

## Chapter 39 - Landscape Establishment Periods

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 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.

ODOT 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
- ODOT forces or public traffic has damaged or destroyed the plantings, and ODOT does not wish to replace them
- Other reasons as determined by the Engineer

Establishment includes the items specified in the contract, including:

- 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 Project Manager (PM), 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 PM 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 PM modifies anything about the contract requirements for the establishment period, including modifying the final number of plants to be established or remain in place, the PM must issue a Contract Change Order (CCO) to document the changes. If

the changes affect the bid price for the affected items, the PM must modify the bid price as well. Refer to **Chapter 15 - Change Orders/Force Account Work/Work By Public Forces**.

The PM 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
- 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 of the Construction Section regarding questions on contract administration, payment, or documentation.

Issue Third Notification when appropriate. Also refer to **Chapter 13 - Contract Time** and **Chapter 40 - Third Notification** of this Manual.