

## 2005 – 2006 SNOW REMOVAL CONTRACT

This contract for snow removal services is entered into on the 31<sup>st</sup> day of December 2004, between the Norbeck Hills Homeowners Association, henceforth referred to as the “ASSOCIATION”, and Roche Brothers, Inc., henceforth, referred to as the “CONTRACTOR”.

### I. General Terms and Conditions

1. CONTRACTOR agrees to provide all necessary labor, equipment, and materials for clearing snow from all roadways and parking areas, clearing sidewalks, and other designated areas, as defined in the attached Shoveling and Plowing Detail (**Attachment 2**). CONTRACTOR shall perform these services in such a manner as to avoid and prevent damage to vehicles parked upon the property and to the Association’s facilities and property. The generally acceptable definition for clearing of the roadways is clearing from parking finger curb to parking finger curb, if parking fingers are present on both sides of the roadway; curb to curb, if no parking fingers are present and parking finger to curb, if parking fingers are only on one side of the roadway. CONTRACTOR shall have sufficient liability and workman’s compensation insurance to cover all damages to ASSOCIATION and homeowner property, cover claims for injuries to homeowners caused by inadequate clearing of roadways and/or sidewalks, and cover any injuries sustained by their own workmen. (Proof of these insurance policies and their limits can be found in **Attachment 3** to this Contract. This insurance must be current and continue through the period of performance of this Contract.)
2. CONTRACTOR shall arrive upon accumulation of three (3) inches snow on paved surfaces or ¼ inch of ice. If the snow continues, the CONTRACTOR is to keep drive lanes of the roadways open to vehicular traffic and complete final cleanup after snowfall ceases. Should the accumulation be in the form of ice or sleet, the roads and sidewalks must be made passable by applying, sand, cinders, or salt as defined in the Snow Plan, to ensure proper traction. ASSOCIATION shall provide a ‘Staging Area’ for CONTRACTOR to place a material storage container during the snow season. The container will be removed by CONTRACTOR at the end of the snow season.
3. CONTRACTOR shall not block any parking spaces or sewers. CONTRACTOR is responsible for shoveling mailbox pads, primary sidewalks, asphalt pathways, interior court sidewalk segments, and clearing snow from around fire hydrants, as listed in the Shoveling and Plowing Detail (**Attachment 2**). Should the snow exceed 10 inches in depth, CONTRACTOR shall execute the catastrophic snow removal portion of the Snow Plan upon contact with and approval from the ASSOCIATION point of contact.
4. CONTRACTOR shall provide plowing services and shoveling services sufficient to provide ingress and egress on roadways and sidewalks, prior to the morning and evening rush hours (6:00 a.m.- 9 a.m. and 5:00 p.m. – 7:00 p.m. Sunday-Friday). CONTRACTOR has some latitude with start time when snowfall starts on Friday nights or Saturday mornings, but shall be required to contact the ASSOCIATION point of contact to notify the ASSOCIATION of the planned arrival time and approach for snow removal.
5. With thaw and refreeze situations, the CONTRACTOR shall provide sand or salt for roadways to ensure proper traction, and shall ensure that sidewalks are properly treated, as well, after having called and discussed approach with the ASSOCIATION point of contact(s). The ASSOCIATION requires the use of sand not ice melt on all sidewalks, as needed.
6. The CONTRACTOR shall contact the ASSOCIATION point of contact upon arrival on the property and shall contact the Association point of contact when departing from the property, upon work completion.

