



**CITY OF NEW BEDFORD**  
**Department of Public Infrastructure**  
**ADDENDUM #3**  
**The City of New Bedford issues Addendum #3**  
**for**  
**Buttonwood Brook Water Quality**  
**Improvements**  
**Bid No. 24450095**

**Friday, March 15, 2024**

City of New Bedford  
Department of Public Infrastructure  
1105 Shawmut Avenue  
New Bedford, MA 02740

Date Issued: March 15, 2024

TO: All Bidders of Record

RE: City of New Bedford, Massachusetts  
Phase 1 – Buttonwood Brook Water Quality Improvements  
Bid No. 24450095

Receipt of General Bids: 2:00 PM, Wednesday, March 20, 2024

This Addendum shall be part of the Contract Documents for the above referenced project.

Acknowledge receipt of this Addendum by inserting its number and date in the space provided on Page 2 of 9 of the Bid Form. Failure to do so may subject the bidder to disqualification.

#### GENERAL

- A. Attachments Referenced in Addendum 2 are included herein.
- B. Contracting party should consult the Secretary of State website

<http://corp.sec.state.ma.us/corp/corptest/corporateinput.asp>

to confirm legal existence of entities, print out documentation, and insert it in the front cover of the Contract. Check the Corporate Vote or LLC Certificate of Authority to be sure that the person executing the contract is authorized to contractually bind the entity.

#### QUESTIONS RECEIVED

Text shown in “*italics*” indicates question asked. Text shown immediately following indicates response to question asked.

1. *In Addendum #2 Page 2 of 13 states, BID FORM - DELETE page 6 of 9 REPLACE with Attached Bid Form page 6 of 9. The Attached Bid Form does not appear to be included in Addendum #2. Please issue revised Bid Form.*

Page 6 of 9 is attached to this Addendum.

2. *The following specification sections which were supposed to be attached to Addendum #2 were not attached. Please send these specification sections to us as soon as possible. Section 01010, 01046, 01110, 01170, 01562, 01570 and 01576*

Specification Sections 01010, 01046, 01110, 01170, 01562, 01570 and 01576 are attached to this Addendum.

BID FORM TO CITY OF NEW BEDFORD, MASSACHUSETTS  
PHASE 1 – BUTTONWOOD BROOK WATER QUALITY IMPROVEMENTS  
BID NUMBER 24450095

Brief Description of Items  
With Unit Price Bid In words  
Accessible Picnic Table

Unit bid Price  
in Figures

Each  
Loam Borrow

\$ \_\_\_\_\_

Per cubic yard

\$ \_\_\_\_\_

Compost Filter Tubes

Per linear feet

\$ \_\_\_\_\_

Detectible Warning Panel

Per square feet

\$ \_\_\_\_\_

Deciduous Tree 2 – 2.5” Cal.

Each

\$ \_\_\_\_\_

Evergreen Tree 6 – 7’ Tall

Each

\$ \_\_\_\_\_

Deciduous Shrub 2 – 3’ Tall

Each

\$ \_\_\_\_\_

Evergreen Shrub Cont. #5

Each

\$ \_\_\_\_\_

Test Pit for Electrical Conduit Location

Each

\$ \_\_\_\_\_

(2) 4” Electrical Conduits Installed

Per linear foot

\$ \_\_\_\_\_

Electrical Handhole

Each

\$ \_\_\_\_\_

**SECTION 01010**  
**SUMMARY OF WORK**

**PART 1 GENERAL**

**1.1 LOCATION OF WORK**

- A. The work of this Contract is located in the City of New Bedford (Owner) at the Buttonwood Community Center, including the parking along Oneida Street, Lake Street and Fuller Memorial Parkway.

**1.2 SCOPE OF WORK**

- A. Furnish all labor, materials, equipment and incidentals required and construct green infrastructure and associated site and landscape work in its entirety as shown on the Drawings and as specified herein.
- B. The Work includes, but is not necessarily limited to, the following:
  - 1. The rehabilitation of the roadway and proposed parking lot on Oneida Street, Lake Street and Fuller Memorial Parkway.
  - 2. The addition of new sidewalk, ADA compliant curb ramps, picnic tables and a new access path to Buttonwood Park Pond.
  - 3. Providing various landscaping improvements throughout the site.
  - 4. Proposed stormwater improvements include the construction of two bioretention basins on the west side of Oneida Street and the construction of two slight depressions for improved infiltration on the east side of Oneida Street.
  - 5. All other incidental work to complete the project as specified herein and as shown on the Drawings.

**1.3 CONTRACTOR'S USE OF PREMISES**

- A. Contractor shall limit the use of the premises for his/her work and for storage to allow for:
  - 1. Work by other contractors.
  - 2. Owner occupancy
  - 3. Public use.
- B. Coordinate use of premises with the Owner and Engineer.
- C. Contractor shall assume full responsibility for security of all his/her and his/her subcontractors materials and equipment stored on the site.
- D. If directed by the Owner or Engineer, move any stored items which interfere with operations of Owner or other contractors.
- E. The area shown on the plans as the Contractor staging area/limit of work is available for the Contractor's use throughout the project. Refer to specific restrictions and

SUMMARY OF WORK

1.4 OWNER OCCUPANCY

- A. Owner will occupy premises during performance of the work for the conduct of his/her normal operations. Coordinate all construction operations with Engineer to minimize conflict and to facilitate Owner usage.

1.5 ABBREVIATIONS AND REFERENCES

- A. Whenever reference is made to the furnishing of materials or testing thereof to conform to the standards of any technical society, organization or body, it shall be construed to mean the latest standard, code, specification or tentative specification adopted and published at the date of advertisement of bids, even though reference has been made to an earlier standard. In the event of any conflicts between any of these specifications, codes, tentative specifications, and the Specifications, or in the event that one of the following conflicts with another, the decision as to which shall govern shall be decided by the Engineer whose judgements will be final.
- B. Reference to a technical society, organization, or body may be made in the specifications by abbreviations, in accordance with the following list:
  - 1. ASCE - American Society of Civil Engineers
  - 2. ASME - American Society of Mechanical Engineers
  - 3. ASTM - American Society of Testing Materials
  - 4. DEP - Department of Environmental Protection
  - 5. EPA - Environmental Protection Agency
  - 6. MassDOT - Massachusetts Department of Transportation – Highway Division
  - 7. SSHB - Massachusetts Department of Transportation – Highway Division  
Standard Specifications for Highways and Bridges
  - 8. NCPI - National Clay Pipe Institute
  - 9. U.L. - Underwriter's Laboratory, Inc.
  - 10. OSHA - Occupational Health and Safety Act

**END OF SECTION**

**SECTION 01046  
CONTROL OF WORK**

**PART 1 GENERAL**

**1.1 CONTRACTORS RESPONSIBILITY**

- A. Furnish plant and equipment which will be efficient, appropriate and large enough to secure a satisfactory quality of work and a rate of progress which will ensure the completion of the work within the Contract Time. If at any time such plant appears to be inefficient, inappropriate or insufficient for securing the quality of work required or for producing the rate of progress aforesaid, Engineer may order the Contractor to increase the efficiency, change the character or increase the plant equipment and the Contractor shall conform to such order. Failure of the Engineer to give such order shall in no way relieve the Contractor of his obligations to secure the quality of the work and rate of progress required.
- B. The Contractor shall provide and maintain such modern plant, tools and equipment as may be necessary, in the opinion of the Owner and Engineer, to perform in a satisfactory and acceptable manner all the work required by this Contract. Only equipment of reputation and proven efficiency shall be used. The Contractor is solely responsible for the adequacy of his/her workmanship, materials and equipment, prior to approvals by the Owner and Engineer notwithstanding.
- C. All work shall be completed in accordance with local, state and federal codes of regulation.

**1.2 PRIVATE LAND**

- A. Do not enter or occupy private land outside of easements, except by permission of the land owner.
- B. Dispose of excavated material and debris from the site preparation operations by hauling such material and debris to an approved off-site disposal area. All excess excavated material shall become the property of the Contractor unless specifically called out on the Drawings or herein.
- C. Protect all buildings, foundations, building overhangs, steps, walkways, walls, fences and landscaping adjacent to and/or inside the limit of work and clean and/or repair walls, fences, steps, walkways, fences and landscaping or other fixtures outside the limit of work or those items specifically called out to be protected within the Contract Documents within the limit of work at no additional cost to the Owner.
- D. When necessary to notify the property owner or tenant of any impacts of construction activities, entry to businesses or residential properties shall only be made by a foreman or more senior person of the Contractor with a representative from the City of New Bedford and Engineer. All foreman or those ranking above foreman, shall carry laminated photo identification cards bearing the name, position, Contractor's name, and local day time and after-hours phone number of the Contractor. The identification shall be provided, whether requested or not, any time a foreman or more senior person communicated with a property owner.

**1.3 PIPE LOCATIONS**

- A. Locate pipelines substantially as indicated on the Drawings. The Engineer reserves the right to make such modifications in locations as may be found desirable to avoid interference with existing structures or for other reasons.

