

SECTION 01110

SUMMARY OF WORK

PART 1 - GENERAL

1.1 SECTION INCLUDES

A. Table of Articles for this Section is:

<u>Article</u>	<u>Title</u>
1.1	Section Includes
1.2	Location and Description of Work
1.3	Work By Owner
1.4	Sequence and Progress of Work
1.5	Contractor's Use of Site
1.6	Easements and Rights-Of-Way
1.7	Notices to Owners and Authorities of Properties Adjacent to the Work

1.2 LOCATION AND DESCRIPTION OF WORK

- A. The Work is located at the site of the Buffalo Lakeside Commerce Park (BLCP) Site, Hanna Drive at Ship Canal Parkway.
- B. The Work to be performed under this Contract includes, but is not limited to, constructing the Work described below and all appurtenances related to the Work. The Work shall include remediation and park development effort and include the following:
1. Canal Sediment Cover System Construction/Bulkhead Stabilization
 2. Eco-Restoration
 3. Site Grading and Final Cover System Construction
 4. Park Development
- C. Contracting Method: Work shall be constructed under one prime contract.
- D. Hazardous Environmental Conditions: Work related to Hazardous Environmental Conditions, described in reports referenced in the Supplementary Conditions, is included in the Work.

1.3 WORK BY OWNER

A. Not Used.

1.4 SEQUENCE AND PROGRESS OF WORK

- A. Sequencing:
1. Submit a Progress Schedule covering the entire Work in accordance with Section 01320, Progress Schedule.
- B. Construction activities should generally be sequenced in the following order. The proposed sequence is intended to shorten the duration of major construction activities and does not include fine details for each activity. The proposed sequence is not intended to limit the CONTRACTOR's flexibility but rather to indicate to OWNER and ENGINEER intention to expedite project completion. Many of the activities in the proposed sequence can occur concurrently.
1. Prepare schedules and other submittals.
 2. Mobilize to job site.
 3. Install on-site erosion and sediment controls which shall be maintained throughout the entire duration of the project.
 4. Excavate wetland embayment area
 5. Install sheetpile wall across western end of canal
 6. Install utility lines
 7. Remove large debris from canal
 8. Complete site grading and subgrade preparation
 9. Construct pedestrian bridge
 10. Install canal sediment cover system and canal wall stabilization berm
 11. Install artificial underwater reef structure
 12. Install final cover system, park trail system and parking lots
 13. Install landscaping and plantings including wetland plantings
 14. Final site grading and restoration including removal of erosion and sediment controls.
- C. CONTRACTOR shall prepare and submit to NYSDEC and ENGINEER, the required Notice of Intent (NOI) form required for the Construction Storm Water Permit within (-1-) calendar days upon receipt of the Notice to Proceed. NYSDEC guidelines indicate that construction may begin within 5 days upon receipt of the NOI. Work shall be substantially completed within (-2-) calendar days following the mandated 5 day waiting period, and will include park development, canal remediation/bulkhead stabilization, and eco restoration. Final site grading and restoration shall be complete (-3-) calendar days following substantial completion. If there are delays due to weather or other situations beyond the control of the CONTRACTOR, the Contract Times shall be extended as specified in Article (-4-) in the General Conditions.

1.5 CONTRACTOR'S USE OF SITE

- A. Contractor's use of the Site shall be confined to the areas shown.
- B. Move stored products that interfere with operations of Owner, other contractors, and others performing work for Owner.

1.6 EASEMENTS AND RIGHTS-OF-WAY

- A. Easements and rights-of-way will be provided by Owner. Confine construction operations within Owner's property, public rights-of-way, easements obtained by Owner, and the limits shown. Use care in placing construction tools, equipment, excavated materials, and products to be incorporated into the Work to avoid damage to property and interference with traffic. Do not enter private property outside the construction limits without permission from the owner of the property.

