



**SPECIAL PROVISIONS
FOR
TREE PROTECTION**

**Polk County
EDP-PA26(002)--7Y-77**

**Effective Date
October 15, 2024**

THE STANDARD SPECIFICATIONS, SERIES 2023, ARE AMENDED BY THE FOLLOWING MODIFICATIONS AND ADDITIONS. THESE ARE SPECIAL PROVISIONS AND THEY SHALL PREVAIL OVER THOSE PUBLISHED IN THE STANDARD SPECIFICATIONS.

231041.01 DESCRIPTION.

A. Special Provision Includes.

1. Tree Protection Plan Maintenance
2. Installation of Tree Protection Measures
3. Damage to Protected Trees
4. Inspection and Documentation

B. Definition of Terms and Abbreviations.

1. Work Zone Protected Tree: A tree of any size that is located within the project's work zone and is to remain in place at the completion of the project.
2. Border Protected Tree: A tree of any size that is located outside the project's work zone, but has branches extending over the work area, or whose trunk is located within 10 feet of the edge of the work area.
3. Tree Protection Limit: The area around a tree, as defined in the Tree Protection Plan, in which no construction activity is allowed. If the tree protection limit is not defined in the Tree Protection Plan, it shall be considered to be equal to the Critical Root Radius.
4. dbh (Diameter at breast height): The diameter of a tree's trunk in inches measured at a height of 4.5 feet above the natural ground level.

5. CRR (Critical Root Radius): Expressed in feet equal to the dbh in inches. (The CRR of a tree with a 12 inch dbh is 12 feet) This is the desired distance from the tree trunk at which fencing is installed and no construction activity is allowed.
6. Municipal Arborist: Arborist for the City of Des Moines. Contact the Municipal Forestry Division at (515) 283-4105.

C. Description of Work.

1. Do not damage any existing trees, regardless of whether installation of tree protection measures is required or not. The contract documents designate areas of the project that require maintenance or installation of tree protection measures as defined in this special provision.
2. This special provision includes the maintenance of the existing Tree Protection Plan for the construction area and the deduction of payment to the Contractor for damage to a tree.
3. Maintain or install all tree protection measures before the commencement of any construction activities.

231041.02 MATERIALS.

A. Orange Mesh Tree Protection Fence.

1. Fabric shall meet the following material requirements:
 - a. Height of 72 inches +2 inches and constructed of orange plastic mesh containing ultraviolet stabilizers to prevent degradation.
 - b. Remain flexible down to 0°F.
 - c. Minimum tensile strength of 250 pounds per foot in the longitudinal direction and 150 pounds per foot in the vertical direction.
 - d. Maximum aperture opening of a nominal 4.5 square inches.
 - e. Maximum porosity of 55% for the safety fence surface area.
 - f. Available in rolls of at least 50 feet in length to minimize fence joints for an individual fence location.
2. Fence posts shall meet the following requirements:
 - a. Use T-section steel posts, 8 feet length.
 - b. Equip posts with lugs or other approved means to prevent the fence fabric from moving vertically.
 - c. Use posts that weigh no less than 1.3 pounds per foot, exclusive of anchor plate.
 - d. Provide each post with a steel anchor plat of adequate size, firmly attached.

231041.03 CONSTRUCTION.

A. Tree Protection Plan Maintenance.

1. The Phase 1 Dam Modifications and User Access Project contractor has established a Tree Protection Plan and performed necessary tree removals. Review existing tree protection measures and maintain the tree protection plan through the duration of construction activity on-site. Submit any proposed changes to the Tree Protection Plan to the Engineer prior to starting work. The plan shall include the following items:
 - a. Work zone limits
 - b. Location and size (dbh) of work zone protected trees
 - c. Location and size (dbh) of border protected trees
 - d. Proposed location of tree protection measures
 - e. Phasing of the tree protection installation, including phasing for utility work, if necessary

- f. Location, size (dbh), and description of trees with existing damage that are not designated to be removed
 - g. Location and size (dbh) of dead trees that are not designated to be removed
 - h. Location and description of proposed tree trimming to complete the required construction work.
2. The Contractor may submit an alternate to the installation of tree protection fencing, such as the installation of silt fencing along border trees, if such alternates provide acceptable tree protection. The Engineer shall have the sole authority for acceptance or rejection of alternates. Alternate plans may also take into consideration preliminary brush removal.

