

SPECIAL CONDITIONS

1. Coordination, Scheduling, and Meetings: The Contractor shall coordinate scheduling all construction activities with the Project Manager from the Project and Facilities Management Department – Project Management, San Bernardino County (County), prior to beginning the activities. The successful bidder shall attend a preconstruction conference at a location and time set by the County.
2. Construction meetings shall be held at the job site or at a different location as instructed by the County. Details regarding job site meetings will be arranged at the preconstruction conference.
3. Codes, Ordinances and Regulations: All Work shall conform to the requirements of all Applicable Laws including the California Building Standards Code (as adopted and/or amended by the County), the Americans with Disabilities Act, Uniform Mechanical Code, Uniform Plumbing Code, Uniform Electrical Code, the Standard Plans for Public Works Construction, Construction Safety Orders of the Department of Industrial Relations – Division of Industrial Safety Construction Safety Orders, and all other State and National codes, ordinances, rules and regulations, which apply to the Work.
4. In any case of conflict between any of these requirements, and the Contract Documents, the requirement that is the most strict shall govern. Nothing in the Contract Documents is to be construed to permit Work not in conformance with these laws, codes and regulations.
5. Liquidated Damages: Section 8.5.3 of the General Conditions is amended to read the following:
6. In the event that Contractor fails to achieve Final Completion of the Work within the Contract Time, Contractor agrees to pay County the sum of **\$500 per day** for liquidated damages for each calendar day that Final Completion is delayed.
7. Safety: The Contractor shall be solely and completely responsible for conditions of the job site, including safety of all persons and property for the duration of the Work, on a 24-hour per day, 7-day week basis. Prior to the start of construction, Contractor shall provide the Project Manager with a copy of Contractor's Illness and Injury Prevention Program as required by California Code of Regulations, title 8, sections 1509 and 3203, and Section 10 of the General Conditions, specifically relating to this Project.
8. Project Inspections: All inspections shall be performed during normal business hours. Contractor shall notify the Project and Facilities Management Department – Project Management Inspector and Project Manager **48** hours in advance of all requested inspections.

9. Contractor may request an inspection via email to the Project and Facilities Management Department – Project Management Inspector and Project Manager at ernesto.gonzalez@pfm.sbcounty.gov. Email subject line should read as follows: **1237 - 800MHz Upgrades Skyland Peak Tower – Inspection Request**
10. Change Orders: Contractor is referred to Section 7 of the General Conditions.
11. Sanitary Facilities: Contractor shall be solely and completely responsible to provide and maintain on-site sanitary facilities.
12. Contractor's Site Representative: Per Section 3.3.5.1 of the General Conditions, Contractor shall have a project superintendent on site at all times while Work is being done.
13. Water & Power: Contractor shall be solely and completely responsible to provide water and power for all Contractor/construction purposes.
14. Traffic Safety: Contractor shall be solely and completely responsible to provide traffic safety for all Contractor/construction purposes.
15. Contractor shall have at a minimum of 2 fully charged 10 # ABC fire extinguishers on site at all times.
16. Call out of specific products: Throughout the bid documents, there are references to specific products. The call-out of these products is not intended to sole source or demand the specific item. The call out or reference to the product(s) is to provide information to the bidding contractors so they clearly understand what product and quality of product are being requested. In all cases, an approved equal product may be used if it is in fact equal.
17. Contractor to provide Generator Load Bank Testing when performing generator start up.
18. Contractor is required to provide a formal report of the resistance testing performed. Testing company to be NETA certified.
19. Project is located on Federal Land (Forestry); contractor will need to comply with all Forestry Department regulations and will need to coordinate with other federal and local government and securing all pertinent permits and approval from those agencies.
20. The Forestry Department must approve all cutting or trimming of vegetation necessary to accommodate new construction.

