

VIRGINIA DEPARTMENT OF TRANSPORTATION
SPECIAL PROVISION FOR
SECTION 110.05 - Construction Safety and Health Standards
0095-96A-106, PE-101, C-504

June 20, 2002

Add the following to 110.05:

1.1 Initial Safety Plan

Within fifteen (15) calendar days after the Pre-construction conference the Contractor shall submit a written initial project/site specific safety plan ("Initial Safety Plan") that complies with the requirements of the Specifications. The Initial Safety Plan shall address all on-site activities anticipated within the first ninety (90) calendar days of the Contract time.

1.2 Safety Plan

Within sixty (60) calendar days of the written Notice to Proceed date the Contractor shall submit a written project / site specific Safety Plan ("Safety Plan") that covers all Work and which complies with the requirements of the Specifications. Incomplete or generic Safety Plan submittals are not acceptable and will be returned without review. The Contractor is responsible for the review of the specific safety requirements, as inherent in the scope of the Project Work or implied by the Contract, for the analysis of planned methods of operation, and for the incorporation of any additional specific or unique safety requirements or measures in the Safety Plan. The Safety Plan shall be Project / Site specific and address eliminating or controlling hazards, exposures and risks endemic to the site and the Work to be performed.

The Safety Plan shall:

- (a) Acknowledge that the Contractor is responsible to be in compliance with all Federal and State requirements and other applicable rules and orders that require employers to provide a safe and healthy workplace.
- (b) Outline administrative responsibilities for implementing the Safety Plan, and identify and define the personnel accountable for incident prevention. Incidents include, but are not limited to, employee injuries, equipment and property damage, fires, and injury to the public. Include the name of the Contractor's Primary Safety Representative, delineating his/her authority to direct work stoppage and cause the elimination or correction of hazardous conditions.
- (c) Establish performance objectives for all line supervisors for the achievement of a zero incident goal.
- (d) Develop the means for coordinating and controlling work activities of contractors, subcontractors, and suppliers.
- (e) Provide for on-going safety inspections of work sites, material, and equipment to ensure compliance with the Safety Plan. All Safety Plans shall include at a minimum the requirements set forth in Appendix A.

8/14/02

1.3 Safety Operations

The Contractor shall:

- (a) Post the following in a jobsite location visible to all personnel:
 - i. Emergency procedures.
 - ii. Emergency phone numbers.
 - iii. Job safety and health poster.
 - iv. Notice of Workers Compensation carrier.
 - v. OSHA 300 Logs
 - vi. Location of MSDS documents
- (b) Submit accident and incident reports to the Engineer within one week of completion of the Contractor's investigation, and submit quarterly OSHA 300 logs to the Engineer within one week of their availability.
- (c) Assign a Contractor's Primary Safety Representative to each shift of construction. Non-exempt subcontractor(s) shall appoint a Subcontractor's Primary Safety Representative. A Contractor's Primary Safety Representative (and Subcontractor's Primary Safety Representative, if applicable) shall be responsible for the administration of the Safety Plan. The Contractor's Primary Safety Representative (and Subcontractor's Primary Safety Representative, if applicable) shall have no other duties that could inherently conflict with his / her abilities to fulfill these safety related duties. Duties that would inherently conflict include production supervision and production management. A non-exempt subcontractor is defined as one that has a subcontract valued in excess of one million dollars and who is not otherwise exempted under section 1.3.
- (d) Designate a Competent Person for each shift.
- (e) Develop a Job Safety Analysis ("JSA") for high-risk operations prior to their commencement, and review specific JSA requirements with their employees involved. High-risk operations include those involving any shoulder or lane closure; any excavation greater than 6' in depth; pile driving; concrete placements involving cranes or pumps; and setting the following: structural steel, precast concrete girders, overhead sign structures, signals, and high mast lighting. A copy of the JSA form is included at Appendix "B". Copies of completed JSA forms shall be kept on file at the Contractor's Field Office and made available on request by the Engineer.
- (f) Ensure that all of its subcontractors and suppliers are provided with a copy of Contractor's Project / Site Specific Safety Plan and are informed of their obligations with regard to safety.
- (g) Immediately address noted deficiencies upon observation. Where deficiencies cannot be corrected immediately, the Contractor shall develop a corrective action plan outlining the procedures and schedule for completion.
- (h) Notify the owner of all written or oral warnings of safety violations/citations within 24 hours upon their receipt.
- (i) Employ any additional measures that are reasonably necessary for project safety.

Note: The Engineer is under no obligation to detect safety issues or issue a notice of deficiency. Neither the Engineer's giving of a notice of deficiency, nor the Engineer's failure

to give a notice of deficiency, shall relieve the Contractor of its obligations, under any applicable law or otherwise, to provide a safe workplace and to comply with safety regulations, and the Contractor is obligated to provide whatever additional measures may be required to meet the needs of the existing circumstances.

1.3 Exemptions

The following are exempt from the requirements of this Special Provision:

- (a)** General Contractors or subcontractors who are certified by the International Organization for Standardization ("ISO certified") at the time of receipt of bids and who continuously maintain ISO certification for the duration of the contract.

In the case of a joint venture, each joint venture partner must be ISO certified. Should a Contractor or subcontractor lose its ISO certification during contract performance, the Contractor or subcontractor will lose its exemption. Once lost, an exemption cannot be reinstated. For the purpose of determining submittal dates in the event the Contractor or subcontractor loses its exemption, the date that the Contractor or subcontractor loses its ISO certification shall be regarded as the date of the pre-construction conference.