- A. The roadway final grades shown on the drawings are for estimate purposes only. Prior to final grading the Contractor will be required to coordinate with the Engineer to establish survey control, stake elevations at the back of walk and at critical changes in slope/grade for the purposes of grading the road and site and make all adjustments to final line and grade as required by the Engineer. The Engineer reserves the right to make such modifications in locations as may be found desirable to achieve proper slope or for other reasons at not additional cost to the Contract or change in the contract duration.

#### 1.5 OPEN EXCAVATIONS

- A. Adequately safeguard all open excavations by providing temporary barricades, caution signs, lights and other means to prevent accidents to persons and damage to property. Provide suitable and safe bridges and other crossings for accommodating travel by pedestrians and workmen. Remove bridges provided for access during construction when no longer required. The length or size of excavation will be controlled by the particular surrounding conditions, but shall always be confined to the limits prescribed by the Engineer. If the excavation becomes a hazard, or if it excessively restricts traffic at any point, the Engineer may require special construction procedures such as limiting the length of the open trench, prohibiting stacking excavated material in the street and requiring that the trench shall not remain open overnight.
- B. As mandated by Chapter 82A of the Massachusetts General Law (MGL), the trench safety regulations require that all Contractors, whether public or private, take specific precautions to protect the general public and prevent unauthorized access to unattended trenches. Accordingly, unattended trenches must be covered, barricaded or backfilled. Covers shall be road plates at least 3/4-in thick or equivalent; barricades shall be fences at least 6-ft high with no openings greater than 4-in between vertical supports; backfilling shall be sufficient to eliminate the trench. Alternatively, Contractors may choose to attend trenches at all times, for instances by hiring a police detail, security guard or other attendant who shall be present during times when the trench will be unattended by the Contractor. For purposes of this Paragraph, a "trench" shall be defined as an excavation which is narrow in relation to its length, made below the surface ground in excess of 3 feet below grade and the depth of which is, in general, greater than the width, but the width of the trench, as measured at the bottom, is no greater than 15 feet and the words "excavator", "excavation" and "emergency" shall have the same meanings as defined in Section 40 of Chapter 82 of the MGL. The word "excavator" as used in this Paragraph shall also mean "Contractor".
- C. Contractor shall paint raised casting edges and cut pavement edges left prior to ramping with orange safety paint. Barrels shall be placed on raised castings and at other easily seen locations to notify pedestrians and motorists about cut edges or raised castings.

#### 1.6 TEST PITS

- A. Excavate test pits, at the direction of the Engineer, to locate underground pipelines or structures in advance of the construction. Backfill test pits immediately after their purpose has been satisfied and restore and maintain the surface in a manner satisfactory to the Engineer.

#### 1.7 MAINTENANCE OF TRAFFIC

- A. Unless permission to close a street is received in writing from the proper authority, place all excavated material so that vehicular and pedestrian traffic may be maintained at all times. If the construction operations cause traffic hazards, repair the road surface, provide temporary ways, erect wheel guards or fences, or take other measures for safety satisfactory to the Engineer.

- B. Detours around construction will be subject to the approval of the Owner and the Engineer. Where detours are permitted, provide all necessary barricades and signs as required to divert the flow of traffic. Expedite construction operations while traffic is detoured. Periods when traffic is being detoured will be strictly controlled by the Owner.
- C. Take precautions to prevent injury to the public due to open trenches. Night watchmen may be required where special hazards exist, or police protection provided for traffic while work is in progress. Be fully responsible for damage or injuries whether or not police protection has been provided.
- D. The Contractor will be required to submit in writing, 72-hours in advance (Saturdays, Sundays and legal holidays excluded) to the City of New Bedford Traffic Commission and Engineer a request to modify traffic flow patterns (i.e., one way street to two-way street, street closures and detours) due to interferences during work activities. Written permission shall be obtained prior to proceeding. Owner reserves right to reject requests without modifying schedule or cost.
- E. Work within this project will take place within neighborhoods streets, a City park, adjacent to schools, apartment buildings, businesses, restaurants, and beaches. The following additional requirements shall be adhered to at all times for maintaining traffic in these areas:
  - 1. Adhere to the requirements of the approved traffic management plan.
  - 2. All other requirements of Section 01170, 01570 and the Contract Documents.
  - 3. Coordinate construction with City events.
  - 4. Coordinate construction with use of the Community Center.
- F. During the work day, the Contractor will have use of the limit of work area defined on the Drawings. The Contractor shall position his/her equipment such that emergency vehicles, local traffic and pedestrian access (must be ADA/AAB compliant) is available 24 hours per day to each work area and the Community Center. Contractor will be fully responsible for setting up and providing site security (i.e. temporary fencing, noise control, etc.), noise control and traffic control such that access is available as referenced above.

#### 1.8 CARE AND PROTECTION OF PROPERTY

- A. Be responsible for the preservation of all public and private property and use every precaution necessary to prevent damage thereto. If any direct or indirect damage is done to public or private property by or on account of any act, omission, neglect, or misconduct in the execution of the work on the part of the Contractor, restore such property to a condition similar or equal to that existing before the damage was done, or make good the damage in other manner acceptable to the Engineer at no additional cost to the Owner.

#### 1.9 PROTECTION AND RELOCATION OF EXISTING STRUCTURES AND UTILITIES

- A. Assume full responsibility for the protection of all buildings, structures, and utilities, public or private, including poles, signs, services to buildings, utilities in the street, gas pipes, water pipes, hydrants, sewers, drains and electric and telephone cables, whether or not they are shown on the Drawings. Carefully support and protect all such structures and utilities from injury of any kind. Any damage resulting from the Contractor's operations shall be repaired immediately by him/her at his/her own expense.



- B. Assistance will be given the Contractor in determining the location of existing services. The Contractor, however, shall bear full responsibility for obtaining all locations of underground structures and utilities (including existing water services, drain lines and sewers). Services to buildings shall be maintained and all costs or charges resulting from damage thereto shall be paid by the Contractor.
- C. Notify all utility companies in writing at least 72 hours (excluding Saturdays, Sundays and Legal holidays) before excavating in any public way. Also notify Massachusetts Dig Safe, telephone 1-888-344-7233 at least 72 hours prior to start of work.
- D. Protection and temporary removal and replacement of existing utilities and structures (culverts, water courses, storm drains, gas mains, water mains, cable TV, electric, telephone, gas and water services, etc.) as described in the Section shall be part of the work under the Contract and all costs in connection therewith shall be included in the appropriate item in the Bid Form. This work shall include but is not limited to the following: bracing, hand excavation, and backfill and any other work required for crossing the utility of obstruction.
- E. If in the opinion of the Engineer, permanent relocation of a utility owned by the City is required due to a direct invert conflict with the work in the Contract, he/she may direct the Contractor, in writing, to perform the work. Work so ordered will be paid for at the prices bid for applicable pipe items, where applicable, or as an extra work under Articles 10, 11 and 12 of the Supplementary Conditions where no applicable items exist. If relocation of a privately owned utility is required, the City will notify the Utility to perform the work as expeditiously as possible. Fully cooperate with the City and Utility and shall have no claim for delay due to such relocation.
- F. Utility relocations will be required at locations specified on the Drawings for construction of the new pipelines, buildings, and appurtenances. City owned utilities (water, sewer, drain and traffic loop wiring), will be relocated by the Contractor. Payment for the City owned relocations at the specified locations will be made under the appropriate items on the Bid Form. Relocations of privately owned utilities and City owned streetlights, fire boxes, and electrical conduits/wires supplying power to the street lights and wires supporting the fire boxes will be performed by the Utility and the City respectively. The Contractor shall be responsible for notification of and coordinating work with the Utility and the City. Costs associated with the coordination with the Utilities and the City shall be included in the Total Bid Price.
- G. At pipe crossings, furnish and place screened gravel bedding so that the existing utility or pipe is firmly supported for its entire proposed length. The bedding shall extend to the mid-diameter of the pipe crossed.
- H. Whenever it becomes necessary to change the location of any underground structures such as water or gas pipes, sewers, drains, conduits, etc., not otherwise provided for in these Specifications, the Contractor shall do the whole or portion of the work of making changes as the Engineer may require in writing, and this work shall be paid for under the respective item in the Bid Form or as additional work as provided for in the conditions of the Contract. The Contractor will not receive any payment for equipment and labor tied up and unable to work because of this relocation work. If, in the opinion of the Engineer, the changes that are required can best be made by the parties owning the structures or by forces of the Town, the Contractor shall give all reasonable facilities for doing this work in a proper manner and shall not claim or receive any payment for damages for delaying the continuance of his/her own work.

#### 1.10 WATER FOR CONSTRUCTION PURPOSES

- A. In locations where public water supply is available, the Contractor may be allowed to use water without charge for construction purposes.

