

## **CHAPTER 4 GENERAL CONDITIONS**



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### **Section 400      Work To Conform**

All materials, design and workmanship must meet with nationally accepted standards and practices and the applicable standards of the Town of Essex and State of Vermont. The Town recognizes the State of Vermont Agency of Transportation (VTrans) Standard Specifications for Construction, latest edition as a supplemental source for standards not detailed in the Town of Essex specifications. Where a conflict arises between the published standards established in this manual and other published standards, it should be brought to the attention of the Town Engineer. The standards of the Town of Essex shall take precedence unless specific exceptions are made by the Town Engineer.

During the progress of construction and upon completion, all work shall conform to these standards and the lines, levels and grades as indicated on plans approved by the Town of Essex. Field revisions necessitated by the conditions of the site must be approved by the design/project engineer and Town of Essex prior to acceptance of the completed work.

### **Section 410      Construction Safety**

#### **411.0              Protection of Workers and the Public**

The workers and public shall be protected by the Contractor from any and all hazards connected with the construction work. Open trenches, materials, or equipment within the working limits are to be guarded by the use of adequate barricades or flaggers. All barricades left in position overnight are to be properly lighted. When work narrows the useable pavement, flaggers shall be employed to aid the flow of traffic so that there will be no undue delays. The Contractor shall be held responsible for the safety of all workers and the general public and all damages to property otherwise growing out of a failure on the part of the Contractor to protect persons or property from the hazard of open trenches, materials, or equipment at any time of the day or night within the working area. All work and work practices shall be in conformance to applicable VOSHA and OSHA regulations.

#### **412.0              Construction Signs**

Construction approach signs shall appear at each end of the highway under construction and on all intersecting public highways. The exact placement of

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any sign will depend upon the alignment of the highway and the character of the roadside. The location, measurements, and minimum spacing shall comply with VTrans design standards, and the latest edition of the Manual on Uniform Traffic Control Devices, (MUTCD). In the case of conflicts between the VTrans Standards and the MUTCD, the MUTCD shall govern.

The design of the signs shall conform to the latest standards prescribed in the Manual on Uniform Traffic Control Devices prepared by the National Joint Committee on Uniform Traffic Control Devices.

The signs shall be of metal, wood, plywood, hardboard, or other material satisfactory to the Town Engineer. No material shall be approved that will deteriorate by exposure to the weather during the required life of the sign.

The signs shall be in place at the time the project officially commences, and shall be maintained by the Contractor for the duration of the project. Depending upon the scope, complexity, location and safety situation, the Town may require additional warning signage or notification of construction activity by additional means such as electronic signboards and radio, newspaper, web page or other alert mechanism.

#### **413.0            Maintenance and Protection of Traffic**

The Contractor shall provide uniformed traffic officers or certified flaggers if deemed necessary by the Public Works Director / Town Engineer. The Contractor shall pay for the additional cost of uniformed traffic officers and/or certified flaggers.

The Contractor shall, as conditions warrant, employ certified flaggers at any location on the project where his/her equipment or construction operations are such that they will in any manner interfere with the movement or safety of the traveling public within the public right of way.

The employment or presence of certified flaggers or uniformed traffic officers does not relieve the Contractor of any responsibility or liability.

The Contractor shall notify the Public Works Department, police and fire departments at least 48 hours in advance of any need to close streets. The Contractor shall work with the Town to establish a suitable alternate route, and shall at their own expense, provide and maintain suitable marked and well-lighted detour signs.

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**414.0                    Protection and Repair of Existing Utilities**

The Contractor shall notify Dig-Safe (811) prior to any excavation in the public right of way or utility easement limits. The Contractor shall also notify the Town of Essex Public Works office at 878-1344 forty-eight hours prior to any scheduled work within these limits. In the event of an emergency during working hours, (7:30 am to 4:30 pm) the Contractor shall contact the appropriate utility, and the Public Works Office. When an emergency situation arises during off hours, (4:30 pm to 8:00 am), the Contractor shall contact the appropriate utility and the Town of Essex Police Department Dispatcher at 878-8331.

Wherever culverts, sewers, drains, manholes, catch basin connections, water mains, valve chambers, electric conduits, telephone conduits, utility poles, overhead lines or other existing facilities are encountered they shall be protected and firmly supported by the Contractor at his/her own expense, by methods approved by the Project Engineer, until the excavation is backfilled and the existing structures are made secure. Injury to any such structures caused by or resulting from the Contractor's operations shall be repaired at the Contractor's expense within a time period that will not place an unreasonable burden on the users. The authority having charge of any particular underground structure shall be notified promptly of injury to its structure.