- (b)** Off site fabricators and suppliers.
- (c)** If the Contractor is exempt and one or more of its subcontractors are non-exempt, then each non-exempt subcontractor shall prepare and submit a Safety Plan that is acceptable to the Contractor. The Contractor shall forward a copy of each Contractor-approved subcontractor Safety Plan to the Department for information and file, within thirty (30) days of the Contractor's issuance of Notice to Proceed to the non-exempt subcontractor.

1.4 Payment

The price for safety requirements under this Special Provision will be considered incidental to the entire work, and shall not be measured for payment but be included in the other items bid. The Contractor's submittal and the Department's acceptance of the Contractor's Safety Plan is a condition precedent to payment of the Contractor's second mobilization payment.

APPENDIX A

MINIMUM BASIC OUTLINE FOR PROJECT / SITE SPECIFIC SAFETY PLAN

1. SIGNATURE SHEET. Title, signature and phone number of the following:
 - a. Plan preparer (e.g., corporate safety staff person, project safety person)
 - b. Plan approver (e.g., owner, company president, regional vice president)
 - c. Plan concurrence (provide concurrence of other applicable corporate or project personnel)
2. BACKGROUND INFORMATION.
 - a. Contractor
 - b. Contract number
 - c. Project name
 - d. Brief project description, description of work to be performed, and location (map)
 - e. Contractor accident experience (provide information such as EMR, OSHA 200 / 300 Forms)
3. STATEMENT OF SAFETY AND HEALTH POLICY. (In addition to the corporate policy statement, a copy of the corporate safety program may provide a significant portion of the information required by the accident prevention plan.)
4. RESPONSIBILITIES AND LINES OF AUTHORITIES.
 - a. Identification and accountability of personnel responsible for safety- at both the corporate and project level.
5. SUBCONTRACTORS AND SUPPLIERS. Provide the following:
 - a. Identification of subcontractors and suppliers
 - b. Means for controlling and coordinating subcontractors and suppliers
 - c. Safety responsibilities of subcontractors and suppliers
6. TRAINING.
 - a. List subjects to be discussed with employees in the safety indoctrination
 - b. List mandatory training and certifications which are applicable to this project (e.g., explosive-actuated tools, confined space entry, crane operator, diver, vehicle operator, HAZWOPER training and certification, personal protective equipment, etc.) and any requirements for periodic retraining / recertification
 - c. Identify requirements for emergency response training.
 - d. Outline requirements (who attends, when given, who will conduct, etc.) for supervisory and employee safety meetings
7. SAFETY AND HEALTH INSPECTIONS. Provide details on:
 - a. Who will conduct safety inspections (e.g., project manager, safety professional, supervisors, designated / trained employees, etc.), when inspections will be conducted, how inspections shall be recorded, deficiency tracking system, follow-up procedures, etc.
8. SAFETY AND HEALTH EXPECTATIONS, INCENTIVE PROGRAMS, AND COMPLIANCE
 - a. The company's written safety program goals, objectives and accident experience goals for this contract should be provided.
 - b. A brief description of the company's safety incentive programs (if any) should be provided.
 - c. Policies and procedures regarding noncompliance with safety requirements (to include disciplinary actions for the violation of safety requirements) should be identified.

- d. Provide written company procedures for holding managers and supervisors accountable for safety.
9. ACCIDENT REPORTING. The contractor shall identify who shall complete the following, how and when:
- a. Exposure data (personnel hours worked)
 - b. Accident investigations, reports and logs
 - c. Immediate notification of major accidents
10. MEDICAL SUPPORT. Outline on-site medical support and off-site medical arrangements.
11. PERSONAL PROTECTIVE EQUIPMENT. Outline procedures (who, when, how) for conducting hazard assessments and written certifications for use of personal protective equipment.
12. PLANS (PROGRAMS, PROCEDURES) REQUIRED BY THE APPLICABLE REGULATIONS. The contractor shall provide information on how he will meet the requirements of major sections of Title 29 CFR 1910 and 1926 in the Project / Site Specific Safety Plan. Particular attention shall be paid to excavations, fall protection, scaffolding, medical and first aid requirements, sanitation, personal protective equipment, fire prevention, machinery and mechanized equipment, electrical safety, public safety requirements, and chemical, physical agent and biological occupational exposure prevention requirements. Detailed site-specific hazards and controls shall be provided in the job safety analysis for each phase of the operation, not in the program.

Construction Safety and Health Standards

April 30, 2002

APPENDIX B

JOB SAFETY ANALYSIS

Activity _____

ANALYZED BY/DATE _____

PRINCIPAL STEPS	POTENTIAL SAFETY / HEALTH HAZARDS	RECOMMENDED CONTROLS
<i>Identify the principal steps involved and the sequence of work activities.</i>	<i>Analyze each principal step for potential hazards</i>	<i>Develop specific controls for each potential hazard</i>
EQUIPMENT TO BE USED	EQUIPMENT INSPECTION REQUIREMENTS	TRAINING REQUIREMENTS
<i>List equipment to be used in the work activity</i>	<i>List equipment inspection requirements for the type of equipment utilized for the work activity</i>	<i>List training requirements, including hazard communication</i>