



CHAPTER 39

LANDSCAPE

ESTABLISHMENT PERIOD

When landscaping or other plantings are installed as part of a Project, the Contract normally requires that the Contractor perform Work, for a specified period, to establish those plantings. The normal establishment period is one (1) year from the date when all the original planting is complete and accepted. However, the Contract may specify a different establishment period. This plant establishment Work is typically part of the planting Work.

The purpose of the establishment Work and period is to assure satisfactory growth of the planted Materials. It is the intent of an establishment period that all of the original planting or replacement plants will be in place and showing satisfactory growth at the end of the establishment period.

39-1 Seeding Establishment

The quantities of the following Contract Pay Items are limited to 70% at the completion of seeding and the remaining 30% at the completion of the seeding establishment period:

- Temporary Seeding, 01030.90(c)
- Permanent Seeding, 01030.90(d)
- Wetland Seeding, 01030.90(e)

- Water Quality Seeding, 01030.90(f)
- Plant Seeding, 01030.90(g)
- Native Plant Seeding 01030.90(h)
- Wildflower Seeding, 01030.90(i)
- Lawn Seeding, 01030.90(k)

39-2 Planting Establishment

The Agency may determine that specific plantings should not be replaced because:

- Location, soil, drainage, etc. of particular plantings is not acceptable for plantings;
- Wildlife has damaged or destroyed plantings;
- Agency forces or public traffic has damaged or destroyed the plantings, and the Agency does not wish to replace them; or
- Other reasons as determined by the Engineer.

Establishment includes the items specified in the Contract, including but not limited to:

- Watering plants or assuring that irrigation provides adequate watering.
- Removing weeds and other unwanted vegetation.
- Fertilizing as specified.
- Removing and replacing dead, diseased, or missing plantings.
- Spraying for or otherwise controlling pests.
- Accomplishing other changes, ordered by the Resident Engineer (RE), to assure that the planting will achieve the desired intent.

The Contractor must accomplish the specified Work no less frequently than the intervals specified in the Contract. It may have to perform some of the Work at more frequent intervals to assure the establishment of the plantings and minimize the growth of unwanted plants.

The RE shall make an adjustment to the Contract unit price per each for the items listed in the Schedule of Items, if specified in the Contract.

If the RE modifies any of the Contract requirements for the establishment period, including modifying the final number of plants to be established or remain in place, the RE must issue a Contract Change Order (CCO) to document the changes. If the changes affect the bid price for the affected items, the RE must modify the bid price as well. [Refer to Chapter 15 – Change Orders/Force Account/Work by Public Forces]]

The RE must:

- Assure that the Contractor is performing the establishment work no less frequently than required by Contract, including replacing dead plants and removing unwanted vegetation. Since establishment Work includes watering, plants may be replaced outside the planting seasons;
- Inspect the Project at the times specified in the Contract;
- Adjust the Contract unit price per each for the items listed in the Schedule of Items as described in the Contract; and
- Make other changes in payment or the plantings to correct site issues and issue a CCO to document those changes.

Contact the Geo-Environmental Section for technical questions. Contact the Contract Administration Unit (CAU) regarding questions on Contract administration, payment, or documentation.

Issue Third Notification when appropriate. [Refer to Chapter 13 – Contract Time and Chapter 40 - Third Notification.]

