

THIRD PARTY LANDSCAPE MAINTENANCE REQUIREMENTS FOR GULF COAST WATER AUTHORITY RIGHTS-OF-WAY

APPROVED OCTOBER 20, 2022

PART 1 - GENERAL

1.1 INTENT OF THE REQUIREMENTS

It is the intent of these Third Party Landscape Maintenance Requirements (Requirements) to outline Gulf Coast Water Authority (GCWA)'s requirements related to third party entity (TPE) maintenance of GCWA's rights-of-way (ROW) to a minimum standard consistent with GCWA's current maintenance standards. If a TPE wishes to maintain GCWA ROW to a higher level or to provide maintenance on a more frequent basis, the TPE shall enter into an agreement with GCWA.

1.2 SCOPE

- A. All TPEs, upon entering into an agreement with GCWA to access and maintain GCWA ROW, shall follow the requirements herein with regards to use, maintenance, and access of GCWA ROW.
- B. All work performed within the GCWA ROW shall utilize acceptable horticultural practices for the exterior landscape maintenance of GCWA ROW as required herein. Such work includes but is not limited to the following:
 - 1. Mowing and trimming.
 - 2. General site cleanup, including removal of trash and bandit signs.
- C. The following items are prohibited within GCWA ROW without written approval from the designated representative of GCWA:
 - 1. Pedestrian or vehicular hardscape
 - 2. Trenching
 - 3. Irrigation systems
 - 4. Lighting
 - 5. Shrubs and groundcover (landscape beds)
 - 6. Trees
 - 7. Motorized vehicles
 - 8. Docks, piers, platforms, sundecks, awnings, rope swings, fire pits, and similar type appurtenances
 - 9. Vegetative and lawn clippings

1.3 INSPECTION

At least one time per calendar year, a representative of the TPE shall attend a site tour with the designated representative of GCWA to inspect levels of maintenance for the area(s) maintained by that TPE.

1.4 PERFORMANCE STANDARDS

- A. All work shall be performed in a manner consistent with these Requirements and in accordance with all applicable laws, codes and regulations required by GCWA and any legal authorities having jurisdiction over such work and all required permits and safety measures and procedures, including, but not limited to, on-street vehicular safety systems such as flagman, cones, strobe lights, etc.
- B. All work shall be performed in a professional manner. Noise shall be kept to a minimum and work shall be staged from a location on the site as to not interfere with GCWA's operations within GCWA ROW.
- C. All persons undertaking work within GCWA ROW shall be in uniform and neat in appearance and shall perform their work in a professional and competent manner. At least one English-speaking individual shall be present while work is undertaken within GCWA ROW. Being under the influence of alcohol or drugs or consuming alcohol or drugs within GCWA ROW is prohibited.
- D. The TPE shall be responsible for damage to existing utilities and structures incurred during maintenance activities.
- E. GCWA will not assume any responsibility for security of any materials or equipment belonging to any TPE within GCWA ROW.

1.5 SCHEDULE

- A. GCWA ROW shall be maintained under these Requirements at a frequency that meets or exceeds the minimum requirements set forth below:
 - 1. The American Canal System shall be maintained three (3) times per year, anticipated to occur in April, July, and October.
 - 2. All other GCWA ROW shall be maintained two (2) times per year, anticipated to occur in May and November.
- B. Work hours shall be 7:00 A.M. to 7:00 P.M. unless otherwise authorized by a designated representative of GCWA.

1.6 NEGLECT AND VANDALISM

- A. The TPE shall be responsible for replacing at its own expense shrubs, trees, plants and turf that are damaged or killed due to the TPE's maintenance, operations or negligence.
- B. The TPE shall be responsible for replacing at its own expense all damaged materials caused by the TPE's negligence, including but not limited to mowing over shrubs, mowing cuts on trees, mower damage to irrigation components, mowing excessively wet areas, scalping of grass to extinction or severe damage as determined by a designated representative of GCWA, etc.

