SPECIAL CONDITIONS - SAFETY

The following SPECIAL CONDITIONS - SAFETY supplement and/or modify the GENERAL CONDITIONS. Paragraphs in italics are reprints of the General Conditions brought forward for contractor convenience.

2.1 CONSTRUCTION PROCEDURES

2.1.1 The Contractor shall be responsible for and have control over all construction means, methods, techniques, sequences and procedures for all portions of the Contractor’s Work and shall be responsible for any injury or damage which may result from improper construction, installation, maintenance or operation to the fullest extent permitted by law.

2.1.4 The Contractor shall not cut away any structure or dig under any foundation or into any wall, or other part of the Project, without the written approval of the Associate.

2.1.4.1 The Contractor shall comply with the University’s written procedures for underground and concealed utility identification which shall be obtained through the Project Administrator.

2.1.4.1.1 Prior to excavation, or any work that involves piercing the earth, a digging permit shall be initiated by the contractor and authorized by the Project Administrator for the purposes of locating underground utilities in the vicinity of the excavation. The Contractor shall comply with the University’s “Underground and Concealed Utility Identification Procedure and Digging Permit”, which shall be obtained through the Project Administrator.

2.1.4.1.2 A new “digging permit” must be issued for each work operation within a given area. For example, a permit would be issued for excavating and grading for a sidewalk. A separate permit would be issued if a different crew would come later to form the walks and drive stakes into the ground.

2.1.4.1.3 If utility markings are erased by traffic, rain, etc., the area must be re-marked before work can continue.

2.1.6 The Contractor shall comply with all requirements and conditions of the National Pollutant Discharge Elimination System (NPDES) general permit, including, but not limited to, implementing and maintaining the
control measures specified in the storm water pollution prevention plan, maintaining records of construction activities, removing materials no longer required and taking proper action if there is a reportable quantity spill.

2.2 CONSTRUCTION SUPERVISION

2.2.1 The Contractor shall provide continuous supervision at the Project by a competent superintendent when any Work is being performed, unless waived by the University.

2.2.6 The Contractor shall designate a qualified site safety representative, and as certain activities may require a competent person, who shall be on site when any work is being performed.

2.3 PROTECTION OF THE PROJECT

2.3.2 Unless otherwise specified in the Contract Documents, the Lead Contractor shall protect the Project and existing or adjacent property from damage at all times and shall erect and maintain necessary barriers, furnish and keep lighted necessary danger signals at night, and take precaution to prevent injury or damage to individuals or property.

2.3.2.1 Construction work being done in an area that must be kept in operation shall incorporate appropriate containment barrier(s) to control dust, dirt, vapors, and odors. Contractor shall submit a plan indicating location and type of barriers and proposed method of controlling dust, dirt, vapors, and odors, and maintaining safe occupant flow around the work area.

2.3.2.2 The Lead Contractor with the assistance of University personnel, shall identify all air intake louvers on buildings within 200 feet, and provide a temporary filter over the louvers to prevent airborne particles from entering the HVAC system.

2.3.2.3 Should the Contractor fail to provide appropriate containment barriers and/or should the occupants experience adverse health effects, outside the barrier, the University reserves the right to issue a stop work order until the condition has been corrected. Cost incurred, resulting from this stop work order, shall be paid by the Contractor.

2.3.2.4 A minimum of 5 foot-candles shall be provided for building construction. Lighting removed by the Contractor during construction shall be replaced with adequate temporary lighting during the time of construction.
2.3.2.5 Barricades, fences and guardrails shall be constructed and warning signs shall be posted in accordance with ANSI Standard Z35.1. Specifications for Accident Prevention Signs shall be used to meet these specifications.

2.3.2.6 The Lead Contractor shall videotape the project site prior to the start of the project. Videotape shall be given to the University Project Representative after taping.

2.5 **LABOR**

2.5.1 *The Contractor shall maintain a sufficient workforce and enforce good discipline and order among its employees and the employees of the Contractor’s Subcontractors and Material Suppliers. The Contractor shall not permit employment of individuals not skilled in tasks assