

Owner's Special Conditions

NOTE: These Special Conditions are the standard procedures and contract administration requirements of The University of Texas at San Antonio, Facilities Services Department, for building construction contracts. They replace or are added to (if below indicated) the correspondingly numbered paragraphs of the 2013 Edition Uniform General and Supplementary Conditions. The paragraphs and subparagraphs of said 2013 Edition Uniform General and Supplementary Conditions not thus replaced, continue in force, unaltered. Newly added numbered paragraphs below are added to the requirements of the 2013 Edition Uniform General and Supplementary Conditions and are a part of the Agreement.

ARTICLE VII. CONSTRUCTION SAFETY

7.7 COMMON PROBLEMS FOR CONTRACTORS:

7.7.1 Equipment Cleaning: Equipment must be cleaned in a manner that does not create any discharge of cleaning agents, paints, oil or other pollutants to a storm sewer or waterway. Soaps and detergents must never be discharged to the ground or off-site. When rinsing painting equipment outside, rinse water must be contained in a bucket or other container. Water based or latex paint rinse water may be discharged to the sanitary sewer. Oil-based paint wastes, including solvents and thinners, must not be disposed of in the sanitary sewer; they must be collected and disposed of through the contractor's disposal company in accordance with applicable laws and regulations. Cement handling equipment must be rinsed in a contained area and there must be no drainage off-site.

7.7.2 Waste Disposal: Any trash or debris must be contained on site and disposed of in a recycling bin or waste receptacle in accordance with applicable laws and regulations to prevent wind or rain from carrying it off-site into a storm drain or waterway. Petroleum wastes, such as waste oil and used oil filters, must be containerized for recycling or disposal by the contractor. Non-hazardous solid wastes, such as general work performance debris may be recycled or disposed of in the trash container. Scrap metal from job sites must be placed in the scrap metal dumpster located on West Campus behind Central Receiving Warehouse. Never dispose of liquid wastes of any kind in dumpsters. Waste dumpsters are to be provided by Contractor. At no time dispose of debris in Owner's receptacles.

7.7.3 Sediment: Proper erosion and sedimentation controls must be in place to prevent sediment or silt run-off. Sediment (including cement) should never be rinsed off the site, instead it must be cleaned up in a manner that does not allow it to reach a storm drain or waterway. Equipment tires must be rinsed before leaving the site if necessary to avoid tracking sediment into the roadway or off the site. All vehicles must leave the site through a stabilized work performance entrance meeting the requirements of the University's Construction Standard regarding Erosion and Sedimentation Controls and all other applicable rules and regulations.

7.7.4 Site Dewatering, Tank, & Pipe Testing: Discharges from dewatering, hydrostatic tank testing or pipe pressure testing must be free from sediment, chemicals, and any other pollutants. Some discharges, such as those from underground storage tank pits, may require

City of San Antonio temporary discharge permits and the contractor is responsible for obtaining such permits.

7.7.5 Petroleum: Spills of hydraulic fluid, oil and other petroleum products must always be immediately cleaned up to prevent discharge of these fluids with stormwater run-off.

Petroleum contaminated soil must be cleaned up and disposed of properly in accordance with applicable laws and regulations. Storage containers must be kept closed, clean and free of oily residue. Containers over 250 gallons (including mobile tanks) must be stored inside secondary containment.

7.7.6 Separators or Traps: Before removing oil/water separators or traps connected to storm sewers, the materials in them must have been tested (by Toxicity Characteristic Leachate Procedure or TCLP) within the last two years before they are cleaned out. Be aware that this test may take three weeks to complete if a recent test has not been completed. Contractor is solely responsible for accommodating the time for such testing and no claims for delay arising out of such testing will be permitted. Documentation of the test results must be submitted to The University of Texas at San Antonio, EHSRM staff for review and approval before emptying or removing the trap.

7.7.7 Chemical Safety: All chemicals used by the Contractor must have a safety data sheet (SDS) included in the submittals. Copies of the SDS sheets will be brought to the Pre-Construction conference by the contractor and provide to Safety Office personnel.

7.8 Spill Prevention, Clean-up and Disposal: Chemical containers must not be placed directly on the ground. A secondary container should be used so any container leaks can be detected/contained.

7.8.1 Plan Ahead: Be prepared to contain spills to prevent spreading. Small areas are easier to clean than large ones. Keep sorbent materials such as clay (kitty litter), polypropylene booms and pads, rags and sawdust on hand for clean-up of spilled liquids.

7.8.2 Clean-Up: Sorbent materials can be used to effectively clean-up various materials spilled on pavement, water and soil. Soil or other media which has been contaminated with petroleum or other pollutants must be excavated or remediated in accordance with applicable laws and regulations to prevent contaminated discharges to a storm drain or waterway. Excavated contaminated materials must be stored in containers or on plastic and covered so as to ensure that the contamination is not flushed back onto the ground during a rainstorm.

7.8.3 Contaminated Material Disposal: Proper disposal of waste materials depends partly on the type of contaminant. Hazardous wastes (such as flammable petroleum products and solvents, thinners) and materials contaminated with hazardous wastes are considered regulated wastes, and should be containerized for transport and disposal by a permitted company in accordance with applicable laws and regulations. Disposal also depends on the amount of contaminant.