#### CONTROL OF WORK

- B. The express approval of the Owner shall be obtained before water is used. Waste of water, as determined by the Owner and Engineer, by the Contractor shall be sufficient cause for withdrawing the privilege of unrestricted use. Contractor shall use due diligence in the use of City water during the work in the interest of water conservation. Hydrants shall only be operated by the Owner's personnel.
- C. The Owner requires the use of hydrant meters to record the volume of water used for construction purposes for Owner's yearly estimate of non-revenue water. The Contractor shall provide hydrant meters to measure the volume of all water used for construction purposes. The Contractor shall also provide a means of back flow prevention for connection to all hydrants that is acceptable to the Owner. During the shop drawing process, the Contractor shall submit information on the hydrant meters intended for use while metering water used for construction purposes. With the submittal, the Contractor shall provide calibration information and testing results on the hydrant meters to be used during construction. All hydrant meters shall be reviewed and approved by the Engineer and Owner prior to use. The Contractor shall document all water used for construction that passes through all hydrant meters in a form that is acceptable to both the Owner and Engineer.
- D. The Owner will operate all hydrants and hydrant valves while assisting the Contractor with the installation of all hydrant meters. The Owner reserves the right to restrict use of hydrants for any reason. It shall be the responsibility of the Contractor to protect all hydrant meters from damage, loss and tampering. The Contractor shall be responsible for providing all hoses and special fittings needed for utilizing the Owner's water supply. The Contractor shall notify the New Bedford Department of Public Infrastructure, Fire Department and Police Department when public safety is affected by use of hydrants for construction purposes. The Contractor will be responsible for any damage caused by water, whether it is used or wasted. If damage does occur, Contractor shall incur all responsibility and costs for repair of any damage and returning the site to its original condition.

#### 1.11 MAINTENANCE OF FLOW

- A. Provide for the flow of sewers, drains and water courses interrupted during the progress of the work, and immediately cart away and remove all offensive matter. Discuss the entire procedure of maintaining existing flow with the Engineer well in advance of the interruption of any flow.

#### 1.12 COOPERATION WITHIN THIS CONTRACT

- A. All firms or persons authorized to perform any work under this Contract shall cooperate with Contractor and Subcontractors or trades and assist in incorporating the work of other trades where necessary or required.
- B. Cutting and patching, drilling and fitting shall be carried out where required by the trade or subcontractor having jurisdiction, unless otherwise indicated herein or directed by the Engineer.

#### 1.13 CLEANUP AND DISPOSAL OF EXCESS MATERIAL

- A. During the course of the work, keep the site of operations as clean and neat as possible. Dispose of all residue resulting from the construction work and, at the conclusion of the work, remove and haul away any surplus excavation, broken pavement, lumber, equipment, temporary structures and any other refuse remaining from the construction operations and leave the entire site of the work in a neat and orderly condition.
- B. In order to prevent environmental pollution arising from the construction activities related to the performance of this Contract, comply with all applicable Federal, State and local laws and regulations concerning waste material disposal, as well as the specific requirements stated in this Section and in other related sections.

#### CONTROL OF WORK

- C. Disposal of excess excavated material in wetlands, stream corridors and plains is strictly prohibited even if the permission of the property owner is obtained. Any violation of this restriction by the Contractor or any person employed by him will be brought to the immediate attention of the responsible regulatory agencies, with a request that appropriate action be taken against the offending parties. The Contractor will be required to remove the fill and restore the area impacted at no increase in the Contract Price.
- D. Snow plowing, removal and disposal, if required prior to or during construction, shall be performed by the Contractor in accordance with all local, State and Federal requirements. If so ordered by the Owner or Engineer to complete additional snow removal within the project limits, complete additional snow plowing/removal/disposal at no additional cost or claim for delay.
- E. Contractor shall use caution when removing existing granite curbing to be reset. Any damage to granite curbing to be reset shall be replaced at no additional cost to the Owner. Refer to Section 02520 for resetting of granite curbing.
- F. All excess excavated material not reused on the project or returned to the Owner, unless specifically mentioned, shall be come property of the Contractor.
- G. Hydrants, gate valve boxes and covers, street light posts and fixtures, traffic and street signs, manhole frames and covers, trolley tracks, catch basin grates and frames, whole intact bricks and blue stone, granite curbing larger than 12-in in length, cobblestones, 2-ft City offset disks, and site amenities removed as part of the construction of this contract shall be returned to Owner. Items shall be delivered to the City of New Bedford Department of Public Infrastructure, 1105 Shawmut Avenue, New Bedford MA. Should excess materials or materials to be removed from a project site be called for to be delivered to the Owner, the cost of the delivery shall be considered incidental to the cost of the project and no separate payment will be made.
- H. Remove, demolish and dispose of all equipment, piping, asphalt, concrete, granite rubble, rock and appurtenances as specified or shown on the Drawings and as required to complete the Work except as noted in the Contract Documents. No additional payment will be made for additional demolition or disposal work, not specifically specified or shown on the Drawings, required to complete the work.
- I. Landscaping materials removed from private property as a result of the work shall remain property of the building owner. Specialty paving materials located within the public right-of-way that is integral to existing driveways or walkways shall remain property of the building owner. Contractor shall carefully stockpile specialty paving materials not reused at a location directed by the property owner. Where called for on the Drawings or specified herein, Contractor shall reinstall specialty paving materials and landscaping to existing conditions.

#### 1.14 NOISE LIMITATIONS

- A. Noise limitations shall be in accordance with Section 01100.

#### 1.15 INCIDENT REPORTING

- A. Notify the Engineer at the onset of each resident complaint and mishap that could lead to a complaint. An incident report is required to be submitted within 2 hours following the incident and forwarded to the Engineer.

#### 1.16 INTERFERENCE WITH AND PROTECTION OF STREETS AND SIDEWALKS

- A. Close or obstruct any portion of a street or walkway only as approved by the Owner and Engineer as part of the phasing plan/sequence of construction submitted in accordance with these Specifications. If any street or walkway shall be rendered unsafe by the Contractor's operations, he/she shall make such repairs or provide such temporary ways or guards as shall be acceptable to the proper authorities.
- B. Streets and walkways not closed shall be maintained passable and safe by the Contractor, who shall assume full responsibility for the adequacy and safety of provision made thereof.

#### 1.17 RESTORATION

- A. The work within this project encompasses both pipeline and roadway reconstruction activities. Due to the scheduling of the various types of activities, it may be necessary for the Contractor to temporarily restore the site to ensure safe conditions for motorists and pedestrians during off-work times. Ensure safe conditions within the working area for motorists and pedestrians throughout the duration of the project.
- B. Restore all areas to conditions that existed prior to construction. Restoration outside of the limit of work required as a result of the installation of the work shall be at the Contractor's own expense. Restoration within the limits of work is included in the items within the Bid Form.
- C. Existing public and private driveways and sidewalks disturbed by the construction shall be replaced to the limits and thicknesses existing prior to construction.
- D. Existing signs, lampposts, and mailboxes which may be damaged by the Contractor or removed by the Contractor during the course of installing the new work shall be reinstalled in a vertical position at the same location from which they were removed unless otherwise noted on the Drawings. Damaged items shall be replaced with an item equal to or better than the damaged items. A concrete anchor shall be provided as necessary, at no additional cost, to ensure a rigid alignment. Care shall be exercised in the reinstallation of all items to prevent damage to the newly installed work.
- E. Existing concrete, bituminous, timber, or granite curbing shall be protected. If necessary, curbing shall be removed and replaced after backfilling. Curbing which is damaged during construction shall be replaced with curbing of equal quality and dimension at the Contractor's expense. Granite curbing removed and reset shall conform to the Massachusetts DPW Standards and shall be subject to the approval of the Engineer. Joints between sections shall be pointed as required after resetting. Bituminous berms shall conform to the Massachusetts DPW Standards and shall be subject to the approval of the Engineer.

**END OF SECTION**

**SECTION 01110**  
**ENVIRONMENTAL PROTECTION PROCEDURES**

**PART 1 GENERAL**

**1.1 SCOPE OF WORK**

- A. Furnish all labor, materials and equipment and perform all work required for the prevention of environmental pollution in conformance with applicable laws and regulations, during and as the result of construction operations under this Contract. For the purpose of this Section, environmental pollution is defined as the presence of chemical, physical, or biological elements or agents which adversely affect human health or welfare; unfavorably alter ecological balances of importance to human life; affect other species of importance to man; or degrade the utility of the environment for aesthetic and/or recreational purposes.
- B. The control of environmental pollution requires consideration of air, water and land, and involves management of noise and solid waste, as well as other pollutants.
- C. Schedule and conduct all work in a manner that will minimize the erosion of soils in the area of the work. Provide erosion control measures such as diversion channels, sedimentation or filtration systems, berms, staked hay bales, seeding, mulching or other special surface treatments as are required to prevent silting and muddying of streams, rivers, impoundments, lakes, etc. All erosion control measures shall be in place in an area prior to construction activity in that area. Specific requirements for erosion and sedimentation controls are specified in Section 312500.
- D. This Section is intended to ensure that construction is achieved with a minimum of disturbance to the existing ecological balance between a water resource and its surroundings. These are general guidelines. It is the Contractor's responsibility to determine the specific construction techniques to meet these guidelines.
- E. All phases of sedimentation and erosion control shall comply with and be subject to the approval of the Massachusetts Department of Environmental Protection (MassDEP) City of New Bedford Conservation Commission and City of New Bedford. Prepare sedimentation and erosion control drawings meeting the requirements for approval by that agency. Upon approval, furnish two copies of the approved Drawing to the Engineer comply with the requirements of the Order of Conditions and Amended Order of Conditions as approved by the New Bedford Conservation Commission.