1.7 NOTICES TO OWNERS AND AUTHORITIES OF PROPERTIES ADJACENT TO THE WORK

- A. Notify owners of adjacent property and utilities when prosecution of the Work may affect their property, facilities, or use of property.
- B. When it is necessary to temporarily obstruct access to property, or when utility service connection will be interrupted, provide notices sufficiently in advance to enable affected persons to provide for their needs. Conform notices to applicable local ordinance and, whether delivered orally or in writing, include appropriate information concerning the interruption and instructions on how to limit inconvenience caused thereby.
- C. Utilities and other concerned agencies shall be notified at least (--1--) hours prior to cutting or closing streets or other traffic areas or excavating near underground utilities or pole lines.

PART 2 - PRODUCTS (Not Used)

PART 3 - EXECUTION (Not Used)

++ END OF SECTION ++

SECTION 01411

SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN

PART 1 - GENERAL

1.1 DESCRIPTION

- A. CONTRACTOR shall comply with the Environmental Protection Agency's Spill Prevention Control and Countermeasures (SPCC) Plan requirements per 40 CFR Part 112, and applicable federal, state, and local regulations.
- B. CONTRACTOR shall determine whether a SPCC Plan is required. If a SPCC Plan is required, the CONTRACTOR shall prepare, implement and maintain the SPCC Plan as required by the regulations.
- C. CONTRACTOR shall retain a qualified Professional Engineer, licensed in the same State as the Site, to determine the need for a SPCC Plan. CONTRACTOR shall submit to ENGINEER a letter written by and stamped by the CONTRACTOR'S Professional Engineer stating whether a SPCC Plan is required for the Project.
- D. A SPCC Plan is required if the Project activities meet the following criteria:
 - 1. Oil is stored, used, transferred, or otherwise handled at the Site, and;
 - 2. The maximum oil storage capacity at the Site equals or exceeds either of the following thresholds: 42,000 gallons of buried capacity, or 1,320 of above-ground capacity. Capacity includes the total storage tank volume and operational storage volume at the Site for prime contractors and Subcontractors, including bulk storage tanks, 55-gallon drums, tanks on construction equipment such as bulldozers and backhoes, mobile tankers located at the Site, and other vessels with 55-gallon capacity or larger. Oil includes petroleum products, fuel oil, hydraulic fluid, oil sludge, oil refuse, oil mixed with wastes other than dredged material, synthetic oil, vegetable oil, animal fats and oils, and other oils defined in the regulation; and
 - 3. There is reasonable expectation, based on the location of the Site, that an oil spill would reach navigable Waters of the United States or adjoining shorelines.
- E. If a SPCC Plan is not required, CONTRACTOR shall ensure the conditions that preclude the need for a SPCC Plan, including the activities of all contractors and Subcontractors at the Site, are maintained throughout the duration of the Project. Should changes that affect the storage, use, or handling of oil at the Site occur, CONTRACTOR'S Professional Engineer shall reassess the need for a SPCC Plan at no additional cost to the OWNER and provide to the ENGINEER a stamped letter with original signature regarding the need for a SPCC Plan.

