

## **106-22 EMERGENCY RESPONSE FOR DEBRIS REMOVAL.**

(REV. ~~9-16-09~~**9-30-15**) (1-16)

The following new section is added after Section 105:

### **SECTION 106-22 EMERGENCY RESPONSE FOR DEBRIS REMOVAL**

#### **106-22.1 Description.**

Provide all labor, equipment, materials, and incidentals necessary to perform emergency removal and disposal of debris (liquid or non-liquid) and live animals (livestock) from the right-of-way. The work specified in this Section will not apply to materials designated as hazardous waste by 40 Code of Federal Regulations (CFR) 262.

#### **106-22.2 Materials.**

Clean sand or other absorbent material free of debris will be used for collection and disposal of liquid material. Disposal of materials or debris removed from the right-of-way will be in accordance with applicable State, Federal, and local regulations.

#### **106-22.3 Response Requirements.**

**106-22.3.1 Contact Person for Emergency Response:** Provide a responsible person 24 hours-per-day and seven days-per-week (including all holidays) for the duration of this Contract to receive and respond to verbal or written work directions. This person will be available to meet with the Engineer as needed and will be required to respond (via telephone) within 15 minutes of being called or paged by the Engineer. After being notified, report to the emergency work site location(s) within the time specified in Subarticle's below. Continuously keep the Engineer advised as to the operable telephone number of the responsible person who will be responsible to respond to emergency work as necessary. Require that person to continuously be available for such direction through an electronic paging device or other methods approved by the Engineer. All cost for providing a contact person for emergency response will be incidental to the work to be performed.

**106-22.3.2 Response Team and Equipment:** The response team will consist of a minimum of one working supervisor and one) laborer. Minimum equipment will include one truck [one ton or less] and hand tools (shovels, brooms, absorbent material, etc.). The Engineer will approve any additional personnel or equipment required at a site. The response time for additional personnel or equipment will be one hour to the work site, after the Engineer's approval.

**106-22.3.3 Material Spills:** Be on the site of material spills, classified as liquid or non-liquid within one hour of notification by the Engineer. When necessary provide absorbent materials will be used for the removal of liquid materials. Remove all materials to the satisfaction of the Engineer. The cost of absorbent materials will be incidental to the cost of the removal and disposal pay item.

**106-22.3.4 Storage of Materials or Property:** Remove and store materials or property until such time as the rightful owner is identified and the Engineer approves (in writing) the recovery or disposal of the materials or property. Coordinate with the rightful owner for the

recovery or disposal of the property. Provide disposal area, if the owner of the property allows the disposal of the property at no cost to the Department. Be responsible for the safe keeping of all stored materials or property. Provide to the Engineer a detailed listing of any materials or property removed and stored.

**106-22.3.5 Live Animals (Livestock):** Where livestock is found to be running at large or straying, on the right-of-way, notify the local sheriff or her or his deputies or designees, or any other law enforcement officer of the county, the animal control center, or state highway patrol officers, assist the responding Law Enforcement as needed to clear the Right-of-Way. The responding law enforcement will coordinate with the rightful owner for the recovery of the livestock. If the rightful owner cannot be found the responding law enforcement officer, will be in charge of the disposal of or impounding livestock as defined in FS 588.

**106-22.3.6 Removal of Dead Animals Less Than 100 Pounds:** Be on the site for removal of a dead animal weighing 100 pounds or less within four hours of notification by the Engineer. Removal of dead animals will take place during daylight hours only (7:00 A.M. to 5:00 P.M.), Monday through Friday and during daylight hours on Saturdays, Sundays, or holidays when directed by the Engineer. The Engineer may authorize removal of dead animals 24 hours-per-day and seven days-per-week (including all holidays) if a safety hazard occurs.

**106-22.3.7 Removal of Dead Animals Greater Than 100 Pounds:** Be on the site for removal of a dead animal greater than 100 pounds within three hours of notification by the Engineer. Removal of dead animals will take place on a 24 hours-per-day and seven days-per-week (including all holidays).