7. If as the result of an inspection of work, it is found that the CONTRACTOR has not completed all of the work defined in the Shoveling and Plowing Detail to the level, specified in paragraphs 1-3 and 5 above, the CONTRACTOR shall return to the property to complete the work and agrees that no transit or drop costs may be billed when returning to complete work that was to have been done in the push.
8. The CONTRACTOR shall provide detailed invoices within 30 days of service. The level of detail to be provided on the invoices shall include 1) details for each type of equipment used (date of service, type, total hours of equipment type with operator on property, cost of service, and time of arrival and departure), and 2) detailed accounting for materials used (salt, sand, cinders, etc.) and costs.
9. The ASSOCIATION will process these invoices and make payment within 30 days of receipt.
10. The CONTRACTOR shall hold harmless and indemnify the Association, its agents and employees, if any, for damage to persons or property resulting from performance of the contract.
11. The CONTRACTOR shall conduct and represent itself as an independent contractor and not as an employee of the ASSOCIATION or Management Agent.
12. During catastrophic snow events the placement and storage of excess snow will be on the grassy area between the swimming pool and the first set of town homes located on that side of Mac Duff Avenue, with the pool parking lot being used for snow storage should this area becomes too full. It is understood by both parties that the use of front end loaders and dump trucks will be required for this type of snow placement.
13. All handicapped spaces and ramps shall be treated like common area sidewalks.

**II. Insurance**

Upon acceptance of the bid by the ASSOCIATION, CONTRACTOR shall provide a certificate of insurance showing General Liability, Vehicle Liability, and Worker's Compensation coverage to be in place through the contract period as specified above.

**III. Contract Term**

This Contract shall be in force beginning 12:00 am January 1, 2005 and be effectively terminated on March 31, 2006.

**IV. Termination**

The Association has the right to cancel this contract, at any time during the period of performance, with twenty (20) days written notice by certified mail with return receipt.

**V. Contract Authorization** (The undersigned agree to all conditions specified in this contract and its Attachments.)

Roche Brothers, Inc.

Norbeck Hills HOA

\_\_\_\_\_  
Joe Roche, Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ravi M. Parkhie, Agent

\_\_\_\_\_  
Date

**Attachment 1 - Snow Contract Rates**

**Schedule of Fees**

In consideration of the contracted services, the ASSOCIATION hereby agrees to compensate the CONTRACTOR at the following rates.

Equipment/Materials Description	Roche Brothers
Snow Blower labor/fuel for sidewalks	/hour
Shoveling labor for sidewalks	/hour
Sanding labor for sidewalks	/hour
Sand (per ton)	/ton
Plowing Truck w/driver	/hour
Sanding Truck w/driver	/hour
Loader w/driver	/hour
Loader Delivery (Drop charge)	
*Four Hour minimum during deep snow falls	All rates are hourly unless (noted)

Charges for additional equipment, materials or services shall be subject to the mutual agreement of the parties to this Agreement and the operation of such equipment shall be only upon the written authorization of the ASSOCIATION or its agent.

## **Attachment 2 Shoveling and Plowing Detail**

### **Shoveling Primary Community Walkways**

**17400 Block of Mac Duff Avenue** (Single Family Homes) - Shovel from Mac Duff Avenue sidewalk from south corner of Guttenberg Court and Mac Duff Avenue on right side of Mac Duff Avenue to the fence at next home on Mac Duff (school path runs beside this house and no homes are on this side of the street from Guttenberg Court until the fence).

**Mac Duff Avenue** - sidewalk over creek at fence between 17424 and 17440.

**Town home portion of Mac Duff Ave.** Shovel sidewalk from the edge of property line for 17500 Mac Duff to the intersection at the pool of Mac Duff Avenue and Hines Road.

**Hines Road (north side)** from Cashell Road to back property line of 17401 Mac Duff Avenue (backs to power lines).

**Hines Road (south side)** from Cashell Road to Ride-On Bus Stop corner of Mac Duff (across from Swimming Pool).

**Mac Duff Avenue 4 Fire Hydrants** - 1) located in front of 17560 (poolside), 2) across from entrance to 17400 Gallagher Way (poolside), 3) across from entrance of Boastfield Lane (pool side), and 4) between 17600 Longview Lane and Goose Creek (opposite side from pool).

**Sandy Knoll Drive** (single-family section) walkway to Cashell Elementary located between 17208 and 17212. Shovel from roadway back to fence, not beyond.

