

SECTION 3.1

DEFINITIONS

3.1.01 Wherever the word "**OWNER**" or "**CITY**" is used herein, it shall be held to mean the City of Mason, Ohio, acting through the City Manager as Chief Executive and Administrative Office of the City.

3.1.02 Wherever the word "**ENGINEER**" is used herein, it shall be held to mean the Public Works Director for the City of Mason, Ohio.

3.1.03 Wherever the words "directed", or "required", "permitted", "ordered", "designated", "approved", "satisfactory", "acceptable", or words of like importance are used, they shall be understood to refer to the exercise of the authority or judgement vested in the Public Works Director.

SECTION 3.2
GENERAL PROVISIONS

3.2.01 SCOPE OF WORK:

This project consists of installation of various plant materials, along with proper bed preparation and mulching. Removal of old plant material and transplanting may also be required. The contractor is to select the highest quality plant material for this job.

The project area shall consist of all of the right-of-way along Tylersville Road (also Western Row Road) between US 42 and Kings Island Drive, along Mason-Montgomery Road from Socialville-Fosters Road to US 42, and on Parkside Drive from SR 741 to Cox-Smith Road. These areas consist of landscaped islands with annual and perennial planting areas and tree lawn areas between the back of curb and the sidewalk. Also included in the project area is Fire Station #51, Fire Station #52, the Water Reclamation Plant (and new Water reclamation Plant on Mason-Morrow-Milgrove Road), the “Reber” property on Mason-Montgomery Road (across from Buskins), the Municipal building front lawn along Mason-Montgomery Road, and the Lexington Square apartment complex.

3.2.02 SPECIFICATIONS

24-hour guaranteed response:

The contractor shall provide a 24-hour guaranteed response for calls concerning maintenance or irrigation problems. A 24-hour guaranteed response means that the contractor shall be on site within 3-hours of receipt of the maintenance call including weekends and holidays. The contractor shall complete maintenance/irrigation work or repairs within 24 hours of receipt of the maintenance call, If the maintenance work or repair cannot be completed within 24-hours, the contractor must contact the Public Works Director in writing describing the extent of the repairs and include a time schedule in which the maintenance repairs will be completed.

The contractor shall replace annual beds damaged by traffic accidents. This cost shall be included in the cost of the contract and no additional cost to the City shall be requested.

Required maintenance schedule:

Maintenance, mowing, litter pick-up, and inspections shall be scheduled the day before major city events such as: ATP, Kroger senior classic, Heritage day, Fireman Festival, etc. the Public Works Director shall provide the dates for these events.

Replacing dead and damaged trees:

The contractor shall replace any tree in the project area that is dead or damaged throughout the duration of the contract. The contractor shall estimate that 50 trees will be replaced. The trees shall be a minimum of 2-1/2 inches caliper with a 30" root ball and shall be the same or similar species as the tree being replaced unless the City specifically requests a different species. The City shall pay the contractor on a per tree basis if more than the estimated trees require replacement.

Replacing perennial plantings:

The contractor shall replace perennial plants that are dead or dying. The contractor shall estimate that 400 shrubs and 50 decorative grasses and perennials shall be replaced throughout the duration of the contract, The City shall pay the contractor on a per plant basis if more than the estimated plants require replacement.

Spring/Summer annual planting bed design:

Within three weeks of the Official Notice To Proceed, the contractor shall present a minimum of three annual planting bed designs to the Public Works Director for approval. The planting bed design shall include one design that is typical for all landscaped islands and specific bed designs for Fire Station #51, Fire Station #52, and the Water Reclamation Plant(s). Annuals to be used shall include wave petunias, begonias, and impatiens. All annuals shall be of the best quality. The planting beds shall contain a minimum of 120 individual annual plants and 6 different species. For bidding purposes the contractor shall assume that there will be 85 planting beds within the project area, The contractor shall use a certified Landscape Designer to prepare the planting bed designs. The contractor shall provide a planting bed design that is acceptable to the Public Works Director no later than April 28th.

Fall/winter annual planting bed design:

The contractor shall present a minimum of three annual planting bed designs to the Public Works Director for approval. The planting bed design shall include one design that is typical for all landscaped islands and specific bed designs for Fire Station #51, Fire Station #52, and the Water Reclamation Plant(s). Annuals used shall include mums, dusty miller, and ornamental cabbage. All annuals shall be of the best quality. The planting beds shall contain a minimum of 120 individual annual plants and 6 different species. For bidding purposes the contractor shall assume that there will be 85 planting beds within the project area, The contractor shall use a certified Landscape Designer to prepare the planting bed designs. The contractor shall provide a planting bed design that is acceptable to the Public Works Director no later July 28th.