**1.2 APPLICABLE REGULATIONS**

- A. Comply with all applicable Federal, State and local laws and regulations concerning environmental pollution control and abatement.

**1.3 NOTIFICATIONS**

- A. The Engineer will notify the Contractor in writing of any non-compliance with the foregoing provisions or of any environmentally objectionable acts and corrective action to be taken. State or local agencies responsible for verification of certain aspects of the environmental protection requirements shall notify the Contractor in writing, through the Engineer, of any non-compliance with State or local requirements. After receipt of such notice from the Engineer or from the regulatory agency through the Engineer, immediately take corrective action. Such notice, when delivered to the Contractor or his authorized representative at the site of the work, shall be deemed sufficient for the purpose. If the Contractor fails or refuses to comply promptly,

the Owner may issue an order stopping all or part of the work until satisfactory corrective action has been taken. No part of the time lost due to any such stop orders shall be made the subject of a claim for extension of time or for excess costs or damages by the Contractor unless it is later determined that the Contractor was in compliance.

#### 1.4 IMPLEMENTATION

- A. Prior to commencement of the work, meet with the Engineer to develop mutual understandings relative to compliance with these provisions and administration of the environmental pollution control program.
- B. Remove temporary environmental control features, when approved by the Engineer and incorporate permanent control features into the project at the earliest practicable time.
- C. Compliance with the provisions of this Section by subcontractors shall be the responsibility of the Contractor.
- D. This work may be subject to inspection by the Owner for compliance with City of New Bedford Stormwater Management Rules and Regulations, the approved Order of Conditions, Amended Order of Conditions, MassDEP/EPA permits, and/or Sedimentation and Erosion Control Plans. Violation of these permits may result in stipulated damages and violations pursuant to appropriate regulation.

#### PART 2 PRODUCTS (NOT USED)

#### PART 3 EXECUTION

##### 3.1 EROSION CONTROL

- A. Provide positive means of erosion control such as shallow ditches around construction to carry off surface water. Erosion control measures, such as siltation basins, hay check dams, mulching, jute netting and other equivalent techniques, shall be used as appropriate. Offsite surface water shall be diverted around the site, to a downstream channel ahead of siltation barriers. Flow of surface water into excavated areas shall be prevented. Ditches around construction area shall also be used to carry away water resulting from dewatering of excavated areas. At the completion of the work, ditches shall be backfilled and the ground surface restored to original condition.

##### 3.2 PROTECTION OF STREAMS AND SURFACE WATERS

- A. Take all precautions to prevent, or reduce to a minimum, any damage to any stream or surface water from pollution by debris, sediment or other material, or from the manipulation of equipment and/or materials in or near such streams. Water that has been used for washing or processing, that contains oils or sediments that will reduce the quality of the water in the stream, shall not be directly returned to the stream. Divert such waters through a settling basin or filter before being directed into streams or surface waters.
- B. Do not discharge water from dewatering operations directly into any live or intermittent stream, channel, wetlands, surface water or any storm sewer. Water from dewatering operations shall be treated by filtration, settling basins, or other approved method to reduce the amount of sediment contained in the water to allowable levels.
- C. Take all preventative measures to avoid spillage of petroleum products and other pollutants. In the event of any spillage, prompt remedial action shall be taken in accordance with a contingency action plan approved by the MassDEP. Submit two copies of approved contingency plans to the Engineer.



- D. The Contractor shall be responsible for filing a NPDES Construction Dewatering Permit prior to commencement of the Work. A copy of the permit and the application shall be filed with the Owner and the City of New Bedford Conservation Commission.

Water being flushed from structures or pipelines after disinfection, with a C12 residue of 2 mg/1 or greater shall be treated with a dechlorination solution, in a method approved by the Engineer, prior to discharge.

### 3.3 PROTECTION OF LAND RESOURCES

- A. Restore land resources within the project boundaries and outside the limits of permanent work to a condition, after completion of construction that will appear to be natural and not detract from the appearance of the project. Confine all construction activities to areas shown on the Drawings.
- B. Do not deface, injure, or destroy trees or shrubs, nor remove or cut them without prior approval. No ropes, cables, or guys shall be fastened to or attached to any existing nearby trees for anchorage unless specifically authorized by the Engineer. Where such special emergency use is permitted, first wrap the trunk with a sufficient thickness of burlap or rags over which softwood cleats shall be tied before any rope, cable, or wire is placed. The Contractor shall in any event be responsible for any damage resulting from such use.
- C. To limit compaction and protect tree root zone, non-dyed wood chips shall be placed on the ground prior to entering the project area with construction equipment. Before beginning operations near them, protect trees that may possibly be defaced, bruised, injured, or otherwise damaged by the construction equipment, dumping or other operations, by placing boards, planks, or poles around them.
- D. Trees or other landscape features scarred or damaged by the Contractor's equipment or operations shall be restored as nearly as possible to their original condition. The Engineer will decide the method of restoration to be used and whether damaged trees shall be treated and healed or removed and disposed of and replaced.
1. All scars made on trees by equipment, construction operations, or by the removal of limbs larger than 1-in in diameter shall be coated as soon as possible with an approved tree wound dressing. All trimming or pruning shall be performed in an approved manner by experienced workmen with saws or pruning shears. Tree trimming with axes will not be permitted.
  2. Climbing ropes shall be used where necessary for safety. Trees that are to remain, either within or outside established clearing limits, that are subsequently damaged by the Contractor and are beyond saving in the opinion of the Engineer, shall be immediately removed and replaced.
- E. The locations of the Contractor's storage and other construction buildings required temporarily in the performance of the work, shall be cleared portions of the job site or areas to be cleared as shown on the Drawings and approved by the Engineer and shall not be within wetlands or floodplains or their associated buffer zones. The preservation of the landscape shall be an imperative consideration in the selection of all sites and in the construction of buildings. Drawings showing storage facilities shall be submitted for approval of the Engineer.
- F. If the Contractor proposes to construct temporary roads or embankments and excavations for plant and/or work areas, he/she shall submit the following for approval at least ten days prior to scheduled start of such temporary work.
1. A layout of all temporary roads, excavations, embankments and drainage to be constructed

2. Details of temporary road construction.
  3. Drawings and cross sections of proposed embankments and their foundations, including a description of proposed materials.
  4. A landscaping drawing showing the proposed restoration of the area. Indicate the proposed removal of any trees and shrubs outside the limits of existing clearing area. Indicate locations of guard posts or barriers required to control vehicular traffic and protect trees and shrubs to be maintained undamaged. The Drawing shall provide for the obliteration of construction scars as such and shall provide for a natural appearing final condition of the area. Modification of the Contractor's approved drawings shall be made only with the written approval of the Engineer. No unauthorized road construction, excavation or embankment construction including disposal areas will be permitted.
- G. Remove all signs of temporary construction facilities such as haul roads, work areas, structures, foundations of temporary structures, stockpiles of excess of waste materials, or any other vestiges of construction as directed by the Engineer. It is anticipated that excavation, filling and plowing of roadways will be required to restore the area to near natural conditions which will permit the growth of vegetation thereon. The disturbed areas shall be prepared and seeded as described in Section 329200 shown on the drawings, or as approved by the Engineer.
- H. All debris and excess material will be disposed of outside wetland or floodplain areas in an environmentally sound manner. All excess construction debris shall become property of the Contractor except for materials specifically noted on the Drawings and in the Specifications to remain property of the Owner.

### 3.4 PROTECTION OF AIR QUALITY

- A. Burning - The use of burning at the project site for the disposal of refuse and debris will not be permitted.
- B. Dust Control - Maintain all excavations, embankment, stockpiles, access roads, plant sites, waste areas, borrow areas and all other work areas within or without the project boundaries free from dust which could cause the standards for air pollution to be exceeded and which would cause a hazard or nuisance to others.
- C. An approved method of stabilization consisting of sprinkling or other similar methods will be permitted to control dust. The use of petroleum products is prohibited. The use of chlorides may be permitted with approval from the Engineer.
- D. Sprinkling, to be approved, must be repeated at such intervals as to keep all parts of the disturbed area at least damp at all times, and the Contractor shall have sufficient competent equipment on the job to accomplish this. Dust control shall be performed as the work proceeds and whenever a dust nuisance or hazard occurs, as determined by the Engineer.

### 3.5 NOISE CONTROL

- A. Make every effort to minimize noises caused by the construction operations. Equipment shall be equipped with silencers or mufflers designed to operate with the least possible noise in compliance with Federal and State regulations. Refer to Section 01100 for additional requirements related to noise control.



