

**ADDENDUM TO THE
CITY OF AKRON
AKRON ENGINEERING BUREAU
CONSTRUCTION AND MATERIAL SPECIFICATIONS
2008 EDITION
119 TEMPORARY SEDIMENT AND EROSION CONTROL**

The following section is a supplement to CMS General Provisions 100.

119.01 Summary. This work consists of locating, furnishing, installing, and maintaining temporary sediment and erosion control Best Management Practices (BMP) for earth disturbing activity areas, developing and/or maintaining a Storm Water Pollution Prevention Plan (SWPPP), and filing a co-permittee form as required. Furnish a Storm Water Pollution Prevention Plan if required prior to any earth disturbing activity. Furnish and install temporary sediment and erosion control best management practices in compliance with all NPDES and surface water permits. Amend the Storm Water Pollution Prevention Plan in accordance with the Ohio EPA National Pollutant Discharge Elimination System (NPDES) Permit. In the event of conflict between these requirements and pollution control laws, rules, or regulations of other Federal, State, or local agencies, adhere to the more restrictive laws, rules, or regulations.

119.02 Definitions.

BMP. Temporary sediment and erosion control best management practices designed and installed by methods compliant with the Ohio NPDES Permit, by this specification and location shown on the SWPPP.

CESSWI. Certified Erosion, Sediment, and Storm Water Inspector sponsored by the Soil and Water Conservation Society and International Erosion Control Association. Information on certified individuals is available at www.cesswi.org.

CPESC. Certified Professional in Erosion and Sediment Control as sponsored by the Soil and Water Conservation Society and International Erosion Control Association. Information on certified individuals is available at www.cpesc.net.

EDA. Earth Disturbing Activity is any activity that exposes bare ground or an erodible material to storm water, including any "Disturbance" as defined in OEPA NPDES Permit, Part VII, Definition H.

119.03 Submittals.

Notice of Intent:

1. A signed copy of the City's Notice of Intent (NOI) shall be kept on file by the Contractor.
2. The City has completed the NOI and made submittals to the Ohio EPA.
3. The Contractor shall complete the Ohio EPA "Co-Permittee Notice of Intent for Coverage under Ohio EPA Storm Water Construction General Permit" (Contractor NOI) and submit it to the City for review prior to submitting it to the Ohio EPA.
4. After obtaining concurrence from the City, the Contractor shall submit the Contractor NOI to the Ohio EPA and copy all parties specified by the City.

5. Contractor NOI Submittal to Ohio EPA shall be completed prior to commencement of mobilization.

Stormwater Pollution Prevention Plan (SWPPP):

1. Contractor shall submit a SWPPP to the City for approval, as specified herein.
2. Contractor shall submit a revised SWPPP to the City for approval prior to beginning construction activity.
3. Contractor shall submit an amended SWPPP to the City for approval, as specified herein.

119.04 Storm Water Pollution Prevention Plan (SWPPP). The SWPPP and the Ohio EPA Authorization for Storm Water Discharges Associated with Construction Activity under the National Pollutant Discharge Elimination System (the Permit) is incorporated into this contract by reference. The City may have prepared the SWPPP for this Work pursuant to state and local requirements. If a SWPPP was not provided by the City, the Contractor shall develop and submit a SWPPP. The Contractor shall be responsible for implementing the approved SWPPP. The Contractor shall meet with the City to discuss review and changes to the SWPPP prior to beginning field work. Upon approval by the City, both the City and the Contractor shall sign the approved SWPPP. The Contractor shall maintain records on site demonstrating that NPDES requirements are being met, including all logs and records specified in the Permit.

The Contractor shall furnish appropriate BMP for all EDA. Unless otherwise indicated, BMP will be compensated provided that the BMP are designed, installed and maintained appropriately.

Per the requirements of the Permit, all controls will be inspected by the Contractor at least once every seven calendar days and within twenty-four (24) hours of any storm event that produces more than 0.5 inches of rain over the preceding twenty-four (24) hours. The Contractor's inspector must have active CESSWI or CPESC certification.

