PERFORMANCE WORK STATEMENT FOR VEGETATION CONTROL
CAPE FEAR LOCK AND DAMS
BLADEN COUNTY, NC

I. GENERAL

The work shall consist of furnishing all labor, equipment, vehicles, and materials necessary to perform hillside vegetation clearing and herbicide applications to shoreline rip rap and lock esplanades at all 3 Cape Fear Lock and Dam locations in Bladen County, North Carolina.

II. LOCATIONS

1. Cape Fear Lock and Dam 1: 966 Lock #1 Road, Riegelwood, North Carolina 28456
2. Cape Fear Lock and Dam 2: 645 Lock #2 Road, Elizabethtown, North Carolina 28456
3. William O. Husk Lock and Dam: 1248 Bill Hall Road, Fayetteville, North Carolina 28306

III. PERIOD OF PERFORMANCE

Base Year:	Date of Award – 05/14/2027
Option Year 1:	05/15/2027 – 05/14/2028
Option Year 2:	05/15/2028 – 05/14/2029
Option Year 3:	05/15/2029 – 05/14/2030
Option Year 4:	05/15/2030 – 05/14/2031

**Contract period of performance will run for 12 months with each year; however, actual services shall be performed between May 15 and September 30 each year only.*

IV. NORMAL WORKING HOURS

Normal workings hours for the Contractor shall be Monday – Thursday 8AM – 4:30PM EST, unless otherwise specified, or as specifically approved in advance by the on-site USACE personnel. No work on site other than specified will be permitted without specific approval by the Contracting Officer's Representative.

V. DEFINITIONS

CONTRACTOR – The "Contractor" shall be the individual whose bid was accepted by the U.S. Army Corps of Engineers and who shall gain the responsibility of performing the duties governed by the specifications of this contract. The Contractor shall be responsible for ensuring that all subcontractors comply with the provisions of this contract.

CONTRACTOR REPRESENTATIVE - A foreman or superintendent, assigned to represent the interests of the Contractor with regards to all matters involving the contract, shall be able to speak and understand English fluently.

CONTRACTING OFFICER (CO/KO) - The term "Contracting Officer" means the person executing this contract on behalf of the Government, and any other officer of civilian employee who is properly designated Contracting Officer, and the term includes, except as otherwise provided in this contract, the authorized representative of a Contracting Officer acting within the limits of their authority.

CONTRACTING OFFICER'S REPRESENTATIVE (COR) - An individual designated in writing by the Contracting Officer, responsible for inspecting the Contractor's work, notifying the Contractor of deficiencies observed, and directing appropriate action to correct deficiencies. The COR performs acceptance for the Government of services performed under this contract.

QUALITY CONTROL - The term "Quality Control" refers to action taken by the Contractor and/or their personnel to document, inspect, and control performance of services to insure they meet the specifications and requirements of this contract.

QUALITY ASSURANCE - The term "Quality Assurance" refers to action taken by the Government to ensure the Contractor's quality control system is functioning and effective and that the Contractor is providing services which are in accordance with the contract.

VI. SAFETY

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BLADEN COUNTY, NC

To protect everyone's health and safety, to prevent damage to property, materials, supplies, and equipment, and to avoid unnecessary work interruptions in the performance of this contract, the Contractor shall comply with all pertinent provisions of the US Army Corps of Engineers' Safety and Health Requirements Manual, EM 385-1-1, current version:
http://www.publications.usace.army.mil/Portals/76/Publications/EngineerManuals/EM_385-1-1.pdf

All Contractor operations shall be in compliance with this manual, and all other applicable federal and state laws. All equipment and herbicides shall be used according to manufactures specifications and in accordance with all applicable laws and restrictions. Government inspectors have the authority to stop work due to safety violations.

The Contractor shall not use restricted use herbicides.
The Contractor shall use secondary containment for the mixing of any herbicides on Government property.
The Contractor shall use caution to prevent chemicals from entering streams or ditches.
The Contractor shall use caution to prevent chemical drift.
The Contractor shall be responsible for ensuring that his employees strictly observe the laws of the United States, North Carolina and any other governing bodies which may affect the work to be completed under this contract.
The Contractor shall ensure that waste generated by the contracted work (including tools, herbicide containers, bottles, cups, food wrappers, etc.) are removed from the work area and disposed in a lawful manner.

VII. CERTIFIATIONS, PERMITS, AND LICENSES

The Contractor shall provide a current North Carolina Department of Agriculture, Pest Control Division certified applicator license to the Contracting Officer's Representative (COR) prior to the start of work including if a subcontractor is utilized for herbicide work. The Contractor shall, at their own expense, obtain any additional licenses or permits, including but not limited to a Commercial Driver's License. The Contractor shall comply with all current Federal, State, and local laws and regulations.