## **Town Home Shoveling and Plowing**

### **Jenner Court** (access from Cashell Road)

This is a dead end road configuration with a right intersect which is also a dead end  
Two rows of homes

Row running from Cashell Road is home addresses 4501-4517 (9 homes)

Row facing Cashell Road is 4500-4514 (8 homes)

Storm sewer is located at the end curb of the 4501-4517 row on the right side beside 4500

### **Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

### **Shoveling**

Mailboxes located in front of 4500 Jenner Court

Hydrant located across from 4517 Jenner Court

**Town Home Shoveling and Plowing (cont'd)**

**Sandy Knoll Drive** (access from Hines Road)

This is a dead end road configuration -straight line with left intersect fire/rescue turnabout

Storm sewer is at end of street at “No Parking Fire lane” sign in front of 17433

Entrance row of homes to the right is 17301-17313 (7 homes)

Entrance row of homes to the left is 17300-17310 (6 homes)

Interior row of homes on the right is 17317-17433 (9 homes)

Interior row of home on the left is 17316-17328 (8 homes)

**Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

**Shoveling**

Common sidewalk on the left between 17310 and 17316

Common sidewalk on the right between 17313 and 17317

Mailbox pad located in front to 17316 and 17318

Two (2) fire hydrants located at between 17310 and 17314 and in front 17328

**Town Home Shoveling and Plowing (cont'd)**

**Hines Court** (access is from Hines Road)

Court configuration is sideways “T” shape (with homes a top of “T” right top edge of “T” and right of bottom of “T”).

Entrance row of homes at left is 2 -16 (8 homes)  
Row of homes at bottom of court is 20-30 (6 homes)  
Row of homes on base of “T” is 1 -13 (7 homes)

Storm sewer located in homeowner parking space in front of 30 Hines Ct.

**Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

**Shoveling**

Mailbox pad located at far right corner of main drive at intersect with row 1-13.

Fire hydrant located at near right corner of main drive at intersection with row 1-13 opposite mailboxes.

**Town Home Shoveling and Plowing (cont'd)**

**Mac Duff Avenue** (access from Mac Duff Avenue and 4400 Block of Cannes Lane).

Configuration is a single row of town homes facing Mac Duff Ave with parking in front of homes and two-way drive lanes behind parking spaces

No storm sewer within plow or shovel area.

No fire hydrant within plow or shovel area (hydrant on Mac Duff Avenue and included with shovel information for Mac Duff Avenue)

**Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

**Shoveling**

Common sidewalk running from Mac Duff Avenue to the front corner of the property line for 17572



## **Town Home Shoveling and Plowing (cont'd)**

### **Cannes Lane 4400 Block** (access from Mac Duff Avenue)

Court configuration is deep “U” with no homes facing the court roadway on the right side

Entrance row of homes on left is 4433-4413 (8 homes)

Interior Row of homes on right is 4400-4414 (8 homes)

Interior Row of home at bottom of “U” is 4401-4115 (8 homes)

Storm sewer located at curb directly opposite 4421 Cannes Lane

### **Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

### **Shoveling**

Mailbox pad located at parking finger in front of 4419 Cannes Lane

Common sidewalk that runs on right of court from side of town home on Mac Duff to 4414 Cannes Lane (“L” shaped)

Common sidewalk that runs on right from Mac Duff Avenue sidewalk to first home on left 4433.

Fire hydrant that is located at in Center Island directly across drive lanes from 4410 Cannes Lane

Common sidewalk that runs beside 4419 to front of 4415 Cannes Lane

Common sidewalk that runs beside 4415 Cannes Lane to the front side corner of 4400 Fisherman’s Court.

