

**§23-APPENDIX A-5
REQUIREMENTS FOR SPECIFIC NOTES ON PRIVATE SEWER OR
PRIVATE DRAIN PLANS**

All private sewer or private drain plans submitted to the department shall be prepared in accordance with the following requirements and include the following specific notes:

(a) *Contractor's note.* The contractor, at the time of taking out the permit for the construction of this private sewer or private drain shall furnish to the borough records office of the department _____, NY _____
(Borough) (zip code)

a copy of an agreement between the owner and the contractor and a list of contract prices for the items in the bill of materials on the approved private sewer or private drain plan;

(b) *Performance bond.* The owner shall file with the department's borough records office _____,
_____,
(Address) (Borough)

_____ a performance bond in the amount of \$_____ to
(Zip Code)

secure the faithful performance of this contract. Before submitting any field changes for this project, a letter from the bonding company indicating that they have no objections to this field change shall be presented to the department. The private sewer or private drain contractor may, upon written request to the Department, submit the performance bond, in lieu of the owner.

[Note: The amount of performance bond will be the amount of the engineer's cost estimate.];

(c) *Maintenance bond.* Before a permit is issued for the work as shown on the plan, a maintenance bond covering a two (2) year period from the date of completion and final acceptance of the work performed in the amount of \$_____ shall be filed by the owner. The private sewer or private drain contractor may, upon written request to the department, submit the maintenance bond in lieu of the owner.

[Note: The amount of maintenance bond shall be 10% of performance bond amount.]; (d) *Insurance note.* The owner or contractor, prior to the start of construction, shall obtain an insurance policy insuring the City of New York against liability for injury to property or persons, including death. Such policy shall remain in effect until the completion of the project with a minimum period of three (3) years;

(e) *Traffic note.* The contractor shall notify the office of Engineering Control, Mayor's Traffic Construction Coordinating Committee (MTCCC), 51 Chambers Street, New York, NY 10017, (10 days prior to the issuance of a Construction permit);

(f) *Pavement restoration note.* To follow specific pavement restoration provisions as stipulated by the New York City Department of Transportation (NYCDOT). Refer to NYCDOT letter dated _____.

Note: The contractor shall restore the pavement in accordance with the NYCDOT stipulations.

(g) *Utility note.*

(1) All utility companies must be notified at least 72 hours prior to commencement of construction to comply with Rule 53 of Industrial Code of the State of New York, Department of Labor for "Construction, Excavation and Demolition Operations at or near Underground Facilities" (Cited as 12 NYCRR53); and

(2) for private developments, the support, relocation, reconstruction or rehabilitation of existing utilities due to the construction of this contract is to be done at the expense of the owner of the proposed private sewer or private drain;

(h) *Approval of materials and manufacturers' note.* The name of city approved subcontractors, vendors, manufacturers, suppliers, and dealers who are to furnish materials, fixtures, equipment, appliances or other fittings shall be submitted by the contractor as early as possible to the Department at 59-17 junction Boulevard, Corona, New York, 11368 for approval.

(i) *Soil note.* When ordered by the professional engineer or registered architect, the trench shall be excavated to its full depth for at least 50 feet in advance of the private sewer or private drain construction. When in the opinion of the professional engineer or registered architect, the sub-soil is deemed to be inadequate, the contractor shall drive piles as ordered. Unsuitable soils encountered at the sub-grade less than five (5) feet thick, if encountered at the sub-grade shall be removed to an acceptable stratum and replaced with broken stone as directed by the professional engineer or registered architect. In such case, the sheeting placed shall be left in place below the spring line of the pipe only.

(j) *Sheeting note.*

(1) In performing the sheeting of the private sewer or private drain trench for excavation, the contractor shall comply with the provisions of the New York State Labor Law and particularly with Rule Number 23 (as amended) of the industrial code as promulgated by the Board of Standards and Appeals, Department of Labor, State of New York and in accordance with Rules and Regulations listed in Federal Register/volume 54, number 209/Tuesday, October 31, 1989, Department of Labor, Occupational Safety and Health Administration, 29 CFR part 1926, [Docket number S-204] RIN 1218 AA 36. Where the spacing of stringers and cross bracing specified in Rule Number 23 are such that the contractor can not adequately and in a practical manner carry on his operations, he shall submit to the professional engineer or

registered architect for approval alternate designs for sheeting or shoring with all bracings as may be necessary to comply with the intent of Rule Number 23;

(2) Sheeting and forms shall be removed in accordance with the latest department's standards and specifications unless otherwise noted on the drawings or instructed by the professional engineer or registered architect;

(k) *Storm drainage note.*

(1) Provisions for the safe disposal of storm water shall be determined by the New York City Department of Buildings (NYCDOB), Department of Transportation (NYCDOT), and the Department of Environmental Protection (NYCDEP);

(2) Owner-builder shall comply with the provisions of the land-contour law so that construction operations will not create nor perpetuate any hazardous condition. In addition, he or she shall provide the necessary means to control the erosive velocity of overland flow and the conveyance of sediment to the sewer or street area;

(l) *Dewatering note.* If the contractor is required to install a temporary dewatering system to lower the groundwater level within the Boroughs of Brooklyn or Queens, it will be necessary that he or she obtain a New York State Department of Environmental Conservation (NYSDEC) Long Island Well Permit.

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