### SECTION 107 – LEGAL RELATIONS AND RESPONSIBILITY TO THE PUBLIC

**107.02 PERMITS, LICENSES, AND TAXES**

***ADD THE FOLLOWING PARAGRAPHS TO THIS SUBSECTION:***

1. The Contractor shall obtain Grading and/or Stockpile permits for on-site storage or disposal of materials from the City of Las Vegas Building Department prior to beginning the work.
2. It shall be the Contractor's responsibility to determine if the permit requirements of Section 637 “Pollution Control” shall be required.
3. The Contractor shall obtain a permit from the Las Vegas Valley Water District to use a hydrant as a water source.
4. The contract documents detail the right-of-way and construction easement/AEPs and in some cases staging areas the contractor may occupy during the duration of the project and traffic control requirements associated with the occupation of said areas. If the contractor desires to use any areas outside the limits described in the drawings and specifications, he shall be responsible for meeting the requirements of the Unified Development Code (UDC) or applicable requirements for jurisdictions outside of the City. The contractor shall obtain all permits required for the use of private property and provide copies to the City prior to any use of the site. If a temporary commercial permit is required for work performed on private property, the Contractor shall ensure that a temporary commercial permit is obtained through the City of Las Vegas Planning Department or other applicable jurisdictions prior to any use of the site. All work, fees, and scheduling associated with compliance to this subsection shall be borne entirely by the contractor and shall not be a justification for delay claims.

***DELETE SUBSECTION 107.05 BLANK AND REPLACE WITH THE FOLLOWING:***

**107.05 SAFETY**

1. General: Contractor shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the work. The name and telephone number of the Contractor’s safety officer shall be provided to the Contracting Agency. He shall take all necessary precautions for the safety of, and shall provide the necessary protection to prevent damage, injury or loss to:
2. All employees engaged in the work and the other persons who may be affected thereby;
3. All the work and all materials or equipment to be incorporated therein, whether in storage or on the project site, and
4. Other property at the site or adjacent thereto, including trees, shrubs, lawns, walks, pavements, roadways, structures and utilities not designated for removal, relocation or replacement in the course of the work.
5. Contractor shall comply with all applicable laws, ordinances, rules, regulations and orders of any public body having jurisdiction for the safety of persons or property or to protect them from damage, injury or loss. He shall erect, install, employ and maintain, as required by the conditions and progress of the work, all necessary safeguards. Contractor's duties and responsibilities for the safety and protection of the work shall continue until such time as all the work is completed and a "Notice of Completion" has been issued to the Contractor by the Engineer.
6. Trench Safety: Trench Safety shall be per Subsection 208.03.01.

**107.07 TRAFFIC AND ACCESS**

Note to Spec Writer: When setting lane restrictions, keep in mind items of work which will require waivers from these limitations, for example, milling operations will typically require two lanes.

***ADD THE FOLLOWING TO PARAGRAPH “C” OF THIS SUBSECTION:***

1. When the Contractor’s construction operations encroach upon a sidewalk, walkway, or crosswalk area, the Contractor shall take special precautions to protect the pedestrian's safety including provisions to separate pedestrian traffic from the work area and vehicular traffic.
	1. When pedestrian traffic is routed onto the roadway, at other than existing crosswalk locations, the Contractor shall use portable precast concrete barrier rails to separate the pedestrian traffic from the work area and vehicular traffic.
	2. All portable precast concrete barrier rails shall be butted tight and pinned in accordance with the requirements of the Nevada Department of Transportation Standard Drawing RB-47A and RB-47B, “Concrete Barrier Rail Portable Precast”.
	3. Pedestrian sidewalk/route closures may require physical barriers (i.e. Type III barricades, rail, etc.) to ensure pedestrian safety and compliance with the closure. When closing access to a crosswalk at a signalized intersections, the pedestrian signal heads shall be completely covered so the indication is not visible to pedestrians.