3.6 MAINTENANCE OF POLLUTION CONTROL FACILITIES DURING CONSTRUCTION

- A. Maintain all facilities constructed for pollution control as long as the operations creating the particular pollutant are being carried out or until the material concerned has become stabilized to the extent that pollution is no longer being created.

**END OF SECTION**

**SECTION 01170  
SPECIAL PROVISIONS**

**PART 1 GENERAL**

**1.1 GENERAL OBLIGATIONS OF THE CONTRACTOR**

- A. General obligations of the Contractor shall be as set forth in the Contract Documents. Unless special payment is specifically provided in Section 01025, all incidental work and expense in connection with the completion of work under the Contract will be considered a subsidiary obligation of the Contractor and all such costs shall be included in the appropriate items in the Bid Form in connection with which the costs are incurred.

**1.2 SITE INVESTIGATIONS**

- A. The Contractor shall satisfy himself as to the conditions existing within the project area, the type of equipment required to perform the work, the character, quality and quantity of the subsurface materials to be encountered insofar as this information is reasonably ascertainable from an inspection of the site, as well as from information presented by the Drawings and related Sections. Any failure of the Contractor to acquaint himself with the available information will not relieve him from the responsibility for estimating properly the difficulty or cost of successfully performing the work. The Owner assumes no responsibility for any conclusions or interpretation made by the Contractor on the basis of the information made available by the Owner.
- B. At no point shall wastewater service be interrupted during the project.
- C. The Contractor shall maintain 24-hr on-site personnel to monitor all bypass pumping operations.
- D. Contractor shall be aware that the project site is located within a residential area and in Buttonwood Park directly adjacent to the Community Center. Under no circumstances shall access to residences or Community Center be restricted or blocked. Provide means of access (ADA/ABA compliant) to all homes and Community Center throughout the project duration. Contractor shall also ensure that utility services to all locations are maintained.
- E. He/she shall perform and complete the work in the manner best calculated to promote rapid construction consistent with safety of life and property, and in strict accordance with the Contract Documents. The Contractor shall clean-up the work and maintain it during and after construction until work is accepted, and shall do all work and pay all costs incidental thereto. He/she shall repair or restore all structures and property that may be damaged or disturbed during the performance of the work that is located outside of the limits of work or is specifically called out as being protected at no additional cost to the Owner,

**1.3 WORK RESTRICTIONS**

- A. Comply with restrictions on construction operations.
  - 1. Comply with limitations on use of public streets, work on public streets, rights of way, and other requirements of authorities having jurisdiction.
- B. Existing Utility Interruptions: Do not interrupt utilities serving facilities occupied by Owner or others unless permitted under the following conditions and then only after arranging for temporary utility services according to requirements indicated:
  - 1. Notify Owner in writing not less than 48 hours (2) days in advance of proposed

SPECIAL PROVISION

2. Obtain Owner's written permission before proceeding with utility interruptions.
- C. Noise, Vibration, Dust, and Odors: Coordinate operations that may result in high levels of noise and vibration, dust, odors, or other disruption to Owner occupancy with Owner. Refer to Section 01100 Noise Control and Section 01562 and Dust Control for additional detail.
1. Notify Owner in writing not less than 48 hours (2) days in advance of proposed disruptive operations.
  2. Obtain Owner's written permission before proceeding with disruptive operations.
- D. Smoking and Controlled Substance Restrictions: Use of tobacco products, alcoholic beverages, and other controlled substances on Project site is not permitted.
- E. Employee Identification: Provide identification tags for Contractor personnel working on Project site. Require personnel to use identification tags at all times.

#### 1.4 COORDINATION WITH LOCAL AGENCIES

- A. Supply the Local Police Department, Fire Department, School Department, Conservation Commission, Traffic Commission, and the Department of Public Infrastructure with the following information.
1. A list of streets and intersections where work will be in progress to be supplied at intervals as required by the Engineer.
  2. Areas where approved detours are in effect.
  3. Immediate notification of any drain, gas or water main breaks.
  4. A list of after-hours telephone numbers by which appropriate Contractor personnel may be contacted in the event of emergencies.
- B. Reimburse the Owner for the actual cost of the services of Water Department Personnel required during other than regular working hours. The emergency contact number for the Water Department during non-business hours is 508-979-1550.
- C. Coordinate with the City of New Bedford for use of city streets, sidewalks, parking areas, or other public areas.
- D. The Contractor shall be aware that various City events occur within streets along the project route, including various concerts and festivals. Contractor shall coordinate all work around these events. The following is a list of locations that defines events in the City.
1. Destination New Bedford - <http://www.destinationnewbedford.org>
  2. AHA New Bedford - <http://www.ahanewbedford.org>
  3. City of New Bedford - <https://www.newbedford-ma.gov/>

Under no circumstances shall the Contractor work in the vicinity of these events or inhibit the flow of traffic and parking to these events. One lane of traffic shall be maintained on Fuller

Memorial Parkway at all times. Temporary closure to facilitate moving equipment will be allowed. Contractor shall verify additional festivals and calendar dates and times for similar festivals through the duration of the project. Work on this project occurs directly adjacent to the Buttonwood Community Center and will disrupt access and parking which is heavily used during frequent events and for senior citizen activities that occur at the facility. A list of events is included at the end of this Section. All work shall be coordinated around these events so that parking is fully available. Lot closures for paving and grading work shall occur during non-event times so that parking is maintained. Work outside of the limits of the parking lot will be allowed during event times so long as activity doesn't restrict parking lot use. Contractor shall have no claim for delay in changes of schedule or additional compensation if an event date and time is moved, if additional dates are added, or if the Owner and/or Engineer requires the Contractor to make certain clean-up/improvements to the work area in anticipation of the event.

The Contractor should be advised that a number of annual events occur nearby the proposed work of this Contract and in and around Buttonwood Park. Contractor shall coordinate his/her activities around the various events to minimize impact. To assist the Contractor, the Engineer has provided the following list of events in Table 1 for use in coordinating activities. It is the Contractor's responsibility for ensuring full and complete coordination with event organizers, as necessary, and the below list is not presumed to be complete nor incorporate all events in close proximity to the project area.

**Table 1 - List of Annual Events**

<b>Month of Occurrence</b>	<b>Event</b>
March	Hunger Hero Food Drive
May	Red White and Brew Family Fest
September	Taste of Fall
October	Walk for KDC Don't Lose Hope Suicide Walk Spook Spooner 5k
November	Hunger Hero Food Drive

- E. The Contractor shall coordinate work activities with local businesses and residents.
- F. Maintain pavement and lawn as specified and provide the Department of Public Infrastructure with an address where the Contractor may be reached when not at the site. Upon notification by the Owner or Engineer, properly make such repairs as necessary to paved area surfaces and lawn areas. The contractor shall meet all requirements of New Bedford Department of Public Infrastructure for pavement restoration and these specifications.
- G. Contractor should be advised that City and MassDOT bounds and survey monumentation exists within the project limits. Contractor shall provide full protection of all existing monumentation during the course of the work. Any damage to the existing monumentation shall be reported to the Engineer. Contractor shall hire the services of a Registered Professional Land Surveyor in the Commonwealth of Massachusetts to reset the monumentation. Contractor is responsible for the cost of all labor and materials resulting from reestablishing the monumentation at no additional cost to the Owner.

1.5 COORDINATION WITH BUSINESSES AND RESIDENTS

- A. The Contractor shall coordinate work activities with local businesses and residents.
- B. Prior to the commencement of work, coordinate with the City of New Bedford Department of Public Infrastructure and the Engineer, to notify by letter, all residents and businesses that may be disturbed by construction activities. The letter shall include a description of the location of work, approximate dates of when work will begin and end, general phasing and a list of people to contact should any questions arise, including the Contractor, the Engineer and a representative of the Owner. The Contractor may be required to perform multiple notifications during the work which may address general construction activities. All letters and forms shall be reviewed by the Owner and/or Engineer prior to mailing. Contractor is responsible for all mailing costs.

1.6 COORDINATION WITH OTHER CONTRACTORS

- A. Coordinate all work activities with adjacent work by other Contractors including the trenchless rehabilitation of the 30" sewer west of the Community Center under the pond and rehabilitation of the manhole at the end of Lake Street located on the pond bank.
- B. Coordinate work with private utility contractors.

1.7 PUBLIC UTILITIES

- A. Comply with the requirements of the Commonwealth of Massachusetts Statute - Chapter 82A, Section 40, for excavations in public and private property. Compliance shall include the following:
  - 1. Notify public utility companies in writing at least 72 hours (excluding Saturdays, Sundays and legal holidays) but not more than 30 days before excavating in areas where underground utility plant (pipes, cables, manholes, etc.) exist.
  - 2. Provide the Utility Companies with a schedule of the activities in areas where the utilities exist.
  - 3. Notify utility companies of any damage to their utilities resulting from construction operations.
- B. Notify DIGSAFE at 1-888-344-7233 at least 72 hours before digging, trenching, demolishing, backfilling, grading, landscaping or other earth moving operations in any public ways, rights of way and easements.
- C. Protect existing sewers, drains, watermains, gas mains, services, buried duct banks/conduit and overhead utilities.
- D. Refer to Section 01046 for additional requirements.

