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**The TEXT indicated with < > is to be selected or filled in by the Specifier to meet the requirements of the project.**

**If any of the SECTIONS (i.e. 1.02, 1.03, etc.) below are not required for the project do NOT delete the Section, but rather change the title of the Section to “NOT USED” (i.e. 1.02 NOT USED) so that numbering of specification references is preserved, and delete the specification language in this Section below the title.**

## **PART 1 GENERAL**

### **1.01 SECTION INCLUDES**

- A. General.
- B. Building, Construction, Environmental, and Other Permits.
- C. Preliminary Permit Review Summary.
- D. Permits To Be Transferred From Utilities To CONTRACTOR.
- E. Existing Site / Facility-Wide Permits.
- F. Quality Assurance – Environmental.
- G. Submittals.

### **1.02 GENERAL**

- A. Unless otherwise directed by UTILITIES, costs related to this Specification shall be considered inherent to Work, and be included in the Contract Price (i.e., no separate measurement and payment).
- B. Refer also to:
  - 1. Section 01 35 43 - Environmental Procedures.
  - 2. Section 01 57 19 - Environmental Controls.
  - 3. Section 01 74 19 - Waste Management & Waste Disposal.

### **1.03 BUILDING, CONSTRUCTION, ENVIRONMENTAL, AND OTHER PERMITS**

- A. CONTRACTOR shall obtain and pay for all Permits applicable to the Work, unless otherwise provided in the Contract Documents. UTILITIES shall assist CONTRACTOR, when necessary, in providing information and obtaining such Permits. CONTRACTOR shall pay all governmental charges and inspection fees necessary for the prosecution of the Work which are applicable at the time of opening of Solicitation Responses, or, if there are no Solicitation Responses, on the Effective Date of the Contract.
- B. CONTRACTOR shall be licensed and authorized to conduct the Work per Federal, State, and local requirements. CONTRACTOR shall assure compliance with all Permit conditions relevant to the Work, regardless of whether the permittee is the CONTRACTOR or UTILITIES, as well as all local, State, and Federal environmental permitting Laws and Regulations. UTILITIES reserves the right to suspend Work and/or withhold payments to CONTRACTOR in the event of material noncompliance

with the foregoing requirements. The CONTRACTOR shall bear all claims, losses, and damages, including, but not limited to, all fees and charges of attorneys and other professionals and all court or other dispute resolution costs arising out of or relating to permitting.

- C. If a Permitting Agency or UTILITIES determines that additional Permits are required, CONTRACTOR shall immediately obtain and pay for such additional Permits. CONTRACTOR shall bear all costs and losses from delays caused by the CONTRACTOR's failure to acquire required Permits.
- D. CONTRACTOR shall be responsible for transferring Permits to the UTILITIES in a timely manner, as applicable. CONTRACTOR shall pay for all fees and costs related to each Permit transfer.
- E. In the event UTILITIES determines, in its sole discretion, that a violation of any Law or Regulation exists, UTILITIES may order CONTRACTOR to stop the Work, or any portion thereof, until the cause of such violation has been eliminated.

#### 1.04 PRELIMINARY PERMIT REVIEW SUMMARY

- A. As part of project planning, UTILITIES compiled a preliminary (not all-inclusive) list of Permits considered likely to be required in association with performance of the Work. This Permit Review Summary is provided as Exhibit < >.

#### 1.05 PERMITS TO BE TRANSFERRED FROM UTILITIES TO CONTRACTOR

- A. The following Permits shall be transferred from UTILITIES to CONTRACTOR prior to performance of the related Work. Coordinate and pay for the transfer(s). Comply with the terms and conditions of the transferred Permits.
  - 1. <List Permits & Agreements To Be Transferred>

#### 1.06 EXISTING SITE / FACILITY-WIDE PERMITS

- A. The Site is subject to the following Permits maintained by UTILITIES, which have requirements that CONTRACTOR must follow. CONTRACTOR shall comply with the applicable requirements within these Permits while performing Work.
  - 1. <List Site / Facility-Wide Permits & CONTRACTOR's Responsibilities>

#### 1.07 QUALITY ASSURANCE - ENVIRONMENTAL

- A. For assistance only, the following depicts the general framework (not all-inclusive) of environmental related Laws and Regulations common to many of UTILITIES' construction projects (i.e., applicability will vary with project specific Work and locations).
  - 1. Federal:
    - a. Clean Water Act
      - 1) National Pollutant Discharge Elimination System (NPDES) Permit Program
        - a) Surface Water & Storm Water Permits
      - 2) U.S. Army Corps of Engineers
        - a) Dredge, Fill, & Wetlands - Section 404 Permit Program
      - 3) General Pretreatment Regulations
        - a) Sanitary Sewer System
    - b. Safe Drinking Water Act
    - c. Clean Air Act
      - 1) National Emission Standards for Hazardous Air Pollutants
      - 2) New Source Performance Standards
      - 3) General Duty Clause
    - d. Oil Pollution Prevention Regulations
      - 1) Spill Prevention, Control, & Countermeasure Plans (SPCC)
    - e. Resource Conservation & Recovery Act (RCRA)

