

## EXHIBIT A

### COROLLA PROPERTIES

- A. GENERAL REQUIREMENTS
1. The premises shall be maintained with a crisp, clean appearance free of any debris and all work shall be performed in a professional manner using quality equipment and materials.
  2. Contractor recognizes, that during the course of this Agreement, other activities and operations may be conducted by County work forces and/or other contracted parties. The Contractor may be required to modify or curtail certain tasks and operations and shall promptly comply with any request thereof by the Public Works Director or his representative.
- B. FACILITIES TO BE MAINTAINED
1. The facilities to be maintained under the provisions of this Agreement are as follows:
    - a. "Welcome to Currituck" sign and sight path from roadway (located just North of the Dare/Currituck County lines)
    - b. Southern Beach Access Facility & Beach Access pathways (Yaupon Lane just North of Pine Island)
    - c. Four Public Parking lots in Whalehead Subdivision located at the corners of Whalehead Drive/Shad Street and Whalehead Drive/Sturgeon Street; Whalehead Drive at Sailfish Street, and Whalehead Drive at Bonito Street.
    - d. Six current drainage project properties: Marlin Walkway from Lighthouse Drive to Corolla Drive; Coral Walkway from Lighthouse Drive to Corolla Drive; Barracuda Walkway from Lighthouse Drive to Corolla Drive; Herring Walkway from Lighthouse Drive to Corolla Drive; Mackerel Walkway from Lighthouse Drive to Corolla Drive; and Sailfish Walkway from Lighthouse Drive to Corolla Drive.
    - e. County Offices located at 1123 Ocean Trail (includes irrigation system turn on and winterizing).
    - f. Multi-purpose path beginning at The Whalehead Club entrance continuing north to the North Beach Ramp, (4 wheel drive only entrance), including pocket parks.
  2. Contractor acknowledges personal inspection of the facilities and the surrounding areas, and has evaluated the extent to

which the physical condition thereof will affect the services to be provided. Contractor accepts the premises in their present physical condition, and agrees to make no demands upon the County for any improvements or alterations thereof.

C. CERTIFICATIONS/REPORTS

1. Contractor shall maintain and keep current a daily report form that records all maintenance functions performed by Contractor's personnel. Said report shall be in a form and content acceptable to the Public Works Director and shall be submitted monthly to the Public Works Department. **Monthly payments will not be made until such report is received and deemed acceptable by the Public Works Director.**

At the time the monthly progress report is submitted, a schedule of the next month's activities shall also be submitted. The Public Works Department retains the right to alter this schedule if it feels that it is in the best interest of the County.

D. CONTRACTOR'S DAMAGES

1. All damages incurred to existing facilities, trees, shrubbery, ground cover, etc., by the Contractor's operations, shall be repaired or replaced at the Contractor's expense.
2. All such repairs or replacements shall be completed within the following time limits:
  - a) All damages to shrubs, trees, turf, or ground cover shall be repaired or replaced within five (5) working days.
  - b) Trees - Minor damage such as bark lost from impact of mowing equipment shall be remedied by a qualified tree surgeon or arborist. If damage results in loss of a

tree, the damaged tree shall be removed and replaced to comply with the specific instructions of the Public Works Director.

- c) Shrubs - Minor damage may be corrected by appropriate pruning. Major damage shall be corrected by removal of the damaged shrub and replacement of same.
- d) Chemicals - All damage resulting from a chemical operation, either spray-drift or lateral-leaching, shall be corrected, and the soil shall be conditioned to insure its ability to support plant life.
- e) Other - Any other damage resulting from Contractors' acts shall be remediated according to the written instructions of the Public Works Director.

E. INTERPRETATION OF THE MAINTENANCE SPECIFICATIONS

Interpretation of the specifications, by the Public Works Director, shall be final.

F. INQUIRES AND COMPLAINTS

1. Contractor shall provide the County with a feasible and workable plan of communication. This can be done by an available telephone number, beeper, or other means of communications. It is necessary that the County be able to contact the Contractor during normal working hours.
2. All complaints, submitted to the Contractor from the County, shall be remedied within a reasonable time span, to be dictated by the Public Works Director. If, within a specified time span, the complaint is not abated, the Public Works Director may correct the specific complaint and the total cost incurred by the County will be deducted from the payments owed to the Contractor by the County.