Whenever the Town Engineer may require, pipes or other underground structures encountered in excavating or trenching shall be permanently supported by methods acceptable to the Town.

In case it shall become necessary to remove or reconstruct any water main, electric conduit, telephone conduit, any connections thereto, or any appurtenant structures, approval for relocation shall be obtained from the appropriate party prior to relocation. The Contractor shall be responsible for the work and for providing notice to users before interrupting service. Unless specifically provided for by written agreement, reconstruction of the utilities shall be at the Contractor's expense. In no case shall the Contractor move, change or repair any water main, electric conduit, telephone conduit, or any underground cables, conduits or structures, without written permission of the Town Engineer and the utility owner and until they are satisfied that adequate warning to the users has been provided.

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**Section 420      Contract Coordination**

**421.0              Shop Drawings and Product Data**

The Contractor shall duplicate and distribute reproductions of shop drawings, copies of product data, and samples, which bear the Engineer's acceptance stamp to the job site file, the Record Documents file, Subcontractors, suppliers, other affected Contractors, and other entities requiring the product information.

Duplication and distribution of shop drawings, product data and sample submittals shall be made in a timely and logical fashion taking into account work scheduling and the progress of the project.

It is the Contractor's responsibility to prepare, coordinate, and review all submittals prior to delivery to the Project Engineer and/or Town. The Project Engineer and/or Town will review each submittal.

The Contractor shall make corrections required by the Engineer and resubmit shop drawings, product data and samples using the same procedures specified for initial submittals. The Contractor shall direct specific attention, in writing or on resubmitted shop drawings, product data or samples, to any revisions other than the corrections required by the Engineer.

Regardless of corrections made or acknowledgement of such drawings by the Engineer, the Contractor will nevertheless be responsible for the accuracy of such drawings and for their conformity to the contract documents. The Contractor shall notify the Engineer in writing of any deviations at the time he/she furnishes such drawings.

**422.0              Field Engineering**

For town projects, as the direct representative of the Town, the Engineer may, by issuing a field order, make changes in the details of the Work. The Contractor shall proceed with the performance of any changes in the Work so ordered by the Engineer unless the Contractor believes that such field order entitles him/her to a change in contract price or time or both, in which event he/she shall give the Engineer Written Notice thereof within seven (7) days after the receipt of the ordered change. Thereafter the Contractor shall document the basis for the change in contract price or time within thirty (30) days. The Contractor shall not execute such changes, pending the receipt of an executed Change Order or further instructions from the Town.

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**423.0                    Change Order Procedures**

The Contract Price may be changed only by a Change Order. The value of any Work covered by a Change Order or of any claim for increase or decrease in the Contract Price shall be determined by one or more of the following methods in the order of precedence listed below:

1. Unit prices previously approved.
2. An Agreed Lump Sum
3. The actual cost for labor, direct overhead, materials, supplies, equipment and other services necessary to complete the Work. In addition, there shall be added an amount to be agreed upon but not to exceed fifteen (15) percent of the actual cost of the Work to cover the cost of general overhead and profit (OHP) if the prime Contractor performs the work, and not to exceed five (5) percent additional markup by the prime Contractor if the work is done by a Subcontractor, who is allowed an amount to be agreed upon but not to exceed fifteen (15) percent OHP for the work.

**424.0                    Project Payment Requests (For Town Projects)**

At least five (5) days before each progress payment falls due (but not more often than once a week) The Contractor will submit to the Town a partial payment estimate filled out and signed by the Contractor covering the Work performed during the period covered by the partial payment estimate and supported by such data as the Engineer may reasonably require. If payment is requested on the basis of materials and equipment not incorporated in the Work but delivered and suitably stored at or near the site, the partial payment estimate shall also be accompanied by such supporting data, satisfactory to the Town, as will establish the Owner's title to the material and equipment and protect his/her interest therein, including applicable insurance. The Engineer will, within ten (10) days after receipt of each partial payment estimate, either indicate in writing his/her approval of payment and present the partial payment estimate to the Town or return the partial payment estimate to the Contractor indicating in writing his/her reasons for refusing to approve payment. The Town will, within ten (10) days of the presentation to it of an approved partial payment estimate, pay the Contractor a progress payment on the basis of the approved partial payment estimate. In the latter case, the Contractor may make the necessary corrections and resubmit the partial payment estimate. The Town shall retain ten (10) percent of the amount of each payment until final completion and acceptance of all Work covered by the Contract Documents. The Town at any time after fifty (50) percent of the Work has been completed finds that satisfactory progress is being made, shall reduce Retainage to five (5) percent on the current and

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remaining estimates. When Work is substantially complete (operational or beneficial occupancy), the retained amount may be further reduced below five (5) percent to only that amount necessary to assure completion. On completion and acceptance of a part of the Work on which the price is stated separately in the Contract Documents, payment may be made in full, including retained percentages, less authorized deductions.