#### **106-22.4 Method of Measurement.**

The quantities to be paid will be the removal (each), storage (day), the disposal of dead animals (each) and the disposal of materials (liquid and non-liquid) (cubic yard) and tires (each) from the right-of-way.

#### **106-22.5 Basis of Payment.**

Payment for the transporting of live animals will be included in the pay item Live Animal Removal (E106-22-3).

Payment for the storage of materials that is removed from the right-of-way will be included in the pay item Storage of Material (E106-22-4). When the rightful owner cannot be identified, the Engineer may authorize payment for the removing and disposing of property stored. Such cost will be paid for separately as identified by the appropriate pay items determined by the Engineer.

~~The above two paragraphs~~ *Payment for transporting live animals and Payment for storage of material* will include a minimum of two hours of service at each site and will include all labor and equipment required for the first two hours of work. Time in excess of the two hours will be paid in one-half hours increments under the appropriate pay items for labor and equipment.

Payment for disposal of dead animals will be included in the pay item Removal and Disposal (E106-22-1 or E106-22-2).

Payment for removal and disposal of materials and tires includes providing disposal area, removal and proper disposal of materials (liquid or non-liquid), and removal and disposal of tires (or pieces of tires). Payment will be made under the pay items Removal and Disposal of Materials (E106-22-5) or Removal and Disposal Tires (E106-22-6).

## All Maintenance Debris Removal Contracts

Payment for all labor and equipment will be made under the appropriate pay items.

Payment for labor will include price per hour, unless the cost is included in a separate pay item. The hour cost for labor will not begin until the laborer (skilled or unskilled) is at the work site with a one hour minimum charge for each response. Labor hours will include labor cost associated with hand labor, shoveling, sweeping and similar unskilled labor required to complete each task. Skilled labor hours will include labor cost associated with specialized labor including, but not limited to, welders and cutters, and skilled trade's personnel, as approved by the Engineer.

Regular time will be from 7:00 A.M. to 5:00 P.M., Monday through Friday excluding holidays.

Special time shall be from 5:00 P.M. to 7:00 A.M., Monday through Friday and all day Saturday, Sunday, and holidays.

Payment for pickup trucks will be for each pick-up truck, hand tools (shovels, brooms, etc.), and operator to respond to each emergency response site. Payment for this item will be for hours at the work site with a one hour minimum charge for each response. Time in excess of the one hour minimum shall be prorated in one half hour increments and approved by the Engineer.

Payment for flatbed trucks, dump trucks, wreckers, and front-end loaders will be approved in advance by the Engineer and will include any cost for support vehicles, mobilization, de-mobilization, and operator to respond to each emergency response site. Payment for this item will be for hours at the work site with a two hour minimum charge for each response. Time in excess of the two hour minimum will be paid prorated in one half hour increments and be approved by the Engineer.

Payment for crane trucks [(35 and 70 tons)] will be approved in advance by the Engineer and will include any cost for support vehicles, mobilization, de-mobilization, assembly and disassembly of equipment, and operator to respond to each emergency response site. Payment for this item will be for hours at the work site, with a five hour minimum charge for each response that includes two hours for travel time (one hour to and one hour from the work site). Time in excess of the five hour minimum will be paid prorated in one half hour increments and be approved by the Engineer.

Payment for the crane trucks [120 tons] will be approved in advance by the Engineer and will include any cost for support vehicles, mobilization, de-mobilization, assembly and disassembly of equipment, and operator to respond to each emergency response site. Payment for this item will be for hours at the work site, with a six hour minimum charge for each response that includes two hours for travel time (one hour to and one hour from the work site). Time in excess of the six hour minimum will be paid prorated in one half hour increments and be approved by the Engineer.

Payment for other support vehicles will be approved in advance by the Engineer and will include any cost for support vehicles and operator to respond to each emergency response site. Payment for this item will be for the number of gross miles traveled by each truck to and from each work site and be approved by the Engineer.

Payment will be made under the items specified on the Bid Price Proposal.