The Contractor shall maintain all control practices as needed to ensure continued performance of their intended function throughout all phases and sequencing of construction activities. The Contractor shall provide the name, address, and telephone number for the Contractor; the names of persons or firms responsible for maintenance and inspection of erosion and sediment control measures and all subcontractors.

The Contractor shall amend the SWPPP whenever there is a change in project design, stormwater control design or construction operations which have a significant effect on the potential for discharge of pollutants, or if the SWPPP proves to be ineffective in achieving the general objectives of minimizing construction-associated pollutants in storm water discharge. Upon acceptance of the amended SWPPP, both the City and the Contractor shall sign the amended SWPPP.

The Contractor shall keep a copy of the SWPPP, as amended, at the construction site or at the Contractor's office from the date that it became effective to the date of project completion.

The following notices shall be posted from the date that the SWPPP goes into effect until the date of final site stabilization.

1. Copies of the Notices of Intent (NOI) submitted by the City and the Contractor and a brief project description as given in the SWPPP shall be posted at the construction site or at the Contractor's office in a prominent place for public viewing.

2. Notice to drivers of equipment and vehicles, instructing them to stop, check, and clean tires of debris and mud before driving onto traffic lanes. Post such notices at every stabilized construction exit area.
3. In an easily visible location on the site, post a notice of waste disposal procedures.
4. Notice of hazardous material handling and emergency procedures shall be posted with the NOI on site. Keep copies of Material Safety Data Sheets (MSDS) at a location on site that is known to all personnel.
5. Keep a copy of each signed certification at the construction site or at the Contractor's office.

119.05 Preparation and Installation. The Contractor shall be responsible for collecting, storing, hauling, and disposing of spoil, silt, and waste materials as specified in the SWPPP and in compliance with the applicable federal, state and local rules and regulations and in accordance with Section 106 of the City of Akron CMS.

The Contractor shall conduct all construction operations under this contract in conformance with the erosion control practices described in the SWPPP.

119.06 Method of Payment. An allowance is provided on the bid form for temporary BMP work. This fixed amount is the Engineer's estimate of the total cost of BMP work required to be performed for the project. If the BMP work exceeds this amount, the BMP work will still be paid at the pre-determined prices. All BMP work will be paid at the pre-determined unit price times the correctly installed BMP number of units. This pay item consists of labor, materials, equipment, expenses, and incidentals for installing temporary or permanent devices required by the SWPPP. The City will pay for appropriate, properly installed and accepted BMP.

The SWPPP is measured as a Lump Sum. The Lump Sum amount bid for the SWPPP includes all work associated with development, design, NPDES required inspection, modification, revision, updates, amendments and reporting related to the SWPPP. All costs associated with providing and maintaining the required CPESC and CESSWI personnel, conducting the NPDES required inspections, and support engineering services are included in the contract Lump Sum bid for SWPPP. The City will only pay for one accepted SWPPP regardless of the number of construction phases, revisions, amendments or project redesigns. No additional payment will be made for amendments to the SWPPP.

The City will not pay for BMP Items which are required as a result of the Contractor's negligence, carelessness, or failure to install permanent controls.

The City will not pay for BMP that does not provide effective sediment and erosion control for the EDA.

The City will not pay for any causeway and access fills.

The City will not pay to replace BMP that have failed as a result of improper maintenance or installation.

The unit of measurement and unit prices for each SWPPP BMP shall be per Appendix F of ODOT Item 832. Compensation for BMP that are required for NPDES Permit compliance and are not included in Appendix F of ODOT CMS 832 are considered incidental to the work.

Post Construction controls described in the OEPA NPDES Permit are not temporary erosion control features. Construction requirements and compensation for post construction controls are detailed in the project plans and are not provided under this Item Special. Provide protective measures that

ensures sediment, debris and any contamination will not enter the Post Construction controls. All costs associated with these protective measures are included in the compensation for post construction controls.

119.07 Basis of Payment. Payment to carry out the SWPPP will be made at the contract bid price, and construction BMPs shall be paid under the established allowance:

<u>Item</u>	<u>Unit</u>	<u>Description</u>
SPEC SPEC Allowance	Lump Sum Allowance	Storm Water Pollution Prevention Plan Erosion Control Allowance

END OF SECTION