**Section 430      Permits**

The Contractor shall be responsible for compliance with existing laws and regulations in the execution of the work of this project. All Federal and or State permits or approvals issued with conditions pertaining to the Contractor's execution of the work of this project shall be strictly adhered to. The Town shall terminate all work if it is found that the Contractor is not in compliance with all conditions of any permit. Work shall not begin again until the Contractor provides verification to the Engineer and or Town that all conditions of any given permit are in compliance.

**Section 440      Work Outside Town Right of Way**

The Contractor shall not, without written consent of a property owner, enter or occupy with workers, tools, materials, or equipment any private land, other than their own, or a specified utility easement without written consent of the property owner. In a similar manner, no excavation shall take place within the Town or State right of way without first obtaining authorization from the Town or State or utility, as applicable.

**Section 450      Contractor Supervision**

The Contractor shall be responsible for ensuring that there is a supervisor or responsible individual with the authority to make decisions for the Contractor under his/her direct employ on the job site at all times that construction is underway, whether or not the construction is being accomplished by a prime Contractor or Subcontractors hired by a prime Contractor. Work stoppage ordered by the Town for failure to comply with the on-job site supervisor's requirements shall not be considered as a Contractor claim for delay of the contract.

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## **Section 460 Construction Meetings and Schedules**

### **461.0 Preconstruction Meeting (for Town Projects)**

Prior to the start of construction, or each phase of construction on larger projects, a pre-construction meeting will be held. The pre-construction meeting shall be held a minimum of two weeks prior to the planned start of construction to allow the lines of communication to be established, for the Contractor to contact Dig-Safe and for the Town to contact all abutting landowners regarding the start of construction. The pre-Construction meeting shall be organized and run by either the Town or its construction representative. Invitees shall include a representative from the Town of Essex Department of Public Works, the Town of Essex Planning and Zoning department, representatives of all affected utilities, project designer / engineer, and representatives of the Contractor.

The meeting agenda and format for all development projects within the Town can be found in Section 260 of this document.

### **462.0 Construction Progress Meeting**

The Engineer and/or Town will schedule and administer progress meetings at least once per month throughout progress of the work. Physical arrangements for meetings, preparation of agenda, presiding over the meetings, recording of minutes, and distribution of copies of minutes to participants within two (2) weeks after meeting shall be the responsibility of the Engineer and/or Town. The Contractor shall be notified as to whether Subcontractor or supplier's representatives should attend.

In attendance will be the Town representative, Engineer, state and/or federal agency representatives as required, VTrans representative as required, the Contractor's Superintendent or authorized representative, representatives of major Subcontractors and suppliers, and other representatives appropriate to the agenda topics for each meeting.

The meeting agenda shall cover the following:

1. Review of minutes of prior meeting.
2. Review of work progress.
3. Review of progress schedule.
4. Subcontractor's progress.
5. Delivery schedules.
6. Submittals.
7. Pending changes and substitutions.

8. Payrolls.
9. Other items affecting progress of work.

### **463.0 Project Scheduling**

The Contractor shall use the construction schedule as an aid in planning and executing the work. The Contractor shall submit an initial draft project schedule to the Engineer and or Town, prior to the Preconstruction conference. The schedule shall provide projected project schedules for the entire work.

The Engineer and or a representative of the Town of Essex Department of Public Works shall review the preliminary schedule as well as monthly schedule updates and advise the Contractor if they have questions regarding the sequence of work or stated duration of individual activities. The Engineer's or Town's review of the schedule shall not be construed as approval of the sequence of work or relieve the Contractor of sole responsibility for any schedule impacts due to incorrect sequencing or estimates of the duration of work activities.

The Contractor shall prepare a schedule update at least monthly and shall submit that update with their pay requisitions for review by Engineer and or Town. All project schedules shall be prepared in the form of horizontal bar graphs to identify work of separate phases or other logically grouped activities in accordance with Special Conditions and time restraints. Work shall be scheduled to reflect logical and planned dependencies between work activities. If requested by the Engineer, the Contractor shall provide a schedule that indicates the interdependencies between activities.

