



Since 1911

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## **Insurance and Bonding Requirements for Residential Driveways**

### ***Excerpt from Section IV.A of Procedures and Regulations for Permitted Activities***

#### 4. Indemnity and Certificates of Insurance

The Applicant or its Contractor shall furnish proof of general liability insurance in amounts not less than \$1,000,000 each occurrence; and general aggregate, proof of automobile liability in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident; and in an amount not less than \$300,000 for bodily injury per person. The Permit Holder shall name OCRC as an additional insured party on the policy. An Applicant for a single residential or field driveway permit, who is the property owner, may furnish proof of general liability insurance for the property in lieu of the insurance requirements noted above.

Such insurance shall cover a period not less than the term of the permit and shall provide that it cannot be cancelled without 30 days advance written notice to OCRC by certified mail, first-class, return receipt requested.

- a. The Permit Holder shall defend and hold harmless the OCRC against any claim for damages or related costs and expenses arising from any activities or operations covered by the permit, provided, however, that in the case of construction activities, the Permit Holder shall not be obligated to indemnify the OCRC against its own sole neglect.
- b. The Applicant shall name the OCRC as additional insured, by name, on the policy of insurance worded as follows: "The Board of County Road Commissioners of the County of Ottawa, the Ottawa County Road Commission, and its officers, agents and employees".
- c. The certificate of insurance must be provided by a person, a corporation, or by an authorized representative who signed personally either the application or permit. Insurance shall remain in force until the permitted activity is completed, inspected and approved.
- d. Should insurance coverage be cancelled or reduced below acceptable limits, authorization to continue work under the permit shall be suspended or revoked. OCRC may in such case take appropriate action to restore or protect the road and appurtenances, utilizing any security deposits or applicable bonds to defray expenses.

5. Bonds

Bonds shall be required for all construction activity within the public ROW to protect OCRC against the cost of completing construction or repairing deficiencies. Acceptable types of bonds are cash, certified or cashier's checks, and money orders payable to the Ottawa County Road Commission. Table 1 indicates the **minimum** permit bonding amounts for the various types of work in the ROW. The County Engineer may require a higher bonding amount based on the proposed work and impact to the ROW.

Table 1. Minimum Bonding Requirements for Permits	
Permit Type	Bond Amount
Commercial Driveway	\$5,000
Residential Driveway	\$200*
Field or Temporary Driveway	\$200
Utility	\$5,000
Sidewalk and Path	\$5,000
Road Open-Cut/Reconstruction	\$10,000
Other	As determined by County Engineer

\*A \$5,000 Annual Performance Bond may be posted in lieu of bonding individual residential driveway permits. No bond is required to resurface an existing residential driveway.

When an Annual Performance Bond is furnished, a permit is still required for each individual project within the ROW requiring a permit. Annual Performance Bond funds may be retained by the OCRC to recoup any costs and expenses incurred in relationship to any non-permitted work performed during the year by the Principal of the Annual Performance Bond.

After receipt of a written request by the Permit Holder and satisfactory completion of the permitted activity as verified by the County Engineer, any unused bond amount (driveway bonds only) will be returned to the Applicant or Permit Holder within fifteen (15) business days.

In any action by the OCRC against a Permit Holder to enforce the latter's permit related obligations (or to collect on a bond deposited in connection with the same), the Permit Holder shall be required to reimburse the OCRC for all of its associated costs and attorney fees that are in excess of the bond or are not collectable from the bonding agent.