- F. If a SPCC Plan is required, CONTRACTOR shall develop the SPCC Plan and submit the plan for approval by the ENGINEER and OWNER. The SPCC Plan shall be specific to the Site and shall include the following:
1. Stamp, original signature, and license number of CONTRACTOR'S Professional Engineer.
 2. A site plan identifying the name (or tag number) and location of each tank and container that will contain a substance regulated in 40 CFR 112, including above-ground and buried tanks. The site plan shall indicate the general directions of storm water runoff, including storm sewer pipes and inlets, and storm sewer outfall locations.
 3. For each tank and container on the site plan, provide a table that lists the tank or container's name (or tag number), type of oil stored, and the maximum storage capacity. List the total storage capacity of all tanks and containers at the Site.
 4. Predictions of direction, rate of flow, and total quantity of oil that could be discharged from the Site as a result of storage tank or container failure.
 5. Plans for operating procedures that prevent oil spills, including procedures for oil handling, details of secondary containment structures at fuel and oil transfer areas, and details and descriptions of equipment to be used for oil handling, including piping.
 6. Plans for control measures installed at the Site by the CONTRACTOR to prevent a spill from reaching navigable waters, including secondary containment and diversionary structures. For on-shore Sites, one of the following must be used, at minimum: dikes, berms, or retaining walls; curbing; culverts, gutters, or other drainage systems; weirs, booms, or other barriers; spill diversion ponds; retention ponds; sorbent materials. Where appropriate, the Plan shall clearly demonstrate that containment or diversionary structures or equipment are not practical.
 7. Plans for countermeasures to contain, clean up, and mitigate the effects of an oil spill that reaches navigable waters, including a written commitment of manpower, equipment, and materials to quickly control and remove spilled oil. Include an estimation of the time required to contain the spill after the spill occurs.
 8. Contact list and telephone numbers for the facility response coordinator, National Response Center, cleanup contractors, and all appropriate federal, state, and local agencies that must be contacted in the event of a discharge.
 9. Program for monthly inspections of the Site by CONTRACTOR for SPCC Plan compliance. ENGINEER shall be notified of each inspection at least 72 hours in advance.
 10. Plan for Site security relative to oil storage.
 11. Plans for safely handling mobile containers (i.e. totes, drums, and fueling vehicles that remain at the Site).
 12. Plans for periodic testing the integrity of tanks and containers, and associated piping and valves.
 13. Plans for bulk storage container compliance.
 14. Plans for personnel training and oil spill prevention briefings.

15. For SPCC Plans that do not follow the format listed in the applicable regulations, provide a cross reference to the requirements the applicable regulations, including 40 CFR Part 112.7.
 16. Approval by the OWNER.
 17. The SPCC Plan shall be reviewed by the CONTRACTOR'S Professional Engineer and the ENGINEER and OWNER every five years, as applicable.
- G. CONTRACTOR shall post a copy of the approved SPCC Plan in a conspicuous location at the Site and provide copies to the OWNER, ENGINEER, and other prime contractors. CONTRACTORS shall comply with the SPCC Plan.
- H. In the event of violation of the SPCC Plan or release of oils, the responsible CONTRACTOR shall pay fines or civil penalties (or responsible portion thereof) imposed on the OWNER by governing regulatory agencies, and pay costs associated with clean-up of the spill. Spill clean-up shall conform to applicable regulations.

PART 2 - PRODUCTS (NOT USED)

PART 3 - EXECUTION (NOT USED)

++ END OF SECTION ++

SECTION 01412

STORM WATER POLLUTION PREVENTION PLAN AND PERMIT

PART 1 - GENERAL

1.1 DESCRIPTION

- A. CONTRACTOR shall obtain and comply with the terms and conditions of a State Pollutant Discharge Elimination System (SPDES) issued by the State of New York. Under provisions of that permit, CONTRACTOR shall be designated as permittee and shall be responsible for providing necessary material and for taking appropriate measures to minimize pollutants in stormwater runoff from the Project.
- B. The Contract Price shall include all material, labor and other permits and incidental costs related to:
1. Preparing the Notice of Intent and Notice of Termination under a General SPDES Permit.
 2. Preparing, updating and revising the Erosion and Sediment Control (E&SC) Plan and obtaining approval of the New York State Department of Environmental Conservation, if required.
 3. Installing and maintaining all structural and non-structural measure request to comply with the E&SC Plan.
 4. Clean-up and disposal costs associated with clean-up and repair following storm events or CONTRACTOR caused spills on the Project.
 5. Implementing and maintaining Best Management Practices to comply with the OWNER'S stormwater code.
- C. CONTRACTOR shall coordinate the requirements under this Section with Section 02316, Earthwork. All necessary Best Management Practices (BMP's) must be implemented prior to commencement of any construction activity and must be maintained throughout the performance of the work.

1.2 SUBMITTALS

- A. CONTRACTOR shall submit, at least five days prior to the initial start of construction on the Project, a completed, and signed Notice of Intent form to the State of New York.
- B. CONTRACTOR shall submit to the ENGINEER, no later than three days prior to the initial start of construction the following:
1. Notice of Intent (NOI) to be covered by the SPDES General Permit for New York including certifications of signature.
 2. E&SC Plan for the Project, including certification. The E&SC Plan must include CONTRACTOR'S proposed temporary means for stormwater control during all phases of construction and shall be stamped by a Professional Engineer licensed in the State of New York.