PART 2 - EQUIPMENT (MINIMUM STANDARDS)

- 2.1 Machinery requirements listed under this section are not intended to be restrictions of specific manufacturers or models.
- A. Mowing shall be performed using rigid-frame mowers or batwing rotary mowers equipped with sharp blades to cleanly cut vegetation using deflection devices to prevent flying debris ejected by the mowers, unless otherwise approved by a designated representative of GCWA.
 - B. Pruning tools shall be maintained in good working order, cutting edges shall be sharp. Disinfect all tools when used for the removal of diseased limbs, especially when dealing with fire blight or oak wilt.
 - C. Line trimmers may be used around poles, manholes, fire hydrants, power boxes, metal fences and other appurtenances which are within GCWA ROW. Use of line trimmers is prohibited next to trees, shrubs or wooden signs, fences and appurtenances.
 - D. Highly visible omnidirectional amber flashing warning lights must be provided on tractors, mowers, and work trucks.
 - E. Slow-moving vehicle emblems must be affixed to rear of mowers.
- 2.2 PERSONAL PROTECTION EQUIPMENT
- A. The use of personal protection equipment is required at all times while performing work within GCWA ROW.
 - B. The TPE assumes all liability for all injuries or other damage to any person or property resulting from the use of machinery or site conditions within GCWA ROW.

PART 3 - PROHIBITED APPLICATIONS

3.1 PEST CONTROL, DISEASE CONTROL AND WEED CONTROL PROHIBITED

The use of chemicals such as pest control, disease control, and weed control and fertilizers within GCWA ROW is prohibited.

3.2 FERTILIZATION PROHIBITED

The use of fertilizers within GCWA ROW is prohibited.

PART 4 - EXECUTION

4.1 SHRUBS, GROUNDCOVERS AND TREES

Shrubs, groundcovers, and trees shall not be planted or installed within GCWA ROW.

4.2 SEASONAL COLOR

Seasonal color may be planted or installed within GCWA ROW, provided, however, that such plantings may be removed by GCWA if maintenance of the area necessitates removal, and in such event, GCWA will NOT replace the plantings.

4.3 TURF

A. Tractor Mowing

The TPE shall comply with the following minimum requirements to produce acceptable turf areas within GCWA ROW:

1. Mowing shall be performed with a tractor mower in accordance with the applicable maintenance schedule requirements to a height of 5" to 6" or as directed by a designated representative of GCWA.
2. Mowing shall not occur if wet ground is present, unless otherwise approved by a designated representative of GCWA.
3. Mowing sequences shall be performed as directed or approved by a designated representative of GCWA.
4. Designated no-mow areas shall not be mowed.
5. Debris ejected onto roadways shall be removed immediately.
6. Mowed grass shall be removed from roadways.
7. Appurtenances damaged by mowing operations must be restored at the TPE's sole cost and expense.

B. No-Mow Areas

Designation of no-mow areas shall be established between GCWA and the TPE prior to the TPE's commencement of work within GCWA ROW.

4.4 GENERAL CLEAN-UP – MINIMUM STANDARDS

- A. The TPE shall furnish supervision, labor and equipment necessary to maintain GCWA ROW free of litter unrelated to horticultural maintenance, including on-site trash removal, etc. Property and paved surfaces shall be inspected prior to every mowing to ensure removal.
- B. The TPE shall remove and dispose of all waste materials or refuse from their operations immediately after maintenance functions have been performed.
 - 1. Prior to mowing, all foreign matter, including excessive dirt piles, paper, boards, cans, bottles, grass clippings and cuttings, leaves, trimmings and debris, shall be removed.
 - 2. All paved areas, including streets, sidewalks, parking areas and gutters, shall be cleaned of grass clippings and dirt piles after each mowing.
- C. The TPE shall be alert to car, truck or other vehicular machine ruts or tracks and shall smooth and fill ruts and reinstall sod so as to repair this type of damage and maintain smooth and even turf areas on an ongoing basis.

4.5 REPORTING

- A. The TPE shall report all damage, issues, and large debris to GCWA.
- B. The TPE shall submit to GCWA a schedule of services for the area(s) of GCWA ROW to be maintained by the TPE.