

## SECTION 01002 – SPECIAL CONDITIONS

### PART 1 – GENERAL

#### 1.1 RELATIONSHIP TO GENERAL CONDITIONS

- A. Should conflict occur between these Special Conditions and the General Requirements, these Special Conditions shall take precedence. When these Special Conditions modify a portion of the General Conditions, the unaltered portions of the General Conditions shall remain in effect.

#### 1.2 LOCATIONS, LINES AND LEVELS

- A. Contractor shall establish location of new work on property and establish and maintain all other grades, lines, levels, and benchmarks; check and compare all drawings, verifying grades, lines, levels, and dimensions indicated thereon, and report all inconsistencies to Engineer and receive Engineer's instructions before commencing work.

#### 1.3 DOCUMENTS FURNISHED

- A. Contractor will be responsible for obtaining all necessary Drawings and Project Manuals, including all modifications thereof, as required, including distribution to subcontractors and suppliers.
- B. Contractor shall pay the actual cost of reproduction for all additional sets requested by him.

#### 1.4 LAWS TO BE OBSERVED

- A. The Contractor shall at all times observe and comply with all federal and state laws, local laws, ordinances, orders, decrees and regulations existing or enacted subsequent to the execution of the Contract, which in any manner affect the prosecution of the work. The Contractor and his Surety shall indemnify and save harmless the City, the City's Architects, Engineers, and their representatives, agents, and employees against any claim or liability arising from or based on the violation of any such law, ordinance, regulation, order or decree, whether by himself, his employees or his subcontractors.

1.5 CONSTRUCTION OBSERVATION

- A. The undertaking of periodic site visits by the Engineer or representative shall not be construed as supervision of actual construction nor make him responsible for providing a safe place for the performance of work by contractors or contractor's employees, or those of suppliers or subcontractors, or for access, visits, use, work, travel, or occupancy by any person.

1.6 CONSTRUCTION COORDINATION

- A. Before starting any construction, a meeting shall be held with City, Contractor, Subcontractors, and Engineer to plan and coordinate the schedule of construction and to review intent of Contract Documents. Contractor and Subcontractor shall follow instructions received at this meeting in prosecuting the work.

1.7 ADDITIONAL INSURED

- A. The Contractor shall add Water Resources Solutions, LLC, as an additional insured on all insurance policies allowed by law.

1.8 KDWP ACTION PERMIT REQUIREMENTS

- A. Contractor shall determine a Start date and Completion date at the time of bid. This date may be modified no later than 90 days prior to the start of construction in order to facilitate the application for and compliance with a KDWP Action Permit.
  - 1. This site is Designated Critical Habitat for five state-listed freshwater mussel species, and two of those species have been documented along the downstream side of the dam. As such, the City will be required to file an Action Permit for the project. Permit conditions will primarily consist of requirements to survey the downstream side of the dam to collect and translocate native mussels.
  - 2. The City must contract a qualified third party capable of performing surveys and properly identifying native freshwater mussels to species to survey and translocate native mussels. This survey must be completed within 2 months of the start of construction.

1.9 SOIL BORROW

- A. If required, approximately 1.5 acres of borrow area is available for 5 ft of excavation along the project reach and north of the nearby railroad. Topsoil must be stripped and replaced. Contractor is to coordinate with the city and leaseholder when filling and replacing borrowed soil.

1.10 SITE ACCESS

- A. Contractors shall negotiate access routes through farmland not owned by the City of Independence. Contractor shall coordinate with farmers on all farmland as not to impede farm operations.
- B. Locked gates exist on Pine Street and Montgomery County Rd 4600. Coordinate access visits with John Garris via Text Message at 620-926-0976 or email [Engineer@independecks.gov](mailto:Engineer@independecks.gov).
- C. 24-hour access will be available during construction with contractor key. Staging can remain withing controlled access gates.
- D. Contractor shall provide a final construction access map for approval to the City. An example access map is included as an attachment to the Bid Documents.

1.11 ELECTICAL AVAILABILITY

- A. Electrical hookup is available to city power for a job trailer near the City wastewater facility directly west of the project location.

1.12 KDHE NPDES CONSTRUCTION STORMWATER PERMITTING

- A. Contractor shall provide a plan showing the total extents of construction staging areas, borrow areas, Erosion and sediment control measures and project footprint.
- B. If this total area exceeds 1 acre, a construction stormwater permit must be obtained under the KDHE. The City will apply for and hold the permit. The City and Contractor must comply with the conditions of this permit and have joint responsibility for ensuring these conditions are fulfilled.

END OF SECTION 01002

01002-3

City of Independence, Kansas  
Technical Specifications

Special Conditions

Verdigris River Low Water Dam  
Inspection & Improvements