**SPP00325 (01-01-21) (Use on all BES projects)**

**(This section requires SPP00320)**

### Section 00325 – Tree Protection and Pruning

Comply with section 00325 of the Standard Construction Specifications modified as follows:

**(Designer Note: Add the following paragraph to all BES projects.)**

**00325.00 Scope-** Add the following paragraph to the end of this subsection:

Contractor must comply with Federal, State, and local laws, rules and regulations, and the provisions of the City of Portland Title 11, Trees, Permit or Permits applicable to the project and section 00320. See Notice of Project Review in the Appendix for detailed requirements for tree protection.

**(Designer Note: Use the following section and .90 when the Contractor is required to hire a Certified Arborist for the construction phase of the project.)**

Add the following after the word “remain” in the last sentence:

“, obtaining the permit and hiring a Certified Arborist for the Construction phase of the project.”

**00325.40 Tree Protection and Pruning Operations:** Add the following to this subsection.

**(a) Preserving and Pruning Vegetation:**

**(2) Outside the Work Areas** – Add the following to the end of the section:

Remove hazardous, dead, and damaged trees outside the clearing limit as directed by Owner.

**(3) Tree Pruning** – Add the following to the end of the section:

* Elm Tree pruning must occur between October 15 and April 15.

Preserving vegetation includes keeping equipment and materials off the critical root zone as directed.

**(b) Street Tree Protection** – Add the following after the first paragraph:

Install orange plastic mesh fencing around the critical root zones of marked trees or tree groups as shown or directed. Do not begin construction activity or move equipment into tree areas until plastic mesh fencing is in place. Any necessary work within the critical root zone shall be done only with written approval. Be responsible for any damage to marked trees. Tree damage will be determined by a certified arborist selected by the Owner.

Add the following two subsections:

**00325.43 Timber Salvage** - The property owner has the right to any trees six (6) inches in caliper or larger felled in the right-of-way adjacent to owner's property. Notify the property owner(s) by mail or door hanger at least 48 hours prior to felling the trees. The notice shall state that the property owner(s) have seven (7) calendar days after timber is felled to remove timber from the right-of-way. If timber is not removed after seven (7) calendar days, the ownership of the timber shall revert to the Contractor.

**00325.44 Tree Limb Removal Limitations** - The nesting season is March 15 to August 31. Schedule tree limb removal outside the nesting season when possible. Removal of tree limbs during the nesting season will require inspection of the trees for nests. If an active nest is found, a determination will be made on whether to obtain a permit for the removal of the nest. Nest removal shall only be performed by a trained, United States Fish and Wildlife Service permitted specialist. Otherwise the removal of any tree limb with an active nest shall not be allowed until after the nesting season.

**(Designer Note: Use the following when the Contractor is required to hire a Certified Arborist for the construction phase of the project.)**

00325.90 Lump Sum Basis- Replace the last sentence in this section with the following:

Payment will be payment in full for furnishing all equipment, labor, permit, Certified Arborist and incidentals necessary to complete the work as specified.

Add the following paragraph

Payment for tree protection fencing will be made according to section 00270.