



Department of Transportation  
Division of Highway and Bridge Maintenance  
360 Lincoln Avenue  
Warwick, RI 02888

August 7, 2024

Leland Merrill  
1218 Main Street  
West Warwick RI 02893

Subject: Physical Alteration Permit Application No. **23-143**  
Location: 160 East Main Road Middletown RI 02842

Dear Leland Merrill:

In reference to the subject Physical Alteration Permit Application (PAPA) Number 23-143 for the proposed work in Middletown, the application package received on August 6, 2024 has been reviewed and found to meet our design requirements. The Physical Alteration Permit authorizing construction of the work within or impacting the State Highway Right-of-Way will be issued upon receipt and acceptance of the following:

- Original Insurance Certificate (Section 4.8 Insurance Requirements of the Department's Rules and Regulations for PAPA)
- Original bond in the amount of \$20,000.00 for the proposed work within or impacting the State Highway Right-of-Way (Section 4.7 Bond Requirements of the Department's Rules and Regulations for PAPA)
- Additional Final Requirements:

In lieu of the standard insurance certificate requirement, the Permittee, its successors and assigns, shall indemnify, defend and hold the Department harmless against claims for injuries sustained by any person or persons or other entities resulting from or arising from the Permittee's activities under this Authorization. In furtherance of said obligation, the Permittee shall procure and keep in effect during the term of this Authorization public liability insurance as well as contractual liability insurance covering liabilities assumed by the Permittee under this Authorization. Said insurance shall be in the limits of not less than One Million Dollars (\$1,000,000) per occurrence for bodily injury, personal injury, death, and/or property damage whether of the Department, the Permittee or other party and shall contain a waiver of subrogation against the Department. Said insurance may have a Two Million Dollar (\$2,000,000) aggregate. Permittee will also provide and keep in effect a Workmen's Compensation Insurance policy complying with the requirements of the statutes of the jurisdiction in which the Premises are located covering all employees of the Permittee. Said policy will be in the limits of not less than Five Hundred Thousand Dollars (\$500,000.00) per occurrence and stating whether or not there is a deductible and the amount if any. The providing of said insurance coverages will not be deemed a limitation on the liability of Permittee as provided in this Authorization but will be additional security therefor. Permittee will name the Department as additional insured under its liability policies and require its insurance company to endeavor to give at least thirty (30) days prior written notice of termination or cancellation of the policy to the Department. A certificate of said insurance in a form acceptable to the Department and naming the Department as an additional insured therein shall be

presented to the Department by the Permittee prior to the issuance of any Permit. An endorsement statement shall be attached to said certificate.

Please note that if all these documents are not received within three (3) years of the date of this letter, the permit application will expire and no longer be valid, requiring re-submission of the application. Please be advised that pursuant to Section 4.6 Part A of the Department's Rules and Regulations regarding Physical Alteration Permits (PAPA Manual), the collection of a new application fee with a re-submittal is required.

If you have any questions, please contact Arlene Nelson at (401) 734-4842.

**THIS LETTER SHALL NOT BE CONSTRUED AS A PHYSICAL ALTERATION PERMIT AUTHORIZING CONSTRUCTION WITHIN OR IMPACTING THE STATE HIGHWAY RIGHT-OF-WAY. A PERMIT WILL NOT BE GRANTED UNTIL ALL OF THE DOCUMENTATION REQUESTED ABOVE HAS BEEN RECEIVED AND ACCEPTED.**

Sincerely,



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Matthew J. Ouellette, P.E.  
Deputy State Highway Maintenance Operations Engineer

For additional information, please see the PAPA Manual at this URL:  
[http://www.dot.ri.gov/documents/doingbusiness/permits/PAPA\\_Manual.pdf](http://www.dot.ri.gov/documents/doingbusiness/permits/PAPA_Manual.pdf)