**Town Home Shoveling and Plowing (cont'd)**

**Cannes Lane 4500 Block** (access is from Mac Duff Avenue)

Standard “U” shaped configuration with Center Island with/trees

Entrance row of homes on left is 4419-4433 (8 homes)

Entrance row of homes on right is 4400-4414 (8 homes)

Bottom of court row of homes is 4516-4530 (8 homes)

Storm sewer is located in homeowner parking space in front of 4410

**Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

**Shoveling**

Common sidewalk from Mac Duff Ave to first home on right 4501 Cannes Lane

Fire hydrant in Center Island across the street from 4422

Mailbox pad located just inside the court slightly to the right in Center Island

**Town Home Shoveling and Plowing (cont'd)**

**Fisherman's Court** (entry from Mac Duff Avenue)

Configuration is straight left to right configuration entry in center (row of homes facing Mac Duff and at left and right row of homes perpendicular to Mac Duff)

Row of homes to right 4400-4412 (7 homes)

Row of homes to left 4427-4417 (6 homes)

Row of homes facing Mac Duff Ave 4401-4413 (7 homes)

Storm sewer located in homeowner parking space in front of 4410 Fisherman's Court

**Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

**Shoveling**

Shovel mailbox pad located in parking finger in front of 4409 Fisherman' Court

Sidewalk from common sidewalk on Mac Duff Avenue to first home on left 4427

Sidewalk from common sidewalk on Mac Duff Avenue to first home on right 4400

Fire hydrant located directly across the drive lanes from 4411 Fisherman's Court.

**Town Home Shoveling and Plowing (cont'd)**

**Gallagher Way 17400 Block** (access is Mac Duff Ave)

Configuration is standard “U” shape with no homes facing on the right side until the bottom of the “U”

Entrance row of homes on the left side is 17429-17417 (seven homes)

There is no entrance row of homes on the right side

Interior row of homes on right is 17414-17426 (7 homes)

Bottom row of homes is 17400-17412 (7 homes)

Interior row of homes on left is 17413-17401 (seven homes)

Two (2) Storm sewers are located at 1) face of center island to the right of mailboxes when entering court and 2) in a homeowner parking space in front of 17400 Gallagher Way

**Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

**Shoveling**

Common sidewalk at entrance on left from Mac Duff Avenue to front of 17429. This is an “L” shaped walkway.

Common sidewalk on right from 17432 Gallagher Way to front of 17426 Gallagher Way this is wide “V” shaped walkway with a step.

Common sidewalk running beside 17417 Gallagher Way to front property line of 17413 Gallagher Way.

Mailbox pads located at Center Island

Fire hydrant located at Center Island near mailboxes

**Town Home Shoveling and Plowing (cont'd)**

**Top of Gallagher facing Mac Duff (access is 17400 or 17500 Gallagher Way)**

Configuration is single row of home facing Mac Duff with parking in front of homes

Town home row numbers are 17432-17444 (7 homes)

**No shoveling**

**Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

**Town Home Shoveling and Plowing (cont'd)**

**Gallagher Way 17500 Block** (Access from Mac Duff Avenue)

Standard “U” shaped court with parking in center section with mailboxes

Entry row of homes on right is 17501-17513 (7 homes)

There is no entry row of homes on the left

Lower “U” row of homes on right is 17531-17517 (eight homes)

Lower “U” row of homes on left is 17500-17514 (8 homes)

Bottom of “U” row of homes is 17518-17524 (6 homes)

Storm sewer is located in front of 17518 in homeowner parking spaces

**Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

**Shoveling**

Shovel entry sidewalk on left side of 17444 to front property line of 17500 Gallagher Way. This is an “L” shaped walkway.

Shovel entry sidewalk on right side from Mac Duff Ave to first home on right, which is 17501 Gallagher Way. This is an “L” shaped walkway.

Shovel on right side from roadway to sidewalk that runs beside 17513 to the front property line of 17517 (straight sidewalk)

Shovel out mailboxes located in center parking configuration in front of row number 17518-17528

Shovel out fire hydrant located at parking finger to the right front of 17513 Gallagher Way.

## **Town Home Shoveling and Plowing (cont'd)**

### **Boastfield Lane** (access from Mac Duff Avenue)

Entry row of homes on right is 4501-4515 (8 homes)  
Entry row of homes on left is 4500-4512 (7 homes)  
Interior row of homes on left is 4516-4530 (8 homes)  
Second interior row of homes on left is 4534-4548 (8 homes)  
Interior row of homes on right is 4533-4519 (8 homes)  
Row of homes at bottom of court is 4549-4537 (7 homes)

Storm sewers are located at the bottom left side of the court in homeowner parking space in front of 4544 and on curbing in front of 4515 and 4519 Boastfield Lane.