B. Installation and Maintenance of Tree Protection Measures.

1. Tree protection fencing from the Phase 1 Dam Modifications and User Access Project will remain in place. Upon notice to proceed, assume maintenance responsibility of the tree protection fence. If approved updates to the Tree Protection Plan require relocation or replacement of the tree protection fence or other tree protection measures, install new fencing or measures prior to continuing with construction work.
2. Install fence posts at an 8 foot maximum spacing or as required to prevent sagging. Securely attach the fence so it is in a vertical position without sagging. Locate and place the fence supports so they are not a safety hazard. Clearly mark with paint the trees to be removed in accordance with the Tree Protection Plan. No construction activity can commence until the tree protection fencing measures and the trees marked for removal have been reviewed on site by the Engineer. Phasing of the installation of tree protection measures will only be allowed if shown on the approved Tree Protection Plan. Repair or replace any tree protection fence that is damaged, not in a vertical position or no longer providing the intended protection.

C. Damages to Trees.

Damage to a work zone protected tree, a border protected tree, or any other tree not designated for removal shall be determined by the Engineer and shall include but not be limited to:

- Scratched or gouged bark.
- Broken branches.
- Compaction of soil within the specified tree protection limits.
- Storage of materials within a tree's critical root radius.
- Operation of equipment within the specified tree protection limits.
- Parking of vehicles or equipment within a tree's critical root radius.
- Spilling of harmful substances around or within a tree's critical root radius.

D. Inspection and Documentation.

1. The Contractor shall periodically inspect the tree protection fencing, repair any deficiencies, and update the Tree Protection Plan. All updates shall be submitted to the Engineer for approval. A copy of the current Tree Protection Plan shall be available on the construction site.
2. If any tree not designated for removal is damaged, the Contractor shall notify the Engineer with 48 hours.

231041.04 METHOD OF MEASUREMENT.

- A. Tree Protection Plan Maintenance:** Item is a lump sum item and will not be measured.

- B. Tree Protection Fence: The number of linear feet of tree protection fence constructed will be determined by measuring along the fence at the bottom of the mesh fabric.
- C. Tree Protection Fence, Removal: The Engineer will measure the number of linear feet of tree protection fence removed.

231041.05 BASIS OF PAYMENT.

- A. Tree Protection Plan Maintenance: Item will be paid for as a lump sum for the project. Item includes inventory, tree protection plan updates, documentation, inspection, and signing of work zone protected trees and border protected trees for the duration of the construction activity. The Engineer may make partial payments based upon estimates for the project completion.
- B. Tree Protection Fence: The Contractor shall be paid the contract unit price for the number of linear feet of fence constructed and measured. This payment shall be full compensation for furnishing all materials, equipment, and labor to perform installation, and maintenance of fencing. If other types of fence, such as silt fence, are installed and functions as tree protection fence, measurement and payment will not be made for this fence as tree protection fence.
- C. Tree Protection Fence, Removal: The Contractor shall be paid the contract unit price for the number of linear feet of fence removed and measured. This payment shall be full compensation for furnishing all materials, equipment, and labor to perform removal of fencing. Refilling holes left by fence posts and repair of existing or established vegetation caused by fence removal activities shall be incidental to this bid item.
- D. For each occurrence of tree protection fencing not installed as per the approved Tree Protection Plan or not properly maintained as described in this special provision, the following shall be deducted from the amount due the Contractor: \$200 for the first occurrence, \$400 for the second occurrence, and \$600 for the third and subsequent occurrences.
- E. The condition of any tree damaged by the Contractor will be evaluated by the Municipal Arborist. The Contractor shall be required to repair damage to the tree as directed by the Engineer. This could include, but not be limited to trimming and pruning of the branches and roots in accordance with the current edition of the American National Standards Institute (ANSI) A300 Standards for Tree Care Operations, Part 1, Pruning. In addition to repairing the damage, an amount of \$400.00 per tree shall be deducted from the amount due the Contractor for each tree damaged.
- F. When the Municipal Arborist determines the damaged tree needs to be removed, the Contractor shall remove the tree and stump, and restore the sod area. Repair and removal of damaged trees shall be completed at no cost to the Contract Authority. The Contractor shall also compensate the Contract Authority for the mitigation cost of any damaged tree that is removed, in accordance with City of Des Moines ordinance. The Contractor shall also be liable to the owner of any tree located on private property that must be removed due to damage, for the full value of the tree. Documentation of such payment shall be provided to the Engineer.