3. Documentation that the NOI and E&SC Plan have been submitted to the NYSDEC and that the required approvals have been obtained, if necessary.
- C. CONTRACTOR shall submit to the OWNER, as part of the Construction E&SC Plan a construction site inspection report that includes the following:
1. Inspection scope.
 2. Inspector qualifications.
 3. Observations of E&SC Plan non-compliance and corrective steps taken.
 4. Certificate of Compliance with E&SC Plan and the SPDES General Permit for Stormwater Discharge in the event of no incidents. Reports shall be submitted each quarter, at a minimum, throughout the Contract duration.
- D. CONTRACTOR shall submit to the OWNER, upon project completion the Notice of Termination (NOT) of coverage under SPDES General Permit.

PART 2 - PRODUCTS (NOT USED)

PART 3 - EXECUTION (NOT USED)

++ END OF SECTION ++

SECTION 01414

EARTHMOVING PERMIT AND DUST CONTROL

PART 1 - GENERAL

1.1 DESCRIPTION

- A. CONTRACTOR shall obtain permits required for earthmoving and dust-generating operations related to the Work.
- B. CONTRACTOR shall not cause or allow dust-generating operations, earthmoving operation, use of property, or other operation that result in fugitive dust emissions that exceed the limits prescribed by the authority having jurisdiction.
- C. If requested by the OWNER or ENGINEER, conduct opacity observations for visible emissions of fugitive dust per techniques specified in USEPA Reference Method 9.
- D. Develop and submit to ENGINEER and OWNER a Dust Control Plan that shall include the following:
 - 1. Names, address, and telephone number of the person responsible for preparing and implementing the Dust Control Plan.
 - 2. Name(s), address(es), and telephone number(s) of the person(s) responsible for dust generating operations.
 - 3. A site plan that delineates the total area of land surface to be disturbed.
 - 4. The total disturbed area in acres; earthmoving and dust-generating operations and activities to be performed at the Site; actual and potential sources of fugitive dust emissions; and delivery, transportation, and storage areas for the Site, including types of materials stored and appropriate size of material stock piles.
 - 5. Description of the Reasonably Available Control Measures (RACM) to be implemented during dust-generating operations at actual and potential sources of fugitive dust.
 - 6. Description of dust suppressants to be applied including product specifications; method, frequency, and intensity of application; type, number, and capacity of application equipment; and certifications related to the suppressant's appropriate and safe use. (--1--)
 - 7. Description of specific surface treatment(s) or RACM used to control material deposition along paved surfaces (e.g., "track-out) where unpaved Site surfaces or Site access points meet paved surfaces.
 - 8. Description of at least one alternative RACM for each actual and potential fugitive dust source shall be designated as a contingency measure.

- E. CONTRACTOR shall post a copy of earthmoving permits and the approved Dust Control Plan in a conspicuous location at the Site and provide a copy of each to the ENGINEER.
- F. CONTRACTOR shall maintain a daily written log to record the actual application or implementation of RACMS described in the approved Dust Control Plan. CONTRACTOR shall maintain the written log and supporting documentation at the Site and shall provide copies to ENGINEER or OWNER upon request. CONTRACTOR shall retain copies of the Dust Control Plan, RACM implementation records, and supporting documentations for a minimum of three years.
- G. Provide necessary equipment and materials to apply sufficient dust suppressants, properly clean all track-out areas, and provide adequate physical stabilizations of soils to meet requirements of earthmoving permits and approved Dust Control Plan. Use these methods to control fugitive dust generation from CONTRACTOR's operations including the following areas:
 - 1. Construction areas.
 - 2. Vehicle and equipment parking areas.
 - 3. Material storage areas.
 - 4. Office and trailer areas.
 - 5. Haul and access roadways.
 - 6. Track-out areas.
 - 7. Other areas where CONTRACTOR will work, store products, or park vehicles and equipment.
- H. Pay fines and civil penalties incurred by OWNER due CONTRACTOR's violation of earthmoving permits and Dust Control Plan.