21. During Construction:

- a. Identify, avoid, and protect sensitive resource areas identified by the Forest Service.
- b. Comply with the erosion control plan.
- c. Notify the Forest Service authorized officer prior to commencing any approved ground-disturbing activities.
- d. During construction and/or maintenance, paintbrushes will not be cleaned off on rocks. No marks of any kind, including survey marks, will be permitted on rocks.
- e. Minimize, to the greatest extent possible, ground disturbance and vegetation removal.
- f. Re-vegetate extensive cut and fill slopes with native vegetation as soon as possible after construction. All re-vegetation must have prior written approval of the authorized officer.
- g. Not cast off grading material. Excess soil can be used as fill material for roads, buildings and towers or disposed of at an approved off-site facility.
- h. Obtain prior written approval of the authorized officer for temporary, on-site storage of construction materials.
- i. **Not leave hazardous materials, including fuels, oils, and lubricants unattended at the site at any time. Hazardous materials shall be removed from the site at the end of each workday or temporarily stored inside a locked and posted building until the following workday. Construction materials and supplies other than hazardous materials may be left unattended at the construction site at the end of each workday at the owner's risk.**
- j. Remove surplus construction materials and waste debris from the site no later than 30 days after construction has been completed.
- k. Comply with any other project-specific measures identified by the Forest Service as part of the approval from the authorized officer.

22. Any construction inspections required by other agencies are the responsibility of the holder. Copies of completed inspections shall be provided to the Authorized Officer, either as they occur or as part of the final as-built plan. Inspection information shall become a permanent part of the holder's special-use file.

23. Corrective work required as a result of Forest Service or other agency inspections shall be completed by the date specified in the inspection report to the satisfaction of the inspecting official.
24. To avoid possible impact to birds or bats, structures under this section must comply with the most current version of the US Fish & Wildlife Service's Guidelines on the siting, construction, operation and decommissioning of communication towers. See link <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/communication-towers.php>
25. If any unrecorded cultural resources (artifacts, features or sites, including areas of traditional use, concern or significance for the local Native Americans) are encountered as a result of project operations, all activities in the vicinity of such finds will immediately cease pending an examination by the Forestry or District Archaeologist. The Heritage resources would be recorded, clearly delineated, and protected.
26. Disturbance of soil, vegetation, and wildlife will be minimized to the greatest extent possible.
27. Project personnel will not bring pets to the work site, unless properly leashed or restrained.
28. Feeding of all wildlife will be prohibited. Collecting of any wildlife or plants will be prohibited. Crews will not intentionally injure or kill wildlife species (including snakes). Instead, animals will be allowed to leave the work area before work resumes.
29. The Contractor will not disturb active nests on the tower or buildings. If nests interfere with tower operations or maintenance, the permittee will work with the Forest Service to determine the proper course of action.
30. Contractor is required to comply with **Appendix G**: Guidelines for Protection and Conservation of Bird Species at Mountain Top Communications Sites. California condors have the potential to occur at the site. Consultation with the Forest Service will occur prior to implementing these guidelines to ensure that they are carried out in an appropriate manner. Authorization holders are responsible for providing the Forest Service with documentation of agreed-upon anti-perching treatments applied to their facilities.
31. The permittee will post signs within the building that display identification information on California condors (and the difference between them and other large raptors) (**Appendix G**). If condors are observed at the site or perching on the tower, the permittee and employees will not disturb them. Employees will be instructed to notify the Forest Service if/when condors are observed at the site (and provide photographs if possible).

32. Should there be any unanticipated discovery of archaeological materials that could potentially meet NRHP eligibility criteria (this would not include isolated artifacts) the area of the find will be cordoned off, documented with photographs, GPS and notes, and the Forest Archaeologist contacted immediately to determine further actions.
33. Contractors who damage the access road, or any of its associated improvements, such as ditches, culverts, roadside vegetation, signs, and underground utilities and facilities, shall be required to repair the road to conditions equal to or superior to those prior to any damage or disturbance. Maintenance is the individual and collective responsibility of each holder.
34. Contractors shall comply with all traffic rules and use restrictions imposed by the Forest Service.
35. Disposing of Material – If necessary dispose of debris and unsuitable and excess material from project – Recycle or dispose of material legally off National Forest System lands. Furnish a statement documenting the nature and quantity of material processed or sold for recycling
36. Vehicles/motorized equipment use will be only authorized on existing National Forest Transportation System (NFTS) routes. Use of unauthorized (non-NFTS) routes for cross country driving will be prohibited.
37. Disturbance of Soil, vegetation and wildlife will be minimized to the greatest extent possible.
38. Personnel will be provided information on rare animals, rare plants and weeds within project area and provided direction for what to do if those species are encountered (including notification of a district biologist or botanist)
39. Flag, or fence or other wise delineate the laydown area to confine the and minimize the temporary disturbance from equipment and material storage.
40. Construction may not occur within the migratory bird breeding season (March 15 – August 15) unless approved by the forest authorized officer. If bird nests are found during project implementation, activities will cease in the immediate area until the Forest Service is notified. The forest Service authorized officer will determine whether activities may resume or whether to stop activities.
41. This is a high weed risk area. All heavy equipment must arrive at the site clean and free of mud or debris that may contain weeds or weed seeds. After use at this site, equipment must be cleaned off-site before use at any other location on National Forest System Lands.