Note to Spec Writer: Website for suggested routes to school can be found here: <https://www.lasvegasnevada.gov/Residents/Parking-Transportation/Parking/Suggested-Routes-To-School>

1. When a designated *Suggested Route to School* is encroached upon by a construction work zone or the City of Las Vegas’ Transportation Engineering Division identifies a need for students to be assisted in the safe crossing through the work zone, the Contractor shall be required to provide a qualified crossing guard.
	1. The guard shall be present for the full duration of time that children are likely to be present, as determined by the Transportation Engineering Division.
	2. It will be the Contractor’s responsibility to contact the City of Las Vegas Transportation Engineering Field Operations Division 702-229-6331 to arrange for crossing guards properly trained in traffic control.
	3. Fees for the use of these guards, if required, will be paid under Bid Item No. 624.01 “Traffic Control and Maintenance”.
	4. Following are designated Suggested Routes to School that will be impacted by construction:
		1. LIST THE SUGGESTED ROUTES TO SCHOOL LOCATIONS HERE
		2. LIST THE SUGGESTED ROUTES TO SCHOOL LOCATIONS HERE
		3. LIST THE SUGGESTED ROUTES TO SCHOOL LOCATIONS HERE
	5. If construction work is located along a school frontage, no work shall be performed within 500 feet (NOTE TO SPEC WRITER – distance may change, confirm with CLV PM) of the school frontage during bell times at the following locations:
		1. LIST SCHOOL NAME AND STREET HERE
		2. LIST SCHOOL NAME AND STREET HERE

***DELETE PARAGRAPH “K” OF THIS SUBSECTION IN ITS ENTIRETY AND REPLACE WITH THE FOLLOWING:***

[NOTE TO SPEC WRITER: Federal courthouse requires notification on any work adjacent to their building, the block of Bridger, LVB, Clark, and 6th. Contact Darrell McGirt darrell.mcgirt@gsa.gov. Please provide a minimum 3-day email notice to Mr. McGirt.

1. Notifications:
2. The Owner shall receive a copy of all notifications for acceptance prior to distribution.
3. The Contractor shall cooperate with, and give written notice to all emergency agencies, public entities, each resident, homeowner, homeowner association, business or school that will be directly affected by any part of the construction process, particularly concerning temporary interruptions to vehicular access. Written notice shall include project limits, a brief scope of the project, anticipated construction start date, and the Contractor’s 24-hour contact information. NOTE TO SPEC WRITER: if a radius of notification is necessary for your project, it needs to be detailed here.
4. This notice of the approximate schedule and explanation of work shall be distributed at least fourteen (14) days prior to commencement of work in the area.
5. A second written notice, as well as a verbal notice, including door-to-door communication, shall be made at least twenty-four (24) hours prior to construction [seventy-two (72) hours for homeowner associations] to remind all affected parties of the construction to take place.
6. LIST KNOWN GATED COMMUNITY LOCATIONS HERE
7. The Contractor shall notify by phone the following agencies:

|  |  |
| --- | --- |
| METRO DISPATCH | 702-795-3111 |
|  |  |
| FIRE DEPARTMENT DISPATCH | 702-382-3001 |
|  |  |
| AMBULANCE DISPATCH CENTER | 702-384-3400 |
|  |  |
| RTC TRANSIT | 702-676-1731 |
|  |  |
| RTC SPECIAL EVENTS & DETOUR COORDINATION | 702-676-1867 |
|  |  |
| CLARK COUNTY SCHOOL DISTRICT | 702-799-8100 X 5395 |
| NEVADA DEPT. OF TRANSPORTATION (NDOT) | 702-385-6588 |
|  |  |
| CLV TRANSPORTATION ENGINEERING DIVISION  | 702-229-6331 |
| UNITED STATES POSTAL SERVICE | 1-888-275-8777 |
|  |  |
| REPUBLIC SERVICES | 702-735-5151 X 314 |
|  |  |

1. Fire Station Captain, Name, phone, email for Station XX shall be kept informed of major traffic control and closures that could impact the Station’s response area. (Note to Spec Writer: Please review the map at [Fire-Rescue-Master-Plan.pdf (windows.net)](https://sawebfilesprod001.blob.core.windows.net/map/Fire-Rescue-Master-Plan.pdf?sv=2017-04-17&sr=b&si=DNNFileManagerPolicy&sig=mW8XO0ajSRqXDvXqvIgz5fLbA3Cd8Wj071HXsxx3KXk%3D) and provide Response Area Station Number for each fire station that will be affected by temporary traffic control. This paragraph may not be required on every project; however, if there is an anticipation of substantial traffic control or street closures the Station’s Captain must be informed of the impact to response routes.)