Spring cleanup:

Spring cleanup shall be performed between January 1st and May 1st. Spring cleanup will consist of removing all unwanted debris from the islands and tree

lawn areas. This includes leaves, weeds, trash, and any other debris that can hinder the quality of the landscaped area. In late February cut back the grasses and annuals to provide for new spring growth. The contractor shall properly and neatly edge all planting beds and apply any necessary fertilizer or pre-emergent herbicide to the lawn and island areas. The contractor shall install spring/summer annual beds at this time. The proposed spring and summer planting beds shall be reviewed and approved by the Public Works Director prior to commencement of work. All planting beds shall be fertilized and mulched when the annuals are installed. Once the new seasonal color has been installed, the existing mulch shall be stirred and raked, and a fresh layer of mulch, at least two inches thick, shall be applied to all existing mulch areas.

Summer maintenance:

Summer maintenance shall be performed once spring cleanup has been completed. The landscaped islands on the Tylersville Road and Mason-Montgomery Road are a main artery for traffic and thus reflect on the City of Mason. It is imperative to keep this highly visible area looking its best at all times. Weekly maintenance visits, at a minimum, are required. The annual planting beds shall be inspected and dressed on a weekly basis. Weak, wilted, or dead plants shall be replaced at this time. Weeding and deadheading shall be done on a weekly basis. Annual plants that die from disease, insects, lack of water, or other factors shall be replaced immediately at no charge to the City of Mason. The contractor shall keep the Public Works Director informed of all work performed and shall provide a weekly schedule detailing the date and time maintenance visits will occur. Summer maintenance tasks include mowing, weeding, trimming litter pick up, watering, and replacement of weak or dead plant material.

Fall cleanup:

Fall cleanup shall be performed after the first hard killing frost in the fall. All summer annuals shall be removed and replaced with mums and other fall plantings as dictated by the fall/winter planting bed design. The proposed fall plantings shall be submitted for approval by the Public Works Director before installation begins. After the first hard frost, cut back of perennials that show little winter interest and clean debris from the islands and lawn areas. Mulch shall be raked and fresh and at this time. Check that the mulch level does not exceed three inches. If the mulch bed exceeds three inches in depth, looks weathered, bleached or it is otherwise unsightly, remove the older mulch and replace with a three-inch layer of fresh mulch.

Pre-emergent herbicide:

A pre-emergent herbicide will be applied to reduce seed germination in planting beds. Products, determined by the contractor and approved by the EPA, shall be applied according to the manufacturers specifications. The contractor shall provide a copy of the proper MSD sheets to Public Works Director for each chemical product used.

Mulch:

Mulch shall consist of shredded dark hardwood bark in accordance with the ODOT Specification No 661 Mulch shall be installed in all planting bed areas and around all street trees. It is important to maintain a two to three-inch thickness of mulch.

Mulch that exceeds a depth of three-inches shall be removed and replaced with new mulch to a depth of not more than two-inches.

The mulch used must be inspected and approved by the Public Works Director Prior to application.

Insect/disease control:

Insect and disease control methods shall be applied during the growing season. The intent of these methods is to control insect and disease populations to a level that protects the aesthetics, health, and vigor of the plant specimen, as well as the entire project. Between May and September trees, plants, and flowers are to be inspected weekly for insects and disease. The contractor shall apply EPA approved chemical controls as often as is necessary The Public Works Director shall be given a schedule for the weekly inspections and a report of any problems and control methods used. The contractor shall provide a copy of the proper MSD sheets to Public Works Director for each chemical product used.

Pruning:

Pruning is necessary to provide and encourage a healthy natural growth pattern for each specific variety of plant. The contractor shall prune and remove dead, broken, diseased, poor structure, and conflicting branches for all trees within the contract limits. All pruning cuts will be made near the main trunks, new leaders, or viable buds, if necessary, remove old canes on woody shrubs. Sucker shoots shall be removed from the base of trees. Pruning is to be performed throughout the season in order to protect future flower buds and to provide for correct horticultural practices. Pruning shall meet City Ordinances on all plantings within the scope the project as required. Prune a minimum of two times per year.

Perennial maintenance:

Perennial maintenance shall include seasonal deadheading and cutbacks. Perennials such as grasses, sedum, and rudbeckia, which show winter interest are to be left standing through the winter months and shall be cut back in late winter or early spring before new growth emerges.