### **Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

### **Shoveling**

Shovel entry common sidewalk on left from Mac Duff Ave to first home on left 4500 Boastfield Lane

Shovel entry common sidewalk on right from Mac Duff Ave to first home on right 4501 Boastfield Lane

Shovel of common sidewalk at parking lot that runs in front of row numbered 4534-4548 and all sidewalks that run through trees common area that link this sidewalk to the common sidewalk that is directly in front of homeowners town homes (Ladder configuration with three rungs)

Common sidewalk between 4512 and 4516 on left and sidewalk "T" intersect to roadway

Common sidewalk between 4513 and 4515 on right and sidewalk "T" intersect to roadway

Three (3) mailbox pads located at 4522 Boastfield Lane, across from 4545 Boastfield Lane and at 4507 Boastfield Lane

Fire hydrant located in Center Island across drive lanes from 4430 Boastfield Lane

**Town Home Shoveling and Plowing (cont'd)**

**17600 Block of Longview Lane** (access from Mac Duff Avenue)

Standard “U” shape design with interior parking both sides of center

- Entrance row of homes on right is 17601-17613 (7 homes)
- Entrance row of homes on left is 17600-17614 (8 homes)
- Interior row of home on right is 17617-17631 (8 homes)
- Interior row of homes on left is 17618-17630 (7 homes)
- Bottom row of homes is 17635-17649 (8 homes)

Storm sewer is located in a homeowner parking space at bottom of court in front of 17641 Longview Lane

**Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

**Shoveling**

Mailboxes pads located at 17614 and in Center Island across drive lanes from 17623 Longview Lane

Entry sidewalk from Mac Duff Avenue on left to 17600 Longview Lane. This is an “L” shaped walkway.

Entry sidewalk from Mac Duff Avenue on right to 17601 Longview Lane. This is an “L” shaped walkway.

Shovel common sidewalk that runs between rows from 17613 to 17617 Longview Lane on right side of court

Shovel out fire hydrant located at end of island near the mailbox cluster.

Shovel walkway at side of 17614 to the front property line of 17618 Longview Lane



## **Town Home Shoveling and Plowing (cont'd)**

### **17500 Block of Longview Lane** (access from Mac Duff Avenue)

“L” shape configuration

- Entrance row of homes on right is 17542 - 17532 (6 homes)
- Entrance row of home on left is 17519 - 17535 (8 homes)
- Entrance 2<sup>nd</sup> row of home on left is 17527-17519 (seven homes)
- Lower “L” row of homes on right is 17528 - 17514 (8 homes)
- Lower “L” row of homes on left is 17515 - 17501 (8 homes)
- Bottom of “L” row of homes is 17500 - 17510 ((6 homes)

Storm sewer is located in homeowner parking space in front of 17501 Longview Lane

### **Plowing**

Open court to two-way vehicular traffic, no parking spaces or storm sewer blocked with snow.

### **Shoveling**

Entry sidewalk to first home on left 17549 Longview Lane (straight walkway)

Entry sidewalk to first home on right 17542 Longview Lane (straight walkway)

Common sidewalk between rows on right side running between 17532 and 17528 Longview Lane - this is an “L” shape with a step.

Common sidewalk between 17535 and 17531 (straight walkway with step)

Mailbox pad located at side of 17528 Longview Lane at corner

Fire hydrant located at lower center island across drive lanes from 17528 Longview Lane

Asphalt path that begins at 17514 Longview and run to 4400 Fisherman's Court (this walkway runs behind Fisherman's Court town home row numbered 4401-4413)

**Attachment 3**  
**Snow Removal Company Insurance Certifications**

*Copies of the Snow Contractors Insurance Policy information shall be attached and made a part of the Contract.*