***ADD THE FOLLOWING PARAGRAPHS TO THIS SUBSECTION:***

1. Construction materials may not be stored in streets, roads or highways for more than five days after unloading. All materials or equipment not installed or used in the construction within five days after unloading shall be stored elsewhere by the Contractor at his expense unless he is authorized additional storage time.
2. Construction equipment shall not be stored at the work site before its actual use on the work nor for more than five days after it is no longer needed on the work. Time necessary for repair or assembly of equipment may be authorized by the Engineer.
3. Excavated material, except that which is to be used as backfill in the adjacent trench, may not be stored in public streets, roads or highways unless otherwise permitted. After placing backfill, all excess material shall be removed immediately from the site.
4. Wherever possible the contractor shall use high early strength concrete for final utility grade adjustments to facilitate reopening the road to traffic.

[NOTE TO SPEC WRITER: CONSIDER THE BELOW INCLUSIONS IN DOWNTOWN PROJECTS, BUT ALSO INCLUDE PROJECT SPECIFIC TRAFFIC CONTROL RESTRICTIONS IN THIS SECTION AND REMOVE THE NON-PERTINENT DOWN TOWN INFORMATION]

MAKE SURE THE SPECIAL EVENTS LISTED ARE RESEARCHED, RELEVANT, DATE SPECIFIC, AND PROJECT AND AREA SPECIFIC

1. PROJECT TRAFFIC CONTROL RESTRICTIONS:
2. Alley closures will be permitted only after scheduling is done to limit disruptions to casino, business deliveries, and trash pick-up.
3. Full road closures and 24 hour setups are required to have a letter of justification submitted with the Temporary Traffic Control Plans (TTCP).
4. Truck access must be maintained for deliveries between 5:00 AM and 3:00 PM for the following Hotel and Casinos:
	1. The California
	2. Binion’s Horseshoe
	3. The Fremont
5. Traffic access must be maintained for the following parking garages:
	1. The California (ingress/egress at the alley between Main Street and 1st Street)
	2. Circa
	3. Binion’s Horseshoe (ingress/egress southeast corner of Ogden/1st)
	4. City of Las Vegas (ingress/egress 333 E. Ogden Avenue)
6. A continuous safe pedestrian path must be maintained at all times. Any time a pedestrian is directed onto the street to move parallel with vehicular traffic, pedestrians shall be protected by either concrete barrier or completely filled water rails. Note, completely filled water rails can only be utilized on side streets with a maximum speed limit of 35 mph or lower or as continuous detectable edging on the interior of a pedestrian diversion along arterial streets. Sidewalk closures maybe allowed but only for one block and on one side of the street at a time. However, due to high pedestrian volumes, a pedestrian safe path shall be maintained at all times along business frontages unless approved by City of Las Vegas Traffic Engineer.
7. The contractor shall maintain pedestrian access at all times to the Fremont Street Experience, the emergency exit between Main Street and 1st Street for the California Hotel and Casino (along Ogden Avenue), all private residences and other commercial businesses and Hotel/Casinos.
8. Special Events may occur within the project limits where the Contractor shall be required to keep roadways clear of traffic control devices and construction equipment. For these events, the City will provide the Contractor with at least 14 days notice prior to each event to allow the Contractor to plan and make necessary preparations to accommodate the particular event. The following are known and scheduled Special Events, this list is not meant to represent all Special Events that may occur during the project:
	1. Martin L King Parade – Day of the Holiday
	2. Mint 400 – March
	3. Las Vegas Days Parade – May
	4. Life is Beautiful – September
	5. Vegas Strong 5K – September
	6. Pride Parade – October (night event)
	7. Veteran’s Day Parade – Day of the Holiday
	8. Rock & Roll Marathon – November
	9. Great Santa Run 5K – December