Bed edging:

New bed lines shall be established in the spring between the planting bed and turf areas as well as around all street trees. The edging shall be cut to a

minimum depth of three-inches; the soil/grass shall be removed and disposed of before applying mulch.

Plant and tree fertilizing:

A balanced fertilizer shall be applied in the spring to all plants and trees to assure adequate nutrient throughout the growing season. The fertilizer selected shall encourage root growth, top growth, flowering, and fruiting. Tree fertilizing shall include deep root feeding of all trees within the project area.

Plant and Tree watering:

All street trees shall be watered as needed throughout the growing season and should include the use of “Gator Bags” or similar manual watering devices provided by the contractor. Trees and plantings in the center islands will be watered by the islands irrigation system. All trees and plantings at Fire Station No. 51, Fire Station No. 52, the Parkside Drive Islands, and the Water Reclamation Plant will require manual watering. Cincinnati Water Works provides the water for the City of Mason. The contractor must contact the Greater Cincinnati Water Works to obtain water necessary for this project.

Mowing:

All turf areas within the project shall be mowed to a height of 2 1/2 to 3 inches from April through November. Paper, trash, twigs and other undesirable material shall be removed from all turf areas prior to mowing operations. This schedule may require that mowing be performed several times per week. The contractor shall utilize equipment best suited to the site and follow correct turf-grass management practices to keep the turf in a healthy state. All mowing equipment must prevent any clippings from discharging onto the roadway, bike path, or sidewalk areas. The use of equipment that collects grass clippings is highly recommended. Excessive grass clippings shall be hand raked and removed from the turf area. The entire right-of-way in the project area including Tylersville Road, Mason-Montgomery Road, Parkside Drive, shall be mowed. All turf areas at Fire Station No. 51, Fire Station No. 52, and the Water Reclamation Plant shall be mowed.

Where appropriate, either weed-eater trimming or chemical herbicides will be used around fixed objects to maintain a neatly trimmed appearance. All paving areas shall be left in a clean, neat condition free of clippings

Turf fertilizing and Grub control:

A turf fertilization program shall be determined and applied by the contractor. However, a minimum of five applications shall be applied during the growing season. The intent of the fertilization program is to maintain a weed free and healthy growing stand of turf. The Public Works Director shall be notified prior to any fertilization application.

Weed control:

All non-turf weeds are to be controlled using an EPA approved chemical control. Applications shall include both a pre and post emergent product. The intent of the fertilization is to maintain a weed free and healthy growing stand of turf. The Public Works Director shall be notified prior to any weed control application. The contractor shall provide a copy of the proper MSD sheets to Public Works Director for each chemical product used.

Irrigation system maintenance:

The landscaped islands contain two different types of irrigation systems. The islands on Mason-Montgomery Road consist of an automatic system with separate zones for annual beds, perennials, and turf areas, This system is energized by a battery operated valve and a remote hand-held programmable controller. A single 9-volt battery operates each valve. The landscaped islands on Tylersville Road consist of an automatic system with separate zones for annual beds, perennials, and turf areas and are energized by 110 voltage through the street light electrical system.

The contractor shall be responsible for spring startup and winter shut down, Winterization shall include dewatering the system, removing the backflow preventers and delivering them to the Public Works Department. Spring startup shall include installing the backflow preventers, installing new batteries in the automatic valves, and re-adjusting the system for the new season. The contractor shall provide continual irrigation maintenance and service for the entire season. Service includes adjusting the sprinkler heads, seasonal adjustment of watering times and ensuring the proper and efficient operation of the entire system. The contractor shall immediately adjust the sprinkler system to prevent spraying the pavement and passing vehicles.

The contractor shall repair all damaged irrigation systems within the contract limits. The cost to repair these systems shall be estimated by the City and will be a part of the bid cost. If the cost to repair exceeds the City's estimated amount, the Contractor must provide the City a Change Order before beginning work. The Change Order must be approved before beginning work.

The contractor shall not be responsible for damage to the irrigation system that is beyond his control. Any repairs or equipment replacement that are necessary and are due to accidents beyond the control of the contractor shall be submitted to the City for approval. Repair shall not begin until the City approves the scope of work and cost of the repairs.

Other Specifications:

The current "State of Ohio Department of Transportation Construction and Materials Specifications" and the City of Mason Standards and Specifications, are hereby made a part of these specifications and shall govern unless

otherwise specified under the separate items herein or by notes shown, indicated or referred to on the plans.