The schedule shall show "work to be performed by others" as a separate activity. Ample notice shall be provided to the Engineer and Town if schedule updates change the start date of such work, so it can be properly scheduled to avoid impact to the Contractor's schedule. The Contractor is solely responsible for providing the necessary notice to the Engineer and Town of schedule requirements for "work performed by others".

The update shall include all changes occurring since the previous submission of an updated schedule including progress of each activity and revised completion dates, including but not limited to; major changes in scope, activities modified since previous updating, revised projections due to changes, and all other identifiable changes.

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**Section 470      Testing and Inspection Requirements**

Proper construction requires field verification of materials and technique. All projects require either periodic or full time engineering services by a qualified engineer or Resident Project Representative experienced in the area of construction to be undertaken. The Contractor shall provide the engineer and the representative of the Town full access to the site to make these visits at intervals appropriate to the various stages of construction as he/she deems necessary in order to observe, as an experienced and qualified design professional, the progress that has been made and the quality of the various aspects of the Contractor's executed work.

An independent testing laboratory consultant shall be employed by the Contractor to perform all concrete and soil testing requirements required by this document and the contract documents. The Contractor shall provide labor and facilities to allow access to all work to be tested, to obtain and handle samples at the site or at the source of the products to be tested, to facilitate tests and inspections, and for storage of test samples. The Town shall have the right to accept or reject the choice of the independent testing laboratory.

Upon completion of the construction, the Project Engineer shall certify that required testing and inspection has been conducted and the project is in conformance with the approved plans on the form provided within this document by the Town. The certification is required prior to acceptance of the project by the Town of Essex. The Project Engineer shall also sign and stamp the Verification of Utilities document found in Appendix B of this document, and submit a copy to the Town Engineer.

On projects bid directly by the Town, there shall be a minimum one (1) year warranty on all aspects of the construction. On development projects, involving a Highway Agreement between a developer and the Town, there shall be a three (3) year warranty starting with date of acceptance of all project construction by the Town.

The Town shall inspect all projects prior to the end of the warranty period and either provide written documents of final contract acceptance or provide evidence of warranty items needing correction. The Contractor (in the case of Town projects) and the developer (in the case of development projects) shall not be relieved of all responsibility under the Contract until the Town has provided a letter of final acceptance.

A final project walk-through and inspection will be made of the project by the Project Engineer and a representative from the Town of Essex Public Works

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Department. When this inspection is complete, all deficiencies corrected, and the Project Engineer certification received, the Town will accept the construction.

### **471.0            Road Inspection**

1. The Public Works Department shall be notified 24 hours in advance to inspect the construction of any and all roads to be taken over by the Town at the following phases of construction.

1. Preparation of subgrade;
2. Installation of subbase and base material;
3. Completion of finished grading;
4. During and after the placement of the base coarse of Bituminous Concrete.
5. During and after the placement of the wearing coarse of Bituminous Concrete.

The Public Works Department's authorized representative will inspect work during the placement of curbs, sidewalks, and driveway aprons.

A sample of all sub-base and base materials will be tested by a testing lab approved by the Public Works Department, in accordance with Section 400, Technical Specifications, of this document. For all changes in subgrade and base materials, the Contractor shall have a sieve analysis performed on each sample of new material as required by the Town Engineer, at the Contractor's expense. Approximately 14 days should be allocated between submittal of soil for testing and placement of the material. The subbase and base material compaction will be tested by AASHTO-T-99, Method A (Standard Proctor) test in fill sections at minimum intervals of every 500 linear feet of roadway, two feet (2') of depth, and changes in material. The responsibility for testing shall be the Contractor's, and all costs associated with the testing shall be the responsibility of the Contractor.

A final inspection will be made after the completion of all roads, curbs, driveways, sidewalks, bicycle paths, setting of all property pins and monuments for lots and street rights-of-way. The following roadway general checklist will be used at final inspection:

1. Settlement or other grade changes, depression, or imperfections in finish surface of roadway, pedestrian paths, sidewalk, or curbing.
2. Street and Traffic signs; traffic pavement markings.
3. Installation of all plantings if applicable.
4. Seeding and erosion control on cut and fill slopes;
5. Surface drainage (during rainstorm);

6. General appearance;
7. Material testing results, lab reports, and record drawing complete and on file in both paper and electronic format.