- 1) Solid Waste Disposal
  - 2) Hazardous Waste Disposal
  - 3) Universal Waste Management
  - f. Comprehensive Environmental Response, Compensation & Liability Act (CERCLA)
    - 1) Superfund
    - 2) Hazardous Materials & Substances and Reportable Quantities
  - g. Toxic Substances Control Act (TSCA)
    - 1) Asbestos Worker Protection Rule
    - 2) Lead Based Paint
    - 3) Polychlorinated Biphenyls (PCBs)
    - 4) Radon
  - h. Endangered Species Act
    - 1) Preble's Meadow Jumping Mouse Clearance
    - 2) Other Species
  - i. Migratory Bird Treaty Act
    - 1) Preconstruction Survey
    - 2) Depredation Permit
  - j. Bald & Golden Eagle Protection Act
  - k. National Environmental Policy Act (NEPA)
  - l. National Historic Preservation Act
    - 1) Cultural Resource Clearance
  - m. Department of Transportation Regulations
    - 1) Hazardous Materials
  - n. Pesticide Registration & Classification Procedures
  - o. National Response Center (NRC)
    - 1) Notification of Unplanned Spills and/or Releases
2. State:
- a. Colorado Department of Public Health & Environment
    - 1) Water Quality Control Division
      - a) Colorado Water Quality Control Act
      - b) Water Quality Control Commission Regulations
        - 1 Permit for Discharge of Stormwater Associated with Construction Permit
        - 2 Short-Term (<2 year) Construction Dewatering Permit
        - 3 Short-Term (<2 year) Remediation Dewatering Activities Permit
        - 4 Long-Term (>2 year) Remediation Dewatering Activities Permit
        - 5 Subterranean Dewatering permit
        - 6 Well Development & Pumping Dewatering Permit
        - 7 Section 401 Water Quality Certification
    - 2) Air Pollution Control Division
      - a) Colorado Air Pollution Prevention & Control Act
      - b) Air Quality Control Commission Regulations
        - 1 Land Development Permit
        - 2 Demolition Permit
        - 3 Asbestos Abatement Permit
        - 4 Lead Abatement Permit
        - 5 Open Burning Permit
        - 6 Sandblasting Permit
    - 3) Hazardous Materials & Waste Management Division
      - a) Solid Wastes Disposal Sites & Facilities Act
      - b) Solid & Hazardous Waste Commission Regulations
        - 1 Notification of Regulated Asbestos Contaminated Soil Disturbance
      - c) Radiation Control Act
  - b. Colorado Department of Labor & Employment
    - 1) Division of Oil & Public Safety
      - a) Storage Tank Regulations
      - b) Liquefied Petroleum Gas Regulations
      - c) Boiler & Pressure Vessel Regulations

- c. Colorado Department of Natural Resources
    - 1) Colorado Division of Water Resources / Office of the State Engineer
      - a) Water Well & Monitoring Well Construction and Well Abandonment Permits
      - b) Notice of intent to Construct a Dewatering Well and Substitute Water Supply Plan
      - c) Modification & Construction of Dams
      - d) Modification & Construction of Intakes & Diversions
    - 2) Colorado Parks & Wildlife
      - a) Wildlife Certification (SB40)
      - b) Fish and Wildlife Mitigation Plan
  - d. Colorado Department of Transportation Regulations
    - 1) Traffic Control Plan
    - 2) Utility / Special Use Permit
    - 3) State Highway Access Permit / Right of Way Permit
  - e. Colorado Division of Reclamation, Mining, & Safety
3. El Paso County & Colorado Springs:
- a. Pikes Peak Regional Building Department (PPRBD)
    - 1) Building Permits, etc.
    - 2) Wrecking Permit
    - 3) Floodplain Permit
  - b. El Paso County Public Health
    - 1) Air Quality Construction Activity Permit
    - 2) Open Burning Permits
    - 3) Septic System Permits
  - c. El Paso County - Planning & Community Development
    - 1) Erosion and Stormwater Quality Control Permit
  - d. El Paso County - Community Services
    - 1) Trails - Temporary Access Agreement
  - e. El Paso County - Department of Public Works
    - 1) Right-of-Way Access Permit
  - f. City of Colorado Springs
    - 1) City Code
    - 2) City Stormwater Construction Manual
    - 3) Revocable Temporary Access Permit
    - 4) Tree Removal and/or Trimming Permit
    - 5) Reporting of Illicit Discharges, Spills, & Illegal Dumping
  - g. Fire Department
    - 1) Fire Code Permits
    - 2) Hot Work Permit
    - 3) Hazardous Materials - New Construction
    - 4) Emergency Generator with Integral Tank Permit
    - 5) Above & Underground Fuel Storage Tank Permit

## **PART 2 PRODUCTS**

NOT USED

## **PART 3 EXECUTION**

### **3.01 SUBMITTALS**

- A. Submittals to be provided by the CONTRACTOR shall include but are not limited to the following:
  - 1. Permits
    - a. Prior to beginning work, furnish via PM SaaS in accordance with Section 01 33 12 – PM SaaS, a list of all Permits required for the proper completion of the Work. The list shall clearly identify the type of Permit or Permits that must be obtained before work on any particular phase or phases of work can be started.

<Project Number>  
<Project Name>

- b. Prior to performance of related Work, furnish via PM SaaS in accordance with Section 01 33 12 – PM SaaS, copies of executed Permits.
- c. Prior to final Application for Payment, furnish via PM SaaS in accordance with Section 01 33 12 – PM SaaS, copies of executed Permit Terminations and/or Transfers, and all related closeout documents.

END OF SECTION