Wherever in the State of Ohio Construction and Materials Specifications reference is mentioned it shall be construed to mean the City of Mason. Wherever reference is made to the Department, it shall be construed to mean City of Mason Engineering Department. Wherever reference is made to the Director, it shall be construed to mean the City Manager of Mason, wherever reference is made to the Engineer, it shall be construed to mean City Engineer of the City of Mason. In addition, any other State of Ohio Construction and Materials Specifications, which refer to a State organization or agent, shall be construed to refer to the corresponding City of Mason organization or agent.

BIDDER'S ABILITY TO COMPLETE THE CONTRACT WORK:

The bidder is advised; that the City may, prior to award of this Contract, require the Bidder to submit information verifying that he will be able to complete the work on or before the completion date indicated herein. Such information may include data indicating the Bidder's current and anticipated workload during the life of this Contract, the number and skills of personnel available to perform this work, the type and amount of equipment he has available or can obtain for this work, or any other information necessary to prove the Bidder's capabilities in this regard to the City's satisfaction. This information may be used in determining the lowest and best bid.

OSHA SAFETY REGULATIONS:

In addition to the requirements of ODOT Spec. 107.07, the Contractor shall comply with the construction safety requirements of the Occupational Safety and Health Act. A written safety policy shall be submitted to the Director for review. If the Contractor does not have a written safety manual, the City will provide a written policy, that will be adopted and followed by the Contractor.

The Contractor is responsible to hold safety meetings with all employees on a regular basis and provide the City with a copy of the meeting minutes.

PERMITS:

Any and all permits that may be required for the prosecution of this work shall be obtained by the Contractor at his expense. The permits shall be obtained prior to initiating any work for this project.

MATERIALS AND WORKMANSHIP:

Unless otherwise specified, all materials shall be new and both workmanship and materials shall be of the first quality, proper and sufficient for the purpose contemplated. The Contractor shall furnish, if so required, satisfactory evidence as to the kind and quality of materials and workmanship.

All items of equipment and/or materials proposed for substitution must be approved by the Director in writing and shall be equal or be superior to the items specified in the Contract Documents. If said substitution proposed by the Contractor for a specified item requires engineering revisions, the expense of such revision shall be paid for by the Contractor at no additional cost to the City.

ANY ITEMS REQUIRED, INCLUDING LABOR, EQUIPMENT AND/OR MATERIALS BUT NOT SHOWN AS SEPARATE PAY ITEMS IN THE PROPOSAL, SHALL BE FURNISHED AND INSTALLED AS INCIDENTAL TO THE CONTRACT, EXCEPT AS NOTED IN THE SPECIFICATIONS. THIS PROVISION WILL REMAIN EFFECTIVE IN THE EVENT THAT THE DIRECTOR OMITTED ITEMS ON THE BID TABS THAT ARE NECESSARY IN ORDER TO COMPLETE THE PROJECT AND REGARDLESS OF THE TOTAL COST OF THESE ITEMS. THE CONTRACTOR WILL NOT BE ISSUED A CHANGE ORDER OR PAID FOR THESE OMITTED ITEMS.

ESTIMATED QUANTITIES:

Locations and usage of estimated quantities set up in these documents shall be used "as directed by the Engineer" and shall be made a matter of record by incorporation into the final change order governing completion of this Project. Estimated quantities of materials shall not be ordered for delivery to the Project unless authorized by the Director.

Quantities shown are based on estimated field data. Actual quantities will be based on calculated field measurement and/or accepted receipts (material tickets).

THE CITY RESERVES THE RIGHT TO ADD OR DELETE WORK (QUANTITIES) IF SO DESIRED

RESPONSIBILITY:

It shall be the responsibility of the Contractor to perform his work in such a manner as not to damage or destroy any existing facilities, turf, or landscaping. If any such damage does occur due to the Contractor's operations, he shall replace the damaged portion at his expense.

SITE CONDITIONS:

Prior to bidding, the Contractor shall make a thorough review of the site and note pertinent bidding information. The Contractor should anticipate wet weather and wet site conditions and make provisions accordingly to assure completing the project on time.

USE OF PREMISES:

The Contractor shall confine his equipment, tools, the storing of materials, and the operations of his workmen within the right-of-way. No on-site storage of materials shall be permitted.

FINAL INSPECTION:

When the Work has been entirely completed and the final cleaning up has been performed, the Director will inspect the improvement. If items remain which must be completed or remedied by the Contractor, he shall perform the work immediately upon being notified by the Director. When such items have been corrected by the Contractor, final inspection will be made. The work must pass final inspection before it will be accepted by the Owner.

The Owner reserves the right to demand from the Contractor the affidavit required in the Ohio Mechanics Lien Law before payment of the final estimate.