#### **472.0            Potable Water Inspection**

The Public Works Department shall be notified 24 hours in advance so inspection of all materials can take place on the site before construction begins. The Town's authorized representative shall be given a 24 hour notice before any connections are made to the existing water system, pressure testing, flushing, disinfecting, and sampling of new mains is performed.

The following water main general checklist will be used at final inspection:

1. Valves, hydrants, and curb stops accessible and operating properly;
2. Valve box covers and hydrants set at proper elevations;
3. General appearance, including the painting of all hydrants red;
4. Tie information and record drawing complete;
5. Material testing results, lab reports, manufacturer's certificates, pressure and leakage test results, and bacteriological test reports, are complete and on file at the Town of Essex Public Works in both paper and electronic format.

#### **473.0            Sanitary Sewer Inspection**

An inspection schedule will be tailored for each individual project and set at the pre-construction meeting. A 24-hour notice shall be given to the Public Works Department, so inspection of all materials can take place on the site before any work begins. The Town's authorized representative shall be given a 24 hour notice before testing of gravity sewer lines, forcemains, and sanitary sewer manholes.

The Contractor shall make available to the representative of the Town all grade readings on installed gravity sewers and forcemains at the project site. A copy of all grade readings and all air testing results shall be given to the Town of Essex Public Works Department at the end of construction.

The following sanitary sewer system general checklist will be used at final inspection:

1. Manholes, pipelines, and appurtenances clean; Inverts and shelves completed to plans with smooth transitions;
2. Manhole frames and covers set at proper elevation;
3. General appearance;

4. Material testing results, lab reports, manufacturer's certificate, and leakage and onsite, in-place pump test results complete and on file, and manhole and piping testing results complete and on file in both paper and electronic format.

#### **474.0            Stormwater and Erosion Control Inspection**

A 24 hour notice for all inspections will be given to the Town of Essex Public Works authorized representative. The Town's authorized representative shall inspect all storm drain, culvert joints, connections to catch basins, and other storm drainage facilities, such as detention basins and ponds.

The Contractor shall make all areas of the project site available to the representative of the Town for periodic, unscheduled inspections of all sediment and erosion control measures on site. Any violations of the Town of Essex Stormwater ordinance, or applicable Erosion and Sediment Control Plan shall be brought to the attention of the Contractor, and immediate action shall take place to correct all deficiencies. Further direction on Erosion and Sediment Control can be found in Section 493 of this document.

All storm drainage facilities will be inspected upon completion of the project. The following general checklist will be used at final inspection:

1. Catch basins, manholes, and pipelines clean;
2. Ditches and outlets clean;
3. Erosion control measures completed;
4. General appearance;
5. Material testing results, lab reports, manufacturer's certificates, and record drawings complete and on file in both paper and electronic format.

An inspection schedule for individual projects will be determined at the pre-construction meeting.

#### **Section 480            Project Record Drawings**

Record Documents and samples shall be stored apart from documents used for construction. The Contractor shall provide files, racks, and secure storage for record documents and samples. Label each document "PROJECT RECORD" in neat, large, printed letters. Record Documents shall be maintained in a clean, dry and legible condition. Do not use record documents for construction purposes. All Record Documents and samples shall be made available for inspection by the Engineer and or Town upon request.

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The Contractor shall maintain at the project site a copy of the following:

1. Contract Drawings.
2. Project Manual.
3. Addenda.
4. Change Orders and other modifications to the contract.
5. Accepted shop drawings, product data, and samples.
6. Field test records.
7. Inspection certificates.
8. Manufacturer's certificates.
9. Manufacturer's operating and maintenance manuals.

The Contractor shall be responsible to record all information on a set of blue line drawings. The Contractor shall use separate colors for recording information for each major system. The Contractor shall record information concurrently with construction progress. Do not conceal any work until required information is recorded. The Contractor shall legibly mark each item to record actual construction on the Contract Drawings and Shop Drawings. The items include the following:

1. Measured depths of elements of foundation.
2. Measured horizontal and vertical locations of underground utilities and appurtenances, referenced to permanent surface improvements.
3. Measured locations of internal utilities and appurtenances concealed in construction, referenced to visible and accessible features of construction.
4. Field changes of dimensions and details

After the initial set of Record Drawings have been submitted, there will be a field inspection by the Town to verify that the hydrant, valve boxes, curb boxes, etc., are properly raised to ground level. A letter of approval of the Record Drawings by the Town Engineer may be a prerequisite to issuance of further occupancy permits. The Engineer shall plot all record information on a set of plans and submit a paper copy and a PDF of those to the Town as stamped record drawings.

