEE SCHEDULE (TABLES 1-5)

Table 3: Concrete Road Pavement Repair for 100 yd²				
Item	Unit	Unit Cost	Quantity	Total
<u>Labor</u>				
Labor 1	hr	\$16.96	24	\$407.04
Labor 2	hr	\$16.96	24	\$407.04
Labor 3	hr	\$16.96	24	\$407.04
Operator 1	hr	\$20.18	24	\$484.32
Operator 2	hr	\$20.18	0	\$0.00
<u>Material</u>				
base course (6")	ton	\$15.00	40	\$600.00
4000 psi concrete w/ rebar and	cy	\$120.00	24	\$2,880.00
Delivery fee	ea	\$300.00	2	\$600.00
Demolition/removal	ea	\$2,000.00	1	\$2,000.00
<u>Equipment</u>				
Backhoe	hr	\$27.25	24	\$654.00
Roller/Compactor	hr	\$28.75	8	\$230.00
Water Truck	hr	\$36.75	4	\$147.00
Truck	hr	\$26.00	24	\$624.00
Trailer	hr	\$11.25	24	\$270.00
Traffic Control (barricades/plates)	day	\$600.00	3	\$1,800.00
			Total	\$11,510.44
			Total/sy	\$230.21
Adjusted County Permit Rate per Sq. Yard (5% of Total)				\$11.51

Table 4: Concrete Driveways for 20 yd²				
Item	Unit	Unit Cost	Quantity	Total
<u>Labor</u>				
Labor 1	hr	\$16.96	8	\$135.68
Labor 2	hr	\$16.96	8	\$135.68
Labor 3	hr	\$16.96	0	\$0.00
Operator 1	hr	\$20.18	8	\$161.44
Operator 2	hr	\$20.18	0	\$0.00
<u>Material</u>				
base course (4")	ton	\$15.00	1	\$15.00
4000 psi concrete w/ rebar and	cy	\$120.00	1	\$120.00
Delivery fee	ea	\$300.00	1	\$300.00
Demolition/removal	ea	\$500.00	1	\$500.00
<u>Equipment</u>				
Backhoe	hr	\$27.25	8	\$218.00
Roller/Compactor	hr	\$28.75	4	\$115.00
Water Truck	hr	\$36.75	2	\$73.50
Truck	hr	\$26.00	8	\$208.00
Trailer	hr	\$11.25	8	\$90.00
Traffic Control (barricades/plates)	day	\$200.00	1	\$200.00
			Total	\$2,272.30
			Total/sy	\$113.62
Adjusted County Permit Rate per Sq. Yard (5% of Total)				\$5.68

APPENDIX A (CONTINUED)
ROAD ENTRY & ACCESS PERMIT (REAP)
FEE SCHEDULE (TABLES 1-5)

Table 5: Unpaved Right-of-way Repair for 100 yd²

Item	Unit	Unit Cost	Quantity	Total
<u>Labor</u>				
Labor 1	hr	\$16.96	4	\$67.84
Labor 2	hr	\$16.96	0	\$0.00
Labor 3	hr	\$16.96	0	\$0.00
Operator 1	hr	\$20.18	4	\$80.72
Operator 2	hr	\$20.18	0	\$0.00
<u>Material</u>				
base course (4")	ton	\$15.00	1	\$15.00
Fill Material	cy	\$20.00	1	\$20.00
Delivery fee	ea	\$0.00	1	\$0.00
Demolition/removal	ea	\$0.00	1	\$0.00
<u>Equipment</u>				
Backhoe	hr	\$27.25	4	\$109.00
Roller/Compactor	hr	\$28.75	2	\$57.50
Water Truck	hr	\$36.75	2	\$73.50
Truck	hr	\$26.00	4	\$104.00
Trailer	hr	\$11.25	4	\$45.00
Traffic Control (barricades/plates)	day	\$200.00	1	\$200.00
			Total	\$772.56
			Total/sy	\$38.63
Adjusted County Permit Rate per Sq. Yard (5% of Total)				\$1.93