**107.12 PROTECTION AND RESTORATION OF PROPERTY AND LANDSCAPE**

***ADD THE FOLLOWING PARAGRAPHS TO THIS SUBSECTION:***

1. Contractor shall provide for the drainage of storm water and such water as may be applied or discharged on the site in the performance of the work. Drainage facilities shall be adequate to prevent damage to the work, the site and the adjacent property.
2. Contractor shall prevent erosion of soil on the site and adjacent property resulting from his construction activities. Effective measures shall be initiated prior to the commencement of clearing, grading, excavation or other operation that will disturb the natural protection of the soil.

**107.17 CONTRACTOR’S RESPONSIBILITY FOR UTILITY PROPERTY AND SERVICE**

***ADD THE FOLLOWING PARAGRAPH TO THIS SUBSECTION:***

1. All utility valves, manholes, vaults, pull boxes, etc., which are buried, shall be conspicuously marked by the Contractor to allow their location to be determined by the Engineer or utility personnel under adverse conditions (i.e. inclement weather or darkness).

**107.18 FURNISHING RIGHT-OF-WAY**

***ADD THE FOLLOWING PARAGRAPH TO THIS SUBSECTION:***

1. Contractor shall provide copy of necessary permits and written consent from property owner(s) prior to entering or occupying any lands outside the right-of-way or easement or where no Authorization to Enter Property exists.

***ADD THE FOLLOWING SUBSECTIONS TO THIS SECTION:***

**107.70 CONTRACTOR’S RESPONSIBILITY TO THE PUBLIC**

1. The Contractor is responsible to answer and resolve any conflicts that may arise between a homeowner or business owner and himself during the construction process.

NOTE TO SPEC WRITER: MAKE SURE WORK HOURS ARE RELEVANT FOR THE PROJECT (I.E. SCHOOLS, RESIDENTIAL, ETC). VERIFY WITH TED PRIOR TO BIDDING

**107.71 ALLOWABLE WORK HOURS**

1. No work between the hours of 6 p.m. and 7 a.m. will be allowed in residential areas unless approved by the Engineer or otherwise stated in the Special Provisions. If work after the aforementioned hours is approved, then the Contractor shall provide each affected resident at least forty-eight (48) hours written notice explaining the reason for the work after hours and providing an approximate duration of the activity.

**107.72 NATURAL DRAINAGE AND STORM WATER RUNOFF**

A. TheContractor shall be responsible for protecting and preserving public and private property from damage directly or indirectly caused by drainage or storm water runoff leaving the project during construction of all improvements, including downstream properties if damage is a result of the Contractor’s actions in diverting or redirecting existing natural runoff patterns.

**107.73 NDOT RIGHT-OF-WAY OCCUPANCY TERMS AND CONDITIONS**

Note to Spec Writer: Consider highlighting any requirements from the NDOT Encroachment Permit that would affect the cost of the project.

1. TheContractorshall abide by the terms and conditions of the NDOT right-of-way occupancy permit, if required, as attached in the Appendix of these Special Provisions.
	1. The contractor is responsible for preparing a Runoff Control Plan (RCP) and submitting via email to d1stormwaterreview@dot.nv.gov with the appropriate cover sheet. The approval of this document is required prior to start of construction within the area covered by the NDOT right-of-way occupancy permit.

Note to Spec Writer: Work with management to verify use of this section and disposition of 3rd Party PIO. There are **2** section 107.74 to choose from, delete the one not needed. Understand that language may need to change based on specific project needs.

Note to Spec Writer: THIS IS FOR CONTRACTOR DESIGNATED PIO

**107.74 PUBLIC OUTREACH**

1. The Contractor shall have an expectation setting meeting with the Engineer prior to public outreach activities commencing.
2. The Contractor shall work with the Engineer to coordinate, provide project information (handouts, boards, etc.) and attend a project information meeting shortly after the pre-construction meeting to inform the public of the project. (Delete if this is not necessary for project, or if there is a question it may or may not happen add “if necessary” to text).
3. Provide public information/outreach to build and maintain positive public relations throughout the construction process through continuous, effective, two-way communications including updates on the progress of the work and information on changes affecting the movement of traffic.
4. All outreach communications shall comply with section 107.07K.
5. PUBLIC INFORMATION STAFF

The Contractor shall be required to designate a Public Information Officer (PIO).