VIII. COMMENCEMENT OF WORK

The Contractor shall attend a kickoff meeting with USACE personnel and inspect all sites to account for local conditions, security, and safety factors; failure to perform these inspections does not relieve the Contractor of cost or performance responsibilities. The Contractor is responsible for communicating all contract requirements to subordinate employees and subcontractors. Project work shall formally commence within 10 business days of contract award.

IX. WORK REQUIREMENTS

The Contractor shall cut all vegetation on 2 slopes found at Cape Fear Lock and Dam 1. Herbaceous vegetation shall be cut as low as possible not to exceed ten (10) inches. All woody vegetation shall be cut less than 4" off the ground and may be dropped in place. Herbicide shall be applied to cut stumps to prevent regrowth.
The Contractor shall prepare a written herbicide application plan for COR approval indicating areas for herbicide treatment at all 3 lock and dams, application rates, method of application, date and frequency of treatment, safety precautions, measures required based on proximity to water, and any other pertinent information.

The Contractor shall apply herbicide to guarantee a 90% kill rate of cut vegetation for a period of three (3) months.
The Contractor shall use an inert carrier dye in all herbicide applications.
Herbicide shall be mixed off site when feasible, however water may be utilized from each location for mixing with chemicals, but all mixing shall be done at least 100 ft. from the shoreline within the secondary containment. All onsite mixing shall be coordinated with the on-site USACE personnel.
Areas accessible to the visiting public shall be posted by the Contractor with highly visible free-standing signs for a minimum of 24 hours and a maximum of 48 hours, cautioning that herbicides have been applied.
At the completion of spraying, equipment shall not be cleaned on the project. The cleaning of tank, hoses, and gun shall be done away from Government property.

X. SUBMITTALS

The Contractor shall submit with each invoice an Actual Usage Report. Reporting each time pesticides/herbicides are applied, whether by the Contractor or the subcontractor. The Actual Usage Report shall be a one-page post-application documentation completed and submitted to the COR. This report shall include the following as a minimum:

Location herbicided	Acres treated
Name of herbicide(s)	Date of application
EPA registration number	Date of application
Targeted pest	Applicator registration number
Applicator	

The Contractor shall submit a proper invoice containing the following pertinent information:

- Name and address of the contractor
- Invoice date and number
- Contract number, contract line-item number and, if applicable, the order number
- Description, quantity, unit of measure, unit price and extended price of the items delivered
- Shipping number and date of shipment, including bill of lading number and weight of shipment if shipped on Government bill of lading
- Terms of any discount for prompt payment offered
- Name and address of official to whom payment is to be sent
- Name, title, and phone number of the person to notify in event of defective invoice
- Taxpayer Identification Number (TIN), if required in the contract
- Electronic funds transfer (EFT) banking information.

Submittals shall be sent to the government via US Postal Service or e-mail:
USACE, B. Everett Jordan Dam and Lake
ATTN: John Rochevot
2080 Jordan Dam Road
Moncure, NC 27559
john.h.rochevot@usace.army.mil

XI. AT/OPSEC

1. **General security requirements and guidance:** The security requirements described below apply to all contract personnel (including employees of the prime Contractor ("Contractor") and all subcontractor employees) supporting the performance requirements of this contract. The Contractor is responsible for compliance with these security requirements. Questions regarding security matters shall be addressed to the designated Government representative (e.g., Contracting Officer Representative (COR), Requiring Activity (RA) representative, or Contracting Officer (if a COR or other RA

representative is not appointed)). Contract personnel are critical to the overall security and safety of US Army Corps of Engineers (USACE) installations, facilities and activities, and security awareness training contributes to those efforts. The Department of Defense (DoD) and Army security training requirements specified below, if applicable, are performance requirements; all applicable contract personnel shall complete initial training within 30 days of contract award or the date new contract personnel begin performance on the contract. Within five business days from the completion of training, the Contractor shall provide written documentation (e.g., email or memorandum) to the Government representative. The documentation shall include the names of contract personnel trained and which training they completed; the Contractor shall maintain training records as part of their contract files and be prepared to provide copies of training certificates to the Government representative. Contractor personnel and vehicles are subject to search when entering federal installations. Additionally, all contract personnel shall comply with Force Protection Condition (FPCON) measures, Random Antiterrorism Measures (commonly referred to as "RAMs"), and Health Protection Condition (HPCON) measures. The Contractor is responsible for meeting performance requirements during elevated FPCON and/or HPCON levels in accordance with applicable RA plans and procedures --this includes identifying mission essential and non-mission essential personnel. In addition to the changes otherwise authorized by the changes clause of this contract, should the FPCON or HPCON levels at any individual facility or installation change, the Government may implement security changes that affect contract personnel. The Contractor shall ensure all contract personnel are aware of their security responsibilities, including any site-specific requirements identified in local policies or procedures.