G. SAFETY

Contractor agrees to perform all work outlined in this Agreement in such a manner as to meet all accepted standards for safe practices during the maintenance operation, and further agrees to accept the sole responsibility for complying with all local, county, state, or other legal requirements including, but not limited to, full compliance of the terms of the applicable O.S.H.A. regulations so as to protect all persons, including Contractor's employees, agents of the County, vendors, members of the public, or others from foreseeable injury, or damage to their property.

H. CONTRACTOR'S STAFF

1. The Contractor shall provide sufficient personnel to perform all work in accordance with the specifications set forth herein.
2. Contractor shall transfer or discharge any employee whose conduct or activity shall, in the reasonable exercise of discretion by the Public Works Director, be deemed detrimental to the interest of County employees or of public citizens who patronize the premises. Contractor shall transfer or discharge any such person within a reasonable time following notice thereof from the Public Works Director and such person shall not be used at any County facility contracted for and maintained by the Contractor.
3. The Contractor shall require each of his employees to adhere to basic public works standards of working attire. These are basically: proper shoes and other gear, and proper wearing of clothing.

I. NON-INTERFERENCE

Contractor shall not interfere with the public use of the premises and shall conduct its operations as to offer the least possible obstruction and inconvenience to the public or disruption to the peace and quiet of the area within which the services are performed.

J. USE OF CHEMICALS

1. All work involving the use of chemicals shall be in compliance with all federal, state, and local laws.
2. Chemicals shall only be applied by those persons possessing a valid North Carolina license. Application shall be in strict accordance with all governing regulations.
3. Chemicals shall be applied when air currents are still, preventing drifting onto adjacent property and preventing any exposure to persons whether or not they are in or near the area of application. Chemicals shall be applied in a manner to limit drift to six inches. Precautionary measures shall be employed since all area will be open for public access during application.

K. MOWING

1. Mowing shall be performed in a workmanlike manner that ensures a smooth appearance without scalping or allowing excessive cuttings to remain.
2. All equipment shall be adjusted to the proper height and shall be adequately sharpened.
3. Turf shall be mowed with a reel-type mower equipped with rollers or a rotary-type mower.
4. Mowing height shall be maintained at a height ranging between 2 1/2 - 4 inches for all turf areas. Exceptions may be given in writing. Upon notification from the Public

Works Department, mowing heights may vary for special events and conditions.

5. Mowing shall be accomplished so as to avoid scalping, rutting by tractor/mower tires, and uneven rough cutting.
6. Grass clippings shall not be windrowed.
7. Before each mowing, the Contractor shall remove all debris, trash, stones, limbs, etc.
8. Steep banks, ditch lines, etc. may be mowed by riding machine, hand machine, or by string mower (weed eater), but in any case the Contractor shall avoid rutting to cause damage to the turf and promote erosion. Any such damage will be corrected by the Contractor at his expense, or corrected by the County and the cost subtracted from the Contractor's fixed price.
9. Note that grass areas may extend onto State right-of-ways, and may include State ditch line, sidewalks, or curb and gutter which must be maintained as the remainder of the parcel.
10. Unless notification is given, in writing, all areas within a facility shall be mowed and trimmed with each operation performed. This includes hills, depressions, in and around all trees and shrubs, ditch lines, around all structures, rip-rap areas, lake banks, etc. If an area is impossible to cut with a mower, the contractor may use a string cutter. Once the ditch line or other problem area is cut, permission may be granted to use a chemical to retard growth.
11. Immediately following each mowing, all walkways, drives, and other paved areas shall be cleaned of all grass debris.

1. All walking paths, trails, paths, paved areas, and play areas, flower beds, shrubbery beds, and mulched areas shall be kept weed and grass free.
2. All turf edges, including but not limited to, sidewalks, patios, drives, curbs, parking lots, shrub beds, flower beds, ground cover beds around all mulched beds must be edged to a neat and uniform line.
3. Any and all structures, fence lines, around tree bases, shrubs, headwalls, rip-rap areas, sign posts, steps, buildings or other structures, walking tracks, lake and stream banks, walls, stumps, posts, or anything protruding from the ground shall be neatly trimmed.
4. All ground cover area and mulched areas shall be kept neatly edged and all grass and weed invasions eliminated.
5. All leaves, fallen limbs, and other shrub and tree debris shall be removed.