7.9 Contractor Requirements and Responsibilities:

7.9.1 Contractors are solely responsible for cleaning up and properly disposing of all spilled pollutants brought to the site as part of the contractor's work, including oil, paint, fuels, antifreeze, solvents, etc. in accordance with applicable laws and regulations. Contractor must

keep accurate records (such as receipts, copies of analytical results, etc.) indicating proper disposal of spilled materials in accordance with applicable laws and regulations. Furthermore, Contractor is responsible for ensuring that all discharges from the site are in compliance with all applicable laws and regulations.

7.9.2 No substance may be dumped or leaked onto the ground or allowed to run-off of a work performance site that might cause pollution. Contractor is responsible for pollutant contaminated run-off and proper disposal of all waste materials generated as a result of Contractor's activities.

7.10 Asbestos Containing Material: Before beginning work in any University of Texas at San Antonio building, the contractor shall verify that no asbestos containing or suspect asbestos containing materials will be damaged or disturbed during any portion of the work to be performed. This can be confirmed through the Owner's designated representative at EHSRM. If the contractor incidentally damages or disturbs asbestos containing or suspect asbestos materials during any portion of the work, the contractor shall immediately stop work in that area, restrict access to the area, and contact the Owner's designated representative (EHSRM).

7.11 Notification Requirements and Procedures: The University of Texas at San Antonio,) EHSRM shall be notified immediately in the event of:

- Any spill that threatens to enter a storm sewer or watercourse.
- All petroleum spills e.g. hydraulic fluid, transmission fluid, diesel, gasoline, etc.
- Any hazardous or unknown material spill, e.g. many solvents, cleaners, etc.
- Any discharge from your site which you suspect may be in violation of City Code, state regulations, or other applicable laws and regulations, e.g. discharges which are cloudy, foul smelling, colored, contain chemicals or heavy sediment loads.
- Contact with any asbestos containing material or suspect containing material.

7.12 Before any repair or modification of chemical pipelines or tanks may begin, a written procedure or job hazardous analysis must be formulated describing the hazards involved and a written verification must be obtained indicating the pipeline or tank has been flushed. Consultation with EHSRM must occur.

7.13 Adequate ventilation shall be maintained by the contractor at all times when chemicals are used.

7.14 Sparks or Open Flames: Contractors shall perform all hot work (work involving open flames or generating sparks) in accordance with the UTSA Environmental Health, Safety, and Risk Management Hot Work Permit program.

ARTICLE IX. PROJECT SCHEDULING REQUIREMENTS

9.6 MODIFICATION OF THE CONTRACT TIME

9.6.1 Inclement weather is defined as precipitation (0.01 inch or more) The mean number of days such weather should be expected shall be established by the information tables, Figure 1 (bound as part of these special conditions)

9.6.2 Requests for extension shall meet the following conditions.

9.6.2.1 Days are in excess of tabulated means.

9.6.2.2 Work could not have been done on any other portion of the Project without adverse consequences.

9.6.2.3 No one day will be counted more than once.

9.6.3 Contractor shall maintain a log of the weather conditions throughout the Project and this log shall be made available to the Owner's Representative upon his request.

9.6.4 If the work cannot be completed during the designed period due to inclement weather or circumstances beyond the Contractor's control, the Contractor shall make arrangements with the Owner's Representative to complete the remaining work in a manner, which will cause the least interference with the Owner's operations. .

FIGURE 1

Weather Days per Month											
JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
4	4	3	4	4	3	2	2	3	3	3	3

ARTICLE X. PAYMENTS

10.1 PROGRESS PAYMENTS TO THE CONTRACTOR:

10.1.1 Pay Requests: Each Pay Request shall be made using the most current version of "Application and Certificate for Payment" (AIA Document G702) and "Continuation Sheet" (AIA Document G703) as printed by the American Institute of Architects and shall be completed in accordance with AIA instructions.

In addition to the AIA instructions for the "Continuation Sheet," each item listed under "Description of Work" shall be subdivided into "Labor" and "Material" items; each to be calculated as a separate line item across the sheet.

Contractor will be responsible for making own parking arrangements. All vehicles parked on University property must have a parking permit. The contractor must arrange for and purchase temporary parking permits. Contractor will abide by all University Parking Rules and Regulations. Citations issued to contractor vehicles will require payment. Contractor is not

allowed to park in any space other than those designated by permit purchased. Due to limited space, only work trucks will be allowed at the worksite, and these may be limited in number. Contractor shall make every effort to carpool when possible. The Business Auxiliary Services Parking Division must be notified at least one week in advance of all vehicles that will need parking permits. More information is available at <http://www.utsa.edu/parking> or by calling 210.458.PARK (7275).

All employees of the contractor, while on the job site, shall maintain appropriate appearance. This shall include proper dress for the job (i.e. shirt and shoes to be worn at all times). This shall also include proper identification. A contractor's employee may be asked to show identification by the Owner's staff at any time.

16.4 Noise Control: Equipment locations and timing or sequence of work operations shall be coordinated so as to not conflict with the Owner's continuing use of adjacent buildings and/or create any interference with scheduled meetings or events. This particularly is a concern during semester final exam periods and final exam study periods. The contractor must curtail all objectionable noise operations so as not to disturb classes and exams, etc.

Maintain the existing building in a safe and weathertight condition throughout the work performance period. Repair damage caused by work performance operations. Take all precautions necessary to protect the building and its occupants during the work performance period.

Keep public areas such as hallways, stairs, elevator lobbies and toilet rooms free from accumulation of waste material, rubbish or work performance debris.

(END OF SECTION)