2. **Antiterrorism (AT) Level 1 training:** All contract personnel requiring routine access to Army installations, facilities, and controlled access areas, or requiring network access shall complete initial and annual refresher AT Level I awareness training. Online AT Level I awareness training is available at https://jko.jten.mil/ (website subject to change).

3. **Physical security and access control requirements:** All contract personnel requiring physical access to a federal installation or facility shall comply with the access control procedures of that location. Contract personnel requiring unescorted access to meet contract performance requirements on a DoD installation in the US shall be vetted by the installation/facility Provost Marshal/Directorate of Emergency Services/Security Office using the National Crime Information Center-Interstate Identification Index (commonly referred to as "NCIC-III") and Terrorist Screening Database (commonly referred to as "TSDB"). Contract personnel shall comply with all personal identity verification requirements specified in installation/facility policies and procedures. Contract personnel who do not meet requirements for unescorted access to USACE facilities shall coordinate escorted access with the Government representative, as needed. Contract personnel who receive keys, access cards, or lock combinations that provide access to government-owned property shall comply with key and lock control procedures of the RA.

14. **Pre-screen candidates using E-Verify Program**: Contractors shall comply with the requirements set forth in FAR clause 52.222-54 Employment Eligibility Verification and FAR Subpart 22.18 in using the E-Verify Program at (https://www.e-verify.gov/) (website subject to change) to meet the contract employment eligibility requirements. Contractors are encouraged to cooperate with Federal and State agencies responsible for enforcing labor requirements to include eligibility for employment under United States immigration laws in accordance with FAR 22.102-1(i). An initial list of verified/ eligible candidates shall be provided to the COR no later than three business days after the initial contract award. When contracts are with individuals, the individuals will be required to complete a Form I-9, Employment Eligibility Verification, and submit it to the Contracting Officer to become part of the official contract file.

XII. CAPE FEAR LOCK AND DAM AERIAL VIEWS

Cape Fear Lock and Dam 1
996 Lock #1 Road
Riegelwood, North Carolina 28456
1.13-acres of herbicide (green)
1.3-acres of cut slope (orange)

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Cape Fear Lock and Dam 2
645 Lock #2 Road
Elizabethtown, North Carolina 28337
2.0-acres of herbicide (green)

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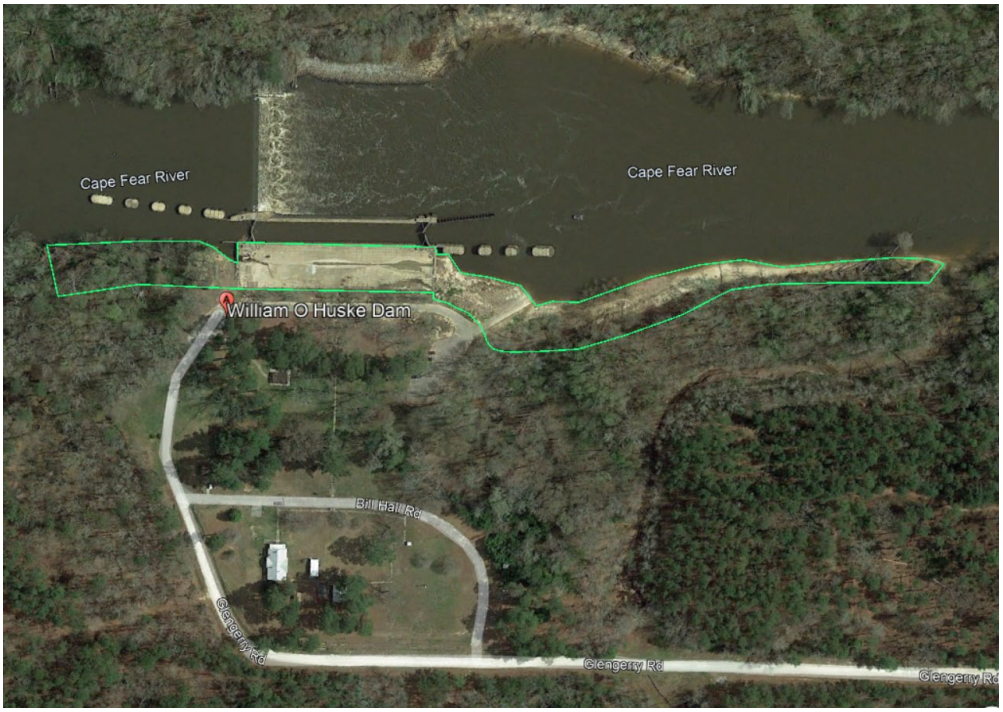
William O. Huske Lock & Dam
1248 Bill Hall Road
Fayetteville, North Carolina 28306
2.9-acres of herbicide (green)