PART 2 - PRODUCTS (NOT USED)

PART 3 - EXECUTION (NOT USED)

++ END OF SECTION ++

SECTION 01740

CLEANING

PART 1 - GENERAL

1.1 DESCRIPTION

- A. Execute cleaning, during progress of the Work, at completion of the Work, and as required by General Conditions.

1.2 REQUIREMENTS OF REGULATORY AGENCIES

- A. In addition to the requirements herein, maintain the cleanliness of the Work and surrounding premises within the Work limits so as to comply with federal, state, and local fire and safety laws, ordinances, codes and regulations.
- B. Comply with all federal, state and local anti-pollution laws, ordinances, codes and regulations when disposing of waste materials, debris and rubbish.

1.3 PROGRESS CLEANING

- A. General: Clean the Site, Work areas and other areas CONTRACTOR is permitted to occupy by Laws and Regulations at least weekly. Dispose of materials lawfully according to Laws and Regulations:
 - 1. Comply with requirements in NFPA 241, Standard for Safeguarding Construction, Alteration and Demolition Operations, for removal of combustible waste materials and debris.
 - 2. Do not hold other materials more than three days if the temperature is expected to rise above 80°F.
 - 3. Provide suitable containers for storage of waste materials and debris.
 - 4. Containerize hazardous and unsanitary waste materials separately from other waste. Mark containers appropriately.
- B. Project:
 - 1. Maintain Project free of waste materials and debris.
 - 2. Keep exterior dust generating areas wetted down.
 - 3. At least weekly, brush sweep all existing plant roadways affected by the Work.
- C. Work Areas: Clean areas where Work is in progress to the level of cleanliness necessary for proper execution of the Work.
 - 1. Remove liquid spills promptly and report spills to the OWNER and ENGINEER immediately.
 - 2. Where dust would impair proper execution of the Work, broom-clean or vacuum the entire Work area, as appropriate.

- D. Concealed Spaces: Remove debris from concealed spaces before enclosing the space.
- E. Exposed Surfaces: Clean exposed surfaces and protect as necessary to ensure freedom from damage and deterioration at time of Substantial Completion.
- F. Waste Disposal:
 - 1. Properly dispose of all waste materials, surplus materials, debris and rubbish off the Project Site.
 - 2. Do not burn or bury rubbish and waste materials on the Project Site.
 - 3. Do not dispose of volatile or hazardous wastes such as mineral spirits, oil, or paint thinner in storm or sanitary drains.
 - 4. Do not discharge wastes into streams or waterways.
 - 5. CONTRACTOR shall be solely responsible for complying with any federal, state, and local environmental and regulations in disposing of waste.
- G. Clean and provide maintenance on completed construction as frequently as necessary through the remainder of the construction period. Adjust and lubricate operable components to ensure operability without damaging effects.

1.4 FINAL CLEANING

- A. General: Provide final cleaning:
 - 1. Complete the following cleaning and waste-removal operations before requesting inspection for certification of Substantial Completion for entire Project or for a portion of Project:
 - a. Clean and remove from the Project rubbish, waste material, debris, and other foreign substances.
 - b. Sweep paved areas broom clean. Remove petrochemical spills, stains, and other foreign deposits.
 - c. Hose clean sidewalks and loading areas.
 - d. Rake grounds that are neither planted nor paved to a smooth, even-textured surface.
 - e. Leave watercourses, gutters, and ditches open and clean.
 - f. Repair pavement, roads, sod, and all other areas affected by construction operations and restore them to original condition or to minimum condition specified.
 - g. Maintain the cleaning until OWNER occupies the Project or portion thereof.
 - h. Leave Project clean and in a neat and orderly condition satisfactory to ENGINEER.

PART 2 - PRODUCTS (NOT USED)

PART 3 - EXECUTION (NOT USED)

++ END OF SECTION ++