1.8 NOISE LIMITATIONS

- A. All equipment to be furnished under this Contract, unless specified otherwise in the technical specifications, shall be designed to ensure that the sound pressure level does not exceed 85 decibels over a frequency range of 37.8 to 9600 cycles per second at a distance of 3-ft from any portion of the equipment, under any load condition, when tested using standard equipment and

methods. Noise levels shall include the noise from the motor. Mufflers or external baffles shall not be acceptable for the purpose of reducing noise. Data on noise levels shall be included with the shop drawing submittal.

#### 1.9 PROGRESS SCHEDULE

- A. Submit a progress schedule before starting any work, in accordance with Article 2.05B of the General Conditions.
- B. Review the progress schedule with the Engineer on a monthly basis or more frequently as required by the Engineer. The progress schedule shall be adjusted as required in accordance with the General Conditions.

#### 1.10 PROVISIONS FOR CONTROL OF EROSION

- A. Take sufficient precautions during construction to minimize the run-off of polluting substances such as clay, silts, fuels, oils, bitumens, and calcium chloride into the supplies and surface waters of the State. Special precautions shall be taken in the use of construction equipment to prevent operations which promote erosion.
- B. Disposal of drainage shall be in areas approved by the Owner. Prevent the flow or seepage of drainage back into the drainage area. Drainage shall not be disposed of until silt and other sedimentary materials have been removed. Particular care shall be taken to prevent the discharge of unsuitable drainage to water supply or surface water body.
- C. Measures for control of erosion shall be adequate to assure that turbidity in the receiving water will not increase more than 10 standard turbidity units (STU), or otherwise required by the State or other controlling body, in waters used for public water supply or fish unless limits have been established for the particular water. In surface water used for other purposes, the turbidity shall not exceed 15 STU or 25 ppm TSS unless otherwise permitted.
- D. At a minimum, the following will apply:
  - 1. Staked fiber rolls shall be provided at points where drainage from the work site leaves the site, to reduce the sediment content of the water. Sufficient fiber rolls shall be provided such that all flow will filter through the rolls. Other methods which reduce the sediment content to an equal or greater degree may be used as approved by the Engineer.
  - 2. Drainage leaving the site shall flow in a manner to prevent erosion.
  - 3. Erosion control blankets.
  - 4. Catch basin inlet protection.
- E. Refer to Section 312500 for additional requirements.

#### 1.11 PERMITS

- A. Obtain all necessary permits required for proper execution of the project. Fill out all forms and furnish all drawings required to obtain the permits. A copy of each permit shall be submitted to the Engineer. All fees associated with these permits shall be paid by the Contractor as part of the work. Work shall not commence on any phase of the work requiring a permit until the permit is obtained.
- B. Obtain required street opening permits for excavations within streets or sidewalk areas.

- C. Contractor shall strictly follow the requirements of Chapter 22, Article II Section 22-36 of the New Bedford City Code (latest version) which includes requirements that all applications for permits to disturb City street surfaces for any reason including the installation or repair of sewer and drainage pipes must be accompanied by a certified check in an amount to be determined by the Commissioner of the New Bedford Department of Public Infrastructure (DPI). Contractor is responsible for all fees required by the City of New Bedford in obtaining these permits with the DPI. Contractor shall determine the current permitting fees prior to submitting the Bid for this project and the Contractor shall be solely responsible for paying all permitting fees.

This check is to be held by the DPI as surety that the disturbed street surface will be properly and permanently repaired by the applicant and will be refunded to the applicant upon certification by a City Inspector that the repair is satisfactory. Any minor expenses incurred by the City arising from the pavement disturbance will be deducted from the surety check before refunding same. Major expenses will continue to be handled through the applicant's bonding company as in the past

Any complaints requiring deductions from the surety deposit will be noted in the applicant's performance record in the DPI Engineering Office and can be considered cause for refusal of future permits.

The same Ordinance amendment also makes positive the two-year period following the completion of a street pavement repair during which the applicant is held responsible for the condition of the repair.

#### 1.12 DISRUPTION TO THE EXISTING SYSTEM

- A. Make test pits to locate existing watermains, drain pipes, sewers or force mains, etc. where shown on the Drawings or as directed by the Engineer. If during the course of the excavation, the Contractor for whatever reason causes the existing pipeline to fail, the Contractor shall restore service in the shortest possible time, working around the clock if necessary. Cooperate with the Owner or utility company in supplying emergency service. Pay all costs associated with, or resulting from all breaks. Cooperate with the Owner and Fire Department in supplying emergency water.
- B. Contractor should be advised that a significant number of both public and private utilities exist within the Work area including major gas, telephone, electric, sewer and drain. Any damage to these utilities including all associated secondary charges will be the responsibility of the Contractor and shall be repaired by the Contractor at no additional cost to the Owner.
- C. Planned or scheduled water shutdowns require a minimum of 72 hours' notice to impacted residences/businesses. Coordinate with Owner for distribution of notices regarding impacts and for scheduling shut down.
- D. Businesses or residences that require use of water on a daily basis shall be bypass fed during planned or long term disruptions.

#### 1.13 TRAFFIC AT STREET INTERSECTIONS

- A. The Contractor shall minimize interferences with the normal flow of traffic at all street intersections. The Contractor shall take all actions ordered by the Engineer to minimize the

time his vehicles are located at street intersections. The Contractor shall establish work zones and pedestrian safety per the Manual on Uniform Traffic Control Devices, 2023, of the MassHighway Standard Specifications, the Contract Plans and these Specifications.

#### 1.14 TRAFFIC CONTROL PLAN AND DEVICES

- A. The Contractor shall develop, implement, furnish, install, maintain, and remove a traffic control plan and devices as specified in Section 01046, Section 01570, and as directed by the New Bedford Police Department and the Engineer. The Contractor shall be responsible for providing and maintaining all necessary signs, barricades, lights and such for the protection of the public and workers. All control devices shall be MUTCD compliant.
- B. Should an existing traffic control sign or safety measure (e.g., stop signs, directional signs, existing barricades/barriers, etc.) be removed to facilitate construction, temporary measures shall be installed in their place and maintained for the duration of the project. Contractor is solely responsible for any and all activities that occur on a project site and is responsible for the safety of motorists and pedestrians.

#### 1.15 RIGHT TO KNOW LAW

- A. Submit to the Department of Environmental Protection the Material Safety Data Sheets for all substances or mixture of substances used on the Project by him or his subcontractors prior to commencing any work in accordance with the requirements of MGL Chapter 111F, Section 16.

#### 1.16 HURRICANE PREPAREDNESS PLAN

- A. Within 30 days of the date of Effective Date of the Agreement, submit a Hurricane Preparedness Plan to the Engineer and the Owner for approval. The Plan shall describe in detail the necessary measures which the Contractor will perform, at no additional costs to the Owner, in case of a hurricane warning. Revise Plan as required by the Engineer and Owner.

#### 1.17 WEATHER PROTECTION

- A. In the event of inclement weather, the Contractor and subcontractors shall protect the Work and materials from damage or injury from the weather. If, in the opinion of the Engineer, any portion of the Work or materials has been damaged by reason of failure on the part of the Contractor or subcontractors to so protect the Work, such Work and materials shall be removed and replaced with new materials at the Contractor's expense and to the satisfaction of the Engineer. Contractor shall not apply paving or place concrete during unfavorable weather conditions.

#### 1.18 CLEANING UP

- A. Removal all construction material, excess excavation, buildings, equipment and other debris remaining on the job site as a result of construction operations and restore the site of the work to a neat and orderly condition.
- B. The Owner may at times require the Contractor to conduct additional cleaning activities on the site. Contractor shall complete such activities at no additional cost to the Owner. Contractor will not have a claim for delay or payment for additional cleaning as a result of these requests.
- C. Refer to Sections 01562 for street sweeping and dust control requirements.

#### 1.19 INCIDENTAL WORK

- A. Do all incidental work not otherwise specified, but obviously necessary to the proper completion of the work as shown on the Drawings and specified in the Contract Documents.



1.20 RESTORING RIGHTS-OF-WAYS, PROPERTY AND EASEMENTS

- A. Portions of the work are within public rights-of-way, property owned by the City, and easements. Be responsible for all damage to private property due to the operations. Protect from injury all walls, fences, cultivated shrubbery, pavement, underground facilities, such as water pipes, or other utilities which may be encountered along the route. In removal and replacement are required, it shall be done in a workmanlike manner so that replacement is equivalent to that which existed prior to construction.
- B. Existing lawn areas damaged by construction shall be replaced. Cut and replace the lawn and restore the areas with an equivalent depth and quality of loam, seed and fertilizer as necessary to produce a stand of grass at least equal to that existed prior to construction. These areas shall be maintained and reseeded, if necessary, until all work under this Contract has been completed and accepted. All additional work required to restore property to the original condition shall be performed.
- C. Existing bollards, fences, trees, shrubs, plants and bushes shall be fully protected as specified and/or directed by the Engineer. Existing bollards, fences, trees, shrubs, plants and bushes damaged or removed shall be replaced. The work shall include removing and replacing these bollards, fences, trees, shrubs and bushes indicated on the Drawings. It shall include the careful excavation of the root ball which shall be wrapped with burlap while out of the ground.