Record drawings shall be produced for all construction projects and should include the following information:

**481.0            Roads**

The following roadway information to be provided on Record Drawings shall include the following;

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1. Locations of all streets and storm drain lines, culverts, drainage structures, and elevations and dimensions of all other facilities.
  2. Width of pavement from curb to curb or shoulder to shoulder;
  3. Right of way dimensions for streets;
  4. Width of sidewalk and bike paths;
  5. Location of street lights and associated infrastructure;
  6. Location of driveways;
  7. Location and size of planter islands, if any;
  8. Typical cross-section of streets as installed;
  9. Location of all underground electric, cable, and telephone lines.
  10. Street monuments.
  11. Cross Section or Note Indicating Road Materials Used/Depth

#### **482.0            Potable Water**

1. Accurate locations of all water lines on plan view, and profile.
2. Measurement to within 1' from all valves and curb stops, from permanent fixtures such as telephone poles, hydrants, buildings, transformers, etc., along with depths of waterlines. Three point tie measurements to the closest building or structure are required.
3. Ties and locations of all bends, tees, and other fittings.
4. All curb boxes will be marked with stakes so Contractors can easily locate them before building services are connected.
5. Pipe size and material shall be noted on all watermains and service lines within the Town R.O.W.

#### **483.0            Sanitary Sewer**

1. Accurate locations of all sewer lines including depth, size, location and material type
2. Accurate measurements to all service tees and/or wyes for building connections and locations of service stubs at property lines using three point tie measurements to the closest building or structure is required. Sanitary sewer lines shall be marked in the field to differentiate from foundation drain lines.
3. Locations of all manholes including rim and invert elevations, distances between manholes, size and material of pipe in manholes, and pitch of pipe.
4. Locations and types of all pump stations, including associated design calculations and field ties.

**484.0**            **Stormwater**

1. Depth, size, location and material type of all storm drain lines and culverts, including underdrains.
2. Location of all catch basins, drop inlets, and storm sewer manholes with invert and rim elevations;
3. Location and details for all permanent stormwater treatment facilities such as detention ponds;
4. Location of all drainage ways, water courses, etc;
5. Location and width of drainage easements.

**485.0**            **Final Submission**

A final set of record drawings, including one set of Mylar reproducible, two sets of prints, and electronic copies in PDF format shall be submitted to the Town of Essex Public Works Department within 60 days of the completion of a project or project phase. A final set of the project record drawings shall be stamped by the Project Engineer. The record drawings shall also contain a stamped and signed statement by a licensed Land Surveyor that all property corner markers have been set in accordance with the approved property plat.

**Section 490**        **Special Requirements**

**491.0**            **Dust Control**

The Contractor shall be responsible at his own expense for ensuring that the dust created as a result of construction activities does not create a nuisance or a safety hazard. Where and when deemed necessary by the Town the developer/Contractor will be required to wet sections of the construction area with water or apply calcium chloride or sweep the roadway with a wetted power broom as dust control measures.

**492.0**            **Pollution Control**

During the construction period, the Contractor shall exercise every reasonable precaution to prevent pollution of the waters of the State. Pollutants such as chemicals, paints, fuels, lubricants, bitumen, raw sewage, and other harmful waste shall not be discharged into or alongside these waters or into natural or man-made channels leading thereto. The Contractor shall comply with applicable statutes and regulations of the Vermont State Agency of Natural Resources relating to the prevention and abatement of pollution. Any pollutant reaching the waters of the State shall be immediately reported to the Town and to the State of Vermont.

**493.0**            **Erosion Control**

The Contractor shall carry out his/her operations in such a manner to give adequate protection to all waters of the State, and minimize surface erosion. The Contractor shall adhere to all of the storm water and erosion control specifications and details shown on the approved plans including installation, maintenance and removal of temporary dams and inlet protection. The Contractor shall be responsible for reading and complying with all State and Local Erosion and Sediment Control plans and permits, and Chapter 3, Erosion and Sediment Control, of this document.

**494.0**            **Noise Control**

The Contractor is expected to perform all activities during normal workday daylight hours, such that the construction activities are not considered to be a disturbance of the peace under State law. It is anticipated that construction activity will generally occur between the hours from 7:30 A.M. until 6:00 P.M., Monday through Friday. Construction activity outside this time frame should be discussed during the pre-construction meeting and will require pre-approval by the Town.