

## General Requirements

### 1. SCOPE

Work shall consist of furnishing all equipment and materials and performing all operations in connection with construction of the project as shown on the drawings, described in the special provisions and as staked in the field.

### 2. DEFINITIONS

Owner/Operator—official spokesperson for the project who enters into all contractual agreements, obtains all permits and easements necessary for construction, ensures construction in accordance with the plan drawings and specifications, and is financially responsible for the project.

Technician— Natural Resources Conservation Service (NRCS) representative who is authorized to conduct quality assurance activities. The technician makes recommendations to the owner/operator concerning changes and acceptance of the work.

Contractor— individual who has an agreement with the owner/operator to construct the project.

Technical Service Provider (TSP)— individual who is voluntarily hired by the owner/operator for design, installation, and check-out services in accordance with the Statement of Work (SOW) approved by the NRCS.

### 3. SAFETY

Equipment and methods used in construction shall be in accordance with the United States Department of Labor, Occupational Safety and Health Administration (OSHA) regulations.

The contractor shall comply with OSHA Parts 1910 and 1926, Construction Industry Standards and Interpretations. The contractor shall ensure a safe working environment and operate under a construction safety program that is in compliance with Federal, State, and local laws and regulations.

When personnel must enter confined spaces, trenches, or other excavations, the contractor shall comply with OSHA Safety and Health Standards, Part 1926, Safety and Health Regulations for Construction, Subpart P, Excavations.

A potential hazard to life and property exists from the disturbance of utilities by construction.

The excavator is responsible for calling the Utility Notification Center at least two full business days before excavation begins to ensure that all publicly-owned underground utilities are marked. The “Call Before You Dig” phone number for Montana (except for Lincoln and Flathead Counties) is 811 or 1-800-551-8344. The “Call Before You Dig” phone number for Flathead and Lincoln Counties is: 1-800-551-8344 (there is no 811 equivalent for this area). The excavator will be held responsible for damages to utilities and property if such notice is not provided. The excavator is the person who actually performs the excavation, soil borings, or similar construction activity.

The locate ticket number shall be provided by the excavator to the NRCS prior to the start of construction inspection by the NRCS. The ticket number should be provided to the owner/operator on projects where NRCS employees are not present during construction, or inspection is provided by a TSP.

The owner/operator is responsible for marking private underground utilities (e.g. propane and water lines) affected by the project. In addition to buried private utilities, there may be additional buried lines for such things as oil fields and the Air Force Missile Control System.

Known utilities are shown on the plan drawings. The NRCS makes no assurances or representation of the existence or non-existence of utilities.

The Utility Notification Center and the Montana NRCS have adopted the American Public Works Association Uniform Color Code for the purpose of marking specific utilities and avoiding confusion, particularly within road right-of-way. Pink and white are the colors designated for temporary survey markings and proposed excavation limits. The Contractor and Owner/Operator shall respect and apply these colors during construction. Color code reservations are listed below:

PINK – Temporary Survey Markings  
 WHITE – Proposed Limits or Routes  
 RED – Electric Power  
 YELLOW – Gas, Oil, Steam, Petroleum  
 ORANGE – Communications  
 BLUE – Potable Water  
 GREEN – Sewers and Drains

#### 4. PROJECT MODIFICATIONS

Project modifications to the plan drawings and specifications must be approved by the NRCS or TSP and the owner/operator prior to implementation. Differing site conditions, weather, materials, workmanship, value engineering proposals, or other issues may justify project modifications.

#### 5. ENVIRONMENTAL CONSIDERATIONS

Construction shall be carried out in a manner which minimizes water, land, and air pollution in compliance with Federal, State, and local laws and regulations. The owner/operator is responsible to secure all necessary permits prior to construction.

One or more permits may be applicable on a project. These permits may include, but are not limited to:

- A. Montana Natural Streambed and Land Preservation Act (310)
- B. Montana Stream Protection Act (SPA 124 Permit)
- C. Montana Floodplain and Floodway Management Act (Floodplain Permit)
- D. Federal Clean Water Act (Section 404 Permit)
- E. Federal Rivers and Harbors Act (Section 10 Permit)
- F. Short-Term Water Quality Standard for Turbidity (318 Authorization Permit)
- G. Montana Land-Use License or Easement on Navigable Waters
- H. Montana Water Use Act (Water Right Permit and Change Authorization)
- I. Montana Water Use Act (Water Reservations)
- J. Montana Point Discharge Elimination System (MPDES) Stormwater and Construction Dewatering Discharge Permits

K. Montana Streamside Management Zone Law (SMZ)

L. Open Burning Permit.

These permits have similar information requirements and a "Joint Application Form" is available to process some of these applications.

The contractor is responsible for the identification of hazardous materials discovered during construction. The contractor shall immediately notify the NRCS and owner/operator of the presence of hazardous materials. The owner/operator is responsible for the proper handling and disposal of these materials.

**6. CULTURAL RESOURCES**

NRCS field personnel have reviewed the project area for cultural resources (archaeological and historic). However, the possibility exists for accidental discoveries during construction. If cultural material (cut or burned bones, fire cracked rocks, projectile points, foundations, fire hearths, etc.) is discovered by the contractor, owner/operator or NRCS technician, the work must stop. The NRCS technician shall contact the NRCS Cultural Resource Specialist for further instructions and establish the actions necessary to assess the cultural resources. Work shall not resume within 300 feet of the discovery until the owner/operator receives written notification from the NRCS technician. The notification may contain special provisions for protecting the cultural resource.

**7. ADDITIONAL RESPONSIBILITIES**

NRCS is responsible for technical certification of the project for USDA program payments. The NRCS shall conduct original and final quantity surveys and measurements. The data derived from these

surveys and measurements shall be used to certify quantities for program payments.

The contractor, on behalf of the owner/operator, is responsible for scheduling an NRCS technician for periodic or continuous inspection of materials, workmanship, and quantities that facilitate technical certification of the project. For example, concrete shall not be poured until an NRCS technician has inspected the subgrade, steel reinforcement, and form dimensions. If an NRCS technician is unavailable during underground work, the contractor is responsible for leaving all or portions of underground work exposed to facilitate inspection.

The contractor is responsible for the construction staking and measurements from NRCS or TSP-established base lines and bench marks indicated on the plan drawings. The NRCS or TSP may assist with construction staking and measurements.

The contractor or TSP is obligated to immediately notify the NRCS and owner/operator of construction problems in order to facilitate practical, functional, and cost-effective project modifications. These problems may be associated with differing site conditions, construction staking and measurements, conflicts between plan drawings and specifications, defective materials, or other issues.

**8. REFERENCES**

The following abbreviations will be used in the construction and material specifications to designate the organizations who publish the referenced "Standard Specifications":

ASTM	American Society for Testing and Materials
AWWA	American Water Works Association

## CONSTRUCTION SPECIFICATION

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AWS	American Welding Society
ACI	American Concrete Institute
ANSI	American National Standard Institute (American Society of Mechanical Engineers)
AASHTO	American Association of State Highway and Transportation Officials

The following abbreviations are used to designate technical or regulatory agencies:

NRCS	United States Department of Agriculture, Natural Resources Conservation Service
TSP	Technical Service Provider
OSHA	United States Department of Labor, Occupational Safety and Health Administration
EPA	United States Environmental Protection Agency