**END OF SECTION**

**SECTION 01562  
DUST CONTROL**

**PART 1 GENERAL**

**1.01 SCOPE OF WORK**

- A. Perform dust control operations, in an approved manner, whenever necessary or when directed by the Engineer, even though other work on the project may be suspended. Dust control shall be generally accomplished by the use of water; however, the use of calcium chloride may be used when necessary to control dust nuisance as specified below.
- B. Several materials may be used for dust control, including temporary mulch, spray on adhesives such as latex emulsions or resin in water sprayed onto mineral soil, sprinkling water, crushed stone or wind barrier in the form of sediment fence or snow fence. Do not use calcium chloride or spray on asphalt emulsions in areas requiring growth of vegetation/grass as it will hinder and/or prevent the growth of grass/vegetation. Calcium chloride may be used in the roadway and shall confirm to AASHTO M144, Type I except the requirements for "total alkali chlorides" and other impurities shall not apply.
- C. Methods of controlling dust shall meet all air pollutant standards as set forth by Federal and State regulatory agencies.
- D. Maintain all excavations, embankments, stockpiles, access roads, plant sites, waste areas, borrow areas and all other work areas free from dust which could cause the standards for air pollution to be exceeded and which would cause a hazard or nuisance to others.
- E. Conduct trucking operations in a manner to cause a minimum of dust. Give unpaved streets, roads, detours, or haul roads used in construction areas a dust-preventative treatment or periodically water to minimize dust. Strictly adhere to applicable environmental regulations for dust prevention.
- F. Provide and maintain temporary dust-tight partitions, bulkheads, or other protective devices during construction to permit al operation of existing park facilities outside of the limits of work. Construct partitions of plywood, insulating boards, plastic sheets, or similar materials. Construct partitions in such a manner that dust and dirt from demolition and cutting will not enter parts of existing buildings or facilities. Remove temporary partitions as soon as the need no longer exists.
- G. Sprinkling, to be approved, must be repeated at such intervals as to keep all parts of the disturbed area at least damp at all times. Dust control shall be performed as the work proceeds and whenever a dust nuisance or hazard occurs, as determined by the Engineer.
- H. Control dust associated with the traffic generated by the work performed under this Contract. The following describes the minimum required of the Contractor in this regard.
  - 1. Assure that all work areas and all roads used are kept free from debris and that dust is adequately controlled.
  - 2. Weather permitting, arrange for street sweeping of the construction traffic route as necessary, but a least twice weekly during the construction period or as directed by the Engineer and Owner.
  - 3. Owner may request additional street sweeping in the project area and along haul routes which shall be completed at no additional cost to the Owner. Refer to Section 01005 for additional

requirements.

4. Weather permitting within one week of discovery or notice from the Owner, repair roadways which are damaged as a result of construction or construction related traffic to City streets as specified.
5. Assure that any open body trucks transporting materials with the potential to generate spillage or dust shall have its bed securely covered by a canvas or plastic tarp to ensure that its load is contained and to minimize spillage or dust. In addition, all trucks transporting materials with the potential to generate odors shall be tightly covered or closed.
6. In the event that these minimum measures prove inadequate and Owner receives verifiable and reasonable complaints covering dust generated by construction or related traffic, furnish such additional dust control measures as may be required to control the dust so generated.
7. Contractor shall prevent dust nuisance from his/her operation or from traffic. All sawing of concrete, pavement or bricks/cobbles/pavers shall be preformed with a wet saw. There shall be no dry sawing of concrete, pavement or bricks/cobbles/pavers during the demolition, installation or otherwise using a dry saw.
- I. Contractor will be required to use On-Road Low Sulfur Diesel (LSD) fuel in all off-road construction equipment.
- J. Trucks hauling materials from the site shall be covered with a tarpaulin and equipped with refuse gates which prevent material from dropping while the vehicle is moving.

END OF SECTION

**SECTION 01570  
TRAFFIC CONTROL**

**PART 1 GENERAL**

**1.1 REQUIREMENTS**

- A. All traffic control work performed by the Contractor shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) latest edition, the latest version of the Massachusetts Department of Transportation (MassDOT) Standard Specification for Highways and Bridges, the Contract Drawings and these specifications. Where reference is made to one of the aforementioned publications, the revision in effect at the time of bid opening shall apply.
- B. The Contractor shall furnish, install, operate and maintain equipment, services and personnel with traffic control and protective devices, as required to expedite vehicular traffic flow during construction.
- C. Detailed traffic control plans have been provided for use by the Contractor. The Contractor shall submit any requested modifications to the Engineer for review. All changes to the traffic control plans shall be designed by a Massachusetts Registered Professional Engineer, detailing all requested changes to the plans including all temporary changes in traffic control equipment, street or road closures, detours, etc. prior to the start of construction for review by the Engineer in conformance with the Contract Documents. Plans must address concurrent operations as required to ensure the proper flow of traffic within the project area. The Contractor shall make every effort to adhere to the plan. When necessary, the Contractor shall update this plan and forward these changes to the City of New Bedford Engineer, City of New Bedford Police Department, Fire Departments, Traffic Commission, School Departments, SRTA Bus Company, Emergency Medical Services and City's Waste Disposal Contractor for approval. The City of New Bedford reserves the right to modify the plan through the course of the Contract without modifying Contractor's schedule or cost.
- D. The Contractor shall remove temporary equipment and facilities when no longer required and restore grounds to original or to specified conditions. Sign usage shall be kept to a minimum. Where possible existing poles or street signs shall be used. In cases where new posts are installed in existing concrete sidewalks, when the sign and post are removed, the entire concrete panel shall be removed and replaced.
- E. The Contractor shall notify all property owners and City of New Bedford at least 72 hours in advance of any work that will interfere with access to their residence or place of business.
- F. No road shall be closed to traffic or traffic patterns modified without prior consent of the Engineer and the City of New Bedford. Contractor shall submit a written request to the New Bedford Traffic Commission and Engineer 72-hrs (Saturdays, Sundays and Legal holidays excluded) in advance of request for traffic pattern modifications. Written permission shall be obtained prior to proceeding. Owner reserves right to reject requests without modifying schedule or cost.
- G. Traffic control, including but not restricted to signing and traffic control devices, shall be provided for all openings in roads by the Contractor in accordance with City of New Bedford and MassDOT, Highway Division Standards.
- H. Work within the traveled way is restricted to between 7:00 a.m. to 5:00 p.m. (Monday through Friday) with the exception of road closure areas, unless otherwise specified for 24-hour work or

those locations that are mandated for different hours. Contractor shall submit written request to the Owner and Engineer for modification to this time restriction. See Section 00800 and Section 01170 for additional requirements regarding work hours.

- I. The Contractor shall cover all directional, regulatory and warning signs that are not in use.
- J. Any traffic control device or barrier removed to facilitate construction, shall be replaced immediately with a temporary device (e.g., stop signs, directional signs, barriers/barricades). All temporary signs shall be affixed to barricades or posts and be per MUTCD and MassDOT standards. Contractor shall maintain all temporary traffic control devices for the duration of construction.
- K. Where required by the Engineer, Contractor shall submit a pedestrian access plan that includes furnishing, installing, and maintaining all pedestrian access and control devices meeting ADA guidelines and furnishing all labor required for pedestrian access controls as shown in the Drawings and specified herein.

## 1.2 MINIMUM REQUIREMENTS FOR TRAFFIC CONTROL AND PEDSTRIAN ACCESS

- A. The Contractor shall provide for access to all buildings including business and parking areas at all times, unless otherwise specified in the plans.
- B. One through travel lane having a minimum width of 11-ft shall be provided for both directions (lane to be shared and the direction of travel to alternate in some situations under police officer control), unless otherwise specified in the plans.
- C. Police detail may be required at certain times in order to maintain safe traffic control within the project area. Suggested Police Detail locations, additional locations and changes will be determined by the Engineer or City of New Bedford. Police details will be paid for by the City of New Bedford. Policing is discussed in Section 01576 of these Specifications.
- D. The Contractor shall not be allowed to utilize detours unless the detour is already identified in the traffic control plans. No detour shall be allowed without prior approval the Engineer and the City of New Bedford. A detailed Traffic Control Detour Plan shall be submitted to the Engineer showing schedule, signing and control for the proposed detour regardless if shown on the Drawings. Said plan/s shall be submitted at least 5 working days prior to the proposed detour.
- E. Special attention should be paid during work along Oneida Street. Coordinate activities with required vehicular and pedestrian safety operations at all locations on the project. Contractor should be advised that modification to the established traffic management set-ups may be required as directed by the Owner or Engineer to accommodate such businesses. Contractor shall make such modifications requested without additional compensation or time extension.
- F. Contractor should be aware that work is proposed along the path that provides access to the Buttonwood Community Center within Buttonwood Park. Access shall be maintained to the Community Center throughout construction. Contractor shall submit a plan for maintaining access including but not limited to, a detour plan, signs, barriers, and any other control devices in the Contractor's traffic control plan for review and approval by the Owner and Engineer. Additionally, the Contractor shall coordinate any closures of the Buttonwood Community Center due to the paving and other sitework with the City of New Bedford.
- G. Contractor shall maintain access to storefronts, businesses and private residences throughout the project area at all times. It is the contractor's responsibility to coordinate with local businesses, owners, the Owner, and maintain access during construction activities, such as pouring concrete for proposed sidewalks. Contractor shall at his expense provide suitable temporary walkways and bridges which shall be maintained to provide safe and secure access to the storefronts in the project area at all times. Contractor shall provide for public use of

sidewalk area except for limited times scheduled in advance with City and Engineer. Contractor shall allow for receipt of deliveries, (i.e. mail, etc.) and foot traffic resulting from daily activities. Contractor shall not close or obstruct any portion of a street or walkway without obtaining prior approval from the City. Where such walkways are required, they shall have a minimum walking width of no less than four (4) feet, shall include handrails, and shall be ADA compliant. Pedestrians shall be separated from the work zone by temporary barrier specified in Section 02100. The type of temporary walkway and bridges provided shall be approved by the Engineer and Owner prior to installation.