1. The Contractor shall maintain a stakeholder list of property addresses and/or email addresses including, but not limited to:

* 1. Property owners;
	2. Homeowners Associations;
	3. Interested individuals who have requested that their names be added to the mailing list;
	4. Emergency Service Providers;
	5. City staff as designated;
	6. Funding source contacts, if applicable.
1. PUBLIC OUTREACH EFFORTS AND ACTIVITIES
	1. Participate in weekly progress meetings;

2. Prepare and distribute a recurring email update up to once per week for all stakeholders that includes upcoming work and traffic impact information. Prepare any necessary graphics/flyers for closures and construction impacts. All updates shall be approved by the Engineer before distribution;

1. Respond to stakeholder concerns/complaints to reach positive resolution;
2. Prepare and submit a monthly outreach summary report for project documentation.
3. The Public Affairs Office (PAO) will manage all media relations, including issuing press releases, media advisories, and maintaining regular contact with the media. Refer all requests from the media for interviews, quotes, and/or detailed project information directly to the Contracting Agency’s PAO. Immediately notify the Engineer of any situations that may involve the media. Coordinate with PAO as necessary.

Note to Spec Writer: THIS IS FOR 3rd Party DESIGNATED PIO by the Engineer

**107.74 PUBLIC OUTREACH**

1. The Contractor shall have an expectation setting meeting with the Engineer and their designated third party Public Information Officer (PIO) prior to public outreach activities commencing.
2. The Contractor shall coordinate with the Engineer and their designated third party PIO to coordinate, provide project information (handouts, boards, etc.) and attend a project information meeting shortly after the pre-construction meeting to inform the public of the project. (Delete if this is not necessary for project, or if there is a question it may or may not happen add “if necessary” to text).
3. Coordinate with Engineer’s third party designated PIO who shall act as a point of contact for stakeholder communication. The goal will be to work collaboratively to provide public information/outreach to build and maintain positive public relations throughout the construction process through continuous, effective, two-way communications including updates on the progress of the work and information on changes affecting the movement of traffic. Contractor shall provide PIO with necessary project updates including traffic control movements, areas of affected work, and any/all necessary items that may impact stakeholders.
4. The Contractor shall be required to designate a primary contact to coordinate with PIO.
5. PUBLIC OUTREACH EFFORTS AND ACTIVITIES
	1. Participate in weekly progress meetings;

2. Assist PIO with preparation of a recurring email update up to once per week for all stakeholders that could include providing traffic control updates such as shifts, lane restrictions, or upcoming closures, areas of significant impact, upcoming activities, creation of graphics, and any and all information that is pertinent to the surrounding stakeholders;

1. Assist PIO as needed in responding to stakeholder concerns/complaints to reach positive resolution.
2. The Public Affairs Office (PAO) will manage all media relations, including issuing press releases, media advisories, and maintaining regular contact with the media. Refer all requests from the media for interviews, quotes, and/or detailed project information directly to the Contracting Agency’s PAO. Immediately notify the Engineer of any situations that may involve the media. Coordinate with PAO as necessary.

**107.75 PUBLIC OUTREACH MEASUREMENT**

PUBLIC OUTREACH PROGRAM will be measured for payment per lump sum.

**107.76 PUBLIC OUTREACH PAYMENT**

The PUBLIC OUTREACH PROGRAM will be paid for at the contract unit price per lump sum and shall include all materials, equipment, and labor necessary to complete this work as described herein.

|  |  |  |
| --- | --- | --- |
| **ITEM NO.** | **ITEM DESCRIPTION** | **UOM** |
| 107.0010 | PUBLIC OUTREACH PROGRAM | LS |

**END OF SECTION 107**