

**Sample Contract Language for Property Managers**

*The contract language below is designed to assist property managers if they hire an outside landscape contractor to transition their areas of nonfunctional lawns into new, water-wise landscapes. The contract language has been adapted from agreements developed by the California Landscape Contractors Association and the U.S. Environmental Protection Agency’s WaterSense program.*

*Contract details may change depending on the site's condition, climate, and the scope of the work being done. It is not designed to be comprehensive, but to provide an overview of details to include or discuss with the landscape contractor.*

**SAMPLE CONTRACT LANGUAGE FOR THE INSTALLATION OF WATER-WISE LANDSCAPES**

* Contractor shall be solely responsible for the performance of the work, the maintenance of the worksite, the care and storage of materials, and the observance of safety in the execution of the work. All activities shall be conducted in compliance with local municipal and public water system codes, as well as with best management practices as specified in the Assembly Bill 1572 guidance.
* Special care and attention will be given to protect existing trees during the removal of the surrounding lawn, including the protection of the tree’s roots, the use of physical barriers to protect trunks, the avoidance of soil compaction within the critical root zone, and supplemental irrigation during the transition period to maintain tree health.
* The topsoil will be evaluated to ensure that it is of sufficient quantity and quality to support the new landscape. If deficiencies are found, compost and soil amendments shall be added to improve structure, fertility, and water-holding capacity.
* The plants chosen will be water-wise, with a priority given to native and low-water-use plants, and shall adhere to any plant list requirements for eligible rebates as applicable. Selections shall support local biodiversity (e.g., pollinator species) and consider sun/shade conditions, mature size, and be grouped by hydrozones for irrigation efficiency.
* Contractor will replace/upgrade the existing irrigation system with WaterSense-labeled models (e.g., WaterSense-labeled irrigation controllers, WaterSense-labeled spray sprinkler bodies for alternative ground cover and native grasses), as well as drip irrigation as specified in the irrigation system plan. System design must support hydrozoning, include pressure regulation, and feature check valves where necessary to prevent low-head drainage.
* Matched precipitation will be maintained within each irrigation zone. The system design shall prevent runoff and overspray and conform to the Maximum Applied Water Allowance (MAWA) as set forth by the Model Water Efficient Landscape Ordinance (MWELO).
* Contractor will be responsible for programming and adjusting the irrigation controller on a seasonal basis to meet the plant’s water needs. The irrigation schedule must ensure the healthy growth of the new plantings and that the watering schedule meets local requirements.
* Contractor warrants that all materials and equipment will be new unless otherwise specified. Plants shall be guaranteed for a minimum of 90 days post-installation, and irrigation components are guaranteed for at least one year.
* Irrigation system components will be inspected to verify efficient operation and ensure they provide uniform water distribution and are free from leaks or blockages, and do not cause runoff or overwatering. Any issues such as clogged emitters, leaks, pressure problems, runoff, pooling, or overspray areas shall be corrected.
* Three to five inches of mulch will be added to plant beds and around trees to help reduce evaporation and control weed growth. Mulch shall be kept at least six inches away from tree trunks and plant crowns to prevent rot. Contractor will check local fire code or defensible space regulations for any mulch requirements or restrictions on placement near structures.
* Contractor shall document all work and expenses for materials (including the individual cost for each material item) in a manner that meets the requirements for applicable rebates.

**SAMPLE CONTRACT LANGUAGE FOR MAINTENANCE OF WATER-WISE LANDSCAPES**

* Approximately three to five inches of mulch will be added each year to plant beds and around trees to reduce evaporation and help prevent weed growth. Mulch will be maintained to avoid direct contact with trunks/stems and shall not exceed three inches in areas with limited root oxygen. Additionally, the contractor will check local fire code or defensible space regulations for any mulch requirements or restrictions on placement near structures.
* The irrigation system will be checked monthly for issues such as leaks, broken drip irrigation lines, runoff, and overwatering. Any problems found will be addressed and resolved within 48 hours.
* Watering schedules will be reviewed for seasonal appropriateness and local public water system requirements.
* The landscape will be kept free of weeds so that water is available for plants. Mulch and dense planting strategies will be prioritized to naturally suppress weed growth and reduce the need for chemical intervention.
* The soil will be aerated and amended annually to enhance water absorption and maintain a healthy landscape. Compost and other organic amendments will be applied based on soil test results to maintain biological activity, water-holding capacity, and nutrient levels.
* The landscape will be checked regularly to ensure the healthy growth of plants. Integrated Pest Management (IPM) strategies should be used, prioritizing non-chemical solutions first. Any plant mortality shall be documented, and replacements recommended.
* Pruning, thinning, and shaping of shrubs, trees, and vines shall be done regularly to maintain the aesthetic of the landscape and meet other conditions, such as keeping a clear path along sidewalks or entranceways and adherence to fire-safety best practices. The work will be done by a certified professional Arborist and/or landscape contractor with a knowledge and understanding of best practices, such as seasonal timing and clean cuts.
* Plants shall be monitored for healthy growth, and recommendations will be provided for addressing any noted plant nutrient deficiencies using organically approved fertilizers and soil amendments. Excessive fertilizer use shall be avoided to prevent contaminated runoff to creeks or infiltration of groundwater.



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