M. CHEMICAL EDGING AND DETAILING

Chemical edging may be used only in and around areas approved by the Public Works Director. PRIOR TO APPLICATION OF CHEMICALS, ALL AREAS SHALL BE TRIMMED TO PROPER MOWING HEIGHT. STRING TRIMMER MAY BE USED INSTEAD OF MOWER TO GET GRASS TO PROPER HEIGHT.

N. VEGETATION CONTROL

1. All grasslike type weeds, morning glory or vineweed types, ragweed or other spreading weeds shall be kept under strict control. Vines shall be prevented from growing up onto shrubbery, trees, buildings, or any other structure.
2. The following areas shall be kept free from weeds and invasive grass: roadways, driveways, sidewalks, parking

lots, patios, drainage basin areas, curbs and gutters, cracks and expansion joints in all hard surfaces.

3. All flower beds, shrub beds, planters, and other cultivated areas shall be kept free from weeds and grass.
4. Weeds or grass being killed using chemicals shall be left in place per manufacturer's recommendation. If kill is not complete by the time specified in the manufacturer's recommendation, a second application shall be made. After complete kill, all dead weeds and grass shall be removed from the area.
5. All gravel lots, walking tracks, rip-rap ditches, cracks and expansion joints between paved areas in sidewalks, parking lots, and other paved areas, drain fills, etc. shall be treated with an approved commercially available herbicide to eliminate all vegetation growth. It will not be acceptable to let the grass and weeds get high and then spray them and leave them in an unsightly manner. The grass and weeds in ditches, around structures, trees, etc. should be cut to a height to blend with the remainder of the mowed grass, and then sprayed to retard the growth.

O. PEST AND DISEASE CONTROL

All turf areas, shrub beds, flowers beds, ground cover beds and trees shall be kept pest and disease free so as to promote healthy growth.

P. WEED CONTROL, PEST CONTROL, AND CHEMICAL SPRAY - FREQUENCY

As needed.

Q. LITTER CONTROL

All litter shall be removed from the grounds.

R. SWEPT AREAS



All curb and gutters, walking paths, and paved areas shall be swept and all debris removed in order to maintain a neat, clean appearance.

S. CURBS - SIDEWALKS - PATIOS, ETC.

All leaves, grass trimmings, twigs, etc. shall be removed from curbs, sidewalks, driveways, patios, and all paved areas.

T. LEAF REMOVAL

Leaf build-up in gutters, along fence lines, etc. shall be removed on a regular basis. For heavy accumulation, such as seasonal build-up in the fall of the year, the Contractor will be expected to remove said leaves within a reasonable period of time so as not to damage turf or prevent water flow in driveway gutters.

U. SEASONAL AND SPECIALTY TASKS

Seasonal and specialty tasks shall be performed at least once per year. In some instances more than one operation may be necessary.

V. PRUNING AND TRIMMING OF GROUND COVER AND SHRUBBERY

1. Ground cover: All dead, diseased and unsightly branches shall be removed. All ground cover areas shall be pruned to maintain a neat edge along beds. Any runners that start to climb buildings, shrubs, or trees shall be pruned out of these areas.

2. Shrubbery: All dead, diseased, and unsightly branches shall be removed. Shrubbery will be trimmed by using accepted horticultural practices that are aesthetically pleasing without damaging the plant. Shrubs shall be pruned to encourage healthy growth habits, and for shape in order to retain their natural form and proportionate size. Shrubbery growth shall be restricted to the area behind curbs and

walkways and within beds. All plant material shall be pruned to allow for safe, and easy vehicular and pedestrian visibility and access.

W. MAINTAIN MULCHED AREAS

Twice a year, when appropriate, Contractor shall replenish all mulched areas including flower beds, mulched wooded areas, trees, shrub beds, etc.

X. Multipurpose path from North side of Whalehead Club entrance along Hwy 12 to the North Beach Ramp

The pocket park along the multi-purpose path is under contract separate from this Agreement.

The multi-purpose path is to be maintained free and clear of all vegetative growth, overgrowth, litter, vegetative debris and sand. The path is to be edged as needed to prevent vegetation from growing onto the path.