- H. The Contractor shall at all times conduct the Work in such a manner as to ensure the least practicable obstruction to public travel and access. The convenience of the general public and residents and businesses along and adjacent to the area of work shall be provided for in a satisfactory manner, consistent with the operation and local conditions. The Contractor shall be responsible for proper maintenance control and detour of both vehicular and pedestrian traffic in the area of construction during the course of construction.
- I. Excavated or other material stored adjacent to or partially upon a roadway pavement shall be adequately marked for traffic and pedestrian safety at all times. Necessary access to adjacent property shall be provided at all times.
- J. Excavation shall be conducted in a manner to cause the least possible interruption to traffic outside of the limits of work. Contractor shall comply with all City regulations, and no claims for additional payment will be considered for any costs included.
- K. Communication on traffic control issues shall be made at least daily between the Contractor, Engineer and Owner.
- L. In the event of nighttime work operations, the contractor shall submit a nighttime operations and lighting plan to the Owner and Engineer for approval. The plan shall be updated as necessary and include all details for traffic control and lighting plans in accordance with SSHB.
- M. The Contractor shall at all times maintain parking spaces designated as City use only, and commercial loading zones as required based on current field conditions.
- N. The Contractor shall provide an 11-foot wide corridor into and out of the opening entrance to lots at all times. Any excavation made to block access to the areas shall be filled with temporary pavement or covered with steel plates at the end of each workday. The contractor shall employ short term work zone traffic control measures within the work hours specified in this Section, and other sections of the specifications. It is the Contractor's responsibility to coordinate construction activities at these locations with Owner. At no time during construction shall locations be closed to parking or traffic. Refer to Section 00800, 01046 and 01170 for additional requirements regarding working restrictions during events and coordination requirements.
- O. The Contractor shall maintain and coordinate access for scheduled waste pickup at all times.

### 1.3 SUBMITTALS

- A. The Contractor shall submit traffic control phased plans showing the setup, detours, number and width of open lanes and schedule for review by the Engineer prior to any work commencing within the right-of-way. These submittals shall be for both daytime operations and nighttime. Submittals shall be given to the Engineer a minimum of 30 days prior to the start of construction, Saturdays, Sundays and legal holidays excluded.
- B. All required submittals for traffic management (i.e. traffic control plans, detour plans, sign plans, etc.) shall be stamped by a registered professional engineer in the Commonwealth of

Massachusetts. Contractor may submit as his/her traffic management plan the traffic management plans provided by the Engineer which does not have to be re-stamped by a Registered Professional Engineer in the Commonwealth of Massachusetts. Any changes required by the Contractor to these plans to facilitate his/her means and methods for completion of the work must be submitted to the Engineer for review and shall be stamped by a Registered Professional Engineer in the Commonwealth of Massachusetts.

#### 1.4 TRAFFIC CONTROL DEVICES

- A. The Contractor shall provide and operate traffic control and directional signals required to direct and maintain an orderly flow of traffic in all areas under all Contractors' control or affected by all Contractor's operations.
- B. Provide traffic control and directional signs, mounted on barricades or standard posts at the following locations:
  - 1. Each change of direction of a roadway and each crossroads.
  - 2. Detours
  - 3. Parking areas
  - 4. For business within detour routes
  - 5. Detours for pedestrians
- C. Contractor will be required to furnish, install, remove and relocate temporary barriers, fencing, signage and other traffic safety devices for various traffic setups related to different phases of the project. Contractor shall provide where shown on the Drawings and within the approved traffic management plans traffic safety devices including but not limited to temporary jersey barriers, temporary jersey barriers with fencing, temporary impact attenuators, reflectorized drums with lighting, temporary lighting for night work where required and approved, etc. All traffic control devices shall conform to the SSHB and MUTCD.
- D. Existing permanent traffic control signing and devices, including guardrails, shall not be removed unless called for on the Contract Plans or without the prior consent of the agency responsible for the road and the Engineer.
- E. Detours around construction will be subjected to the approval of the City of New Bedford and the Engineer. Where detours are permitted the contractor shall provide all necessary barricades and signs as required to divert the flow of traffic. While traffic is detoured the Contractor shall expedite construction operations and periods when traffic is being detoured will be strictly controlled by the City of New Bedford.
- F. After completion of the project, the Contractor shall remove all construction signing and support systems and patch the disturbed area to match existing as closely as possible and to the satisfaction of the Engineer.
- G. The Contractor shall take precautions to prevent injury to the public due to open trenches in accordance with all Massachusetts General Laws. Night watchmen may be required where special hazards exist, or police protection provided for traffic while work is in progress. The Contractor shall be fully responsible for damage or injuries whether or not police protection has been provided.

- H. The Contractor shall take precautions to prevent injury due to structures above grade. The contractor shall ensure that all structures (e.g. frames and covers) shall be clearly marked with safety orange paint or lighted barrel at all times or until finished grade is set. Type of protection shall be approved by the Engineer.

#### 1.5 CONSTRUCTION PARKING CONTROL

- A. Contractor shall control vehicular parking to preclude interference with public traffic or parking, access by emergency vehicles, Department of Public Infrastructure (DPI) operations, or construction operations.
- B. Contractor shall monitor parking of construction personnel's private vehicles, maintain free vehicular access to and through parking areas and prohibit parking on or adjacent to access roads in non-designated areas.

#### 1.6 HAUL ROUTES

- A. Contractor shall responsible for consulting with governing authorities to establish public thoroughfares that will be used as haul routes and site access.
- B. No access is allowed in Fuller Memorial Parkway (Rockdale Avenue to Brownell Avenue) to minimize disturbance to the park and Buttonwood Park Pond Dam. All site access shall be via Lake Street, Kempton Street and Oneida Street.
- C. Refer to Section 01562 for additional requirements regarding dust control and sweeping of haul routes.

#### PART 2 PRODUCTS (NOT USED) PART

#### 3 EXECUTION (NOT USED)

**END OF SECTION**



SECTION 01576  
POLICING

PART 1 GENERAL

1.01 SCOPE OF WORK

- A. When, in the opinion of the Owner, or the Engineer, public safety or convenience requires the services of police, the Contractor to provide manpower to direct traffic within the location of work under this Contract.
- B. When so directed, make all arrangements in obtaining the manpower and all invoices for policing will be made to the City of New Bedford and the City of New Bedford shall pay all expenses incurred, including the salaries of the assigned personnel. The Contractor shall maintain a record of the police officers including name, location of work, badge number, and hours and day worked. This list will be submitted to the Engineer on a weekly basis. The police shall at all times be subject to the direction and control of the Owner/Engineer. In the event construction operations run beyond the scheduled time, it is the Contractors responsibility to notify the New Bedford Police Detail office to ensure continuous uninterrupted shift coverage.
  - 1. Contractor shall notify Police Department to include "Buttonwood Community Center" on all invoices related to work under this Contract.
- C. The intent is to insure public safety by police direction of traffic. Police are not to serve as watchmen to protect the Contractor's equipment and materials, or to warn pedestrians of such hazards as open trenches. Payment shall not be made for police protection used for the convenience of the Contractor.
- D. The Owner is not responsible for the payment of police officers or flaggers when the original work was rejected by the Owner.
- E. The Owner is not responsible for the payment of police officers when the Contractor fails to provide adequate notice to the Police Department for cancellation of officers.
- F. Nothing contained herein shall be construed as relieving the Contractor of any of his/her responsibilities for protection of persons and property under the terms of the Contract. The Contractor shall remain fully responsible at all times whether or not police protection has been provided.
- G. In the event insufficient police details report for the construction project, it is the Contractors responsibility to notify the Owner and Engineer before work can begin. In this event, the Contractor will provide adequate personnel and/or traffic safety control devices to ensure the site is secure, work can proceed safely, and work quality will not be affected.

END OF SECTION