42. Occurrences of R5 Sensitive plants located in the project area that will experience negative effects due to project activities will be flagged and avoided during implementation where ever possible.

43. In order to prevent the spread of noxious weeds into the area, all equipment used on this project will be cleaned and inspected by power washing off any earth-moving or heavy equipment, such as dozers, graders, cranes, backhoes and so forth before it is brought onto National Forest System Land. After use at project area, equipment must be cleaned off-site before use at any other location on National Forest System Lands.

Offsite staging areas for equipment, materials or crews will not be infested with noxious-weeds.

44. Erosion control structure maintenance: All constructed erosion control measures (e.g. silt fencing, wattles, berms, etc.) will be checked and cleaned following any weather event causing rilling and movement of sediment into structures. Erosion control structures are to be left in place until site is stabilized.

45. During construction and upon completion the access road shall be maintained in compliance with Forest Service Standards.

46. Parking and Staging Areas – Designate specific locations for parking, stockpiling materials and equipment staging areas to minimize the area of ground disturbance. Upon completion, return parking and staging areas to original conditions or better, as acceptable to the Forest Service authorized officer.

47. Equipment refueling and servicing at designated specific locations for fueling and allow temporary refueling and servicing only at approved locations.

48. All the material associated with the site which are no longer used will be removed from the site entirely after construction, e.g., the CalTrans wooden Poles.

49. Contractor will need to comply with the attached **Fire Plan, Appendix F** issued by the US Forestry and will be required to qualify for a Hot Work Permit issued by US Forestry Fire. Below lists requirements of Appendix F for illustration purposes, but all provisions contained in Appendix F, whether listed below or not, are required to be complied with.

a. Contractor shall equip diesel and/or gasoline-operated engines, both stationary and mobile, with spark arresters that meet forest service standards set forth in the National Coordinating Group publication for multi-position small engines, #430-4, or General Purpose and Locomotive, #430-2.

b. Contractor shall furnish and have available the tools as per Appendix F:

i. One shovel, one axe (or Pulaski) and a two fully charged fire extinguisher UL rated at 4B:C or more

- ii. One shovel, and one backpack 5
- iii. gallon water filled tank with pump with each welder.
- iv. One shovel and one chemical pressurized fire extinguisher (fully charged for each gasoline powered tool, including but not restricted to chain saws, soil augers, weed whips, etc. Fire Extinguishers shall be of the type and size set forth in the California Public Resources Code Section 4431.
- v. All tools and equipment required and listed above should be in good workable condition. Shovels shall be size "O" or larger and be not less than 46 inches in overall length. Axes or Pulaski shall have 2 1/2" pound or larger heads and be not less than 28 inches in overall length.
- vi. Permits required, burn permit for burning, welding, and cutting.

50. A construction permit from US Forestry may require a separate permit and a separate construction fire plan. Construction cannot begin until the authorized office determines that fire conditions (project activity level) are suitable for posed activities. Precautionary measures may include the presence of a fire patrol person whose responsibility shall be to patrol the operation for prevention and detection of fires and to take suppression action where necessary. Precautionary measure may also include the presence or an engine crew for initial attack and/or a water tender for dust abatement.

51. Contractor shall maintain and clear vegetation to meet the minimum US Forestry requirements set by the US Forestry.

52. **Contractor will need to have a charged water line adjacent to the hot work area at all times. A minimum of 300ft of 1.5 inch hose must be available. Minimum of 1500 gallons of water must be available for initial attack at all times. (water tender or trailer mounted tank with pump)**

53. Contractor shall report **all fires** to **911** or the Federal Interagency communication Center (FICC) **909-383-5653**

54. If issues arise in the future, this plan will be amended in accordance with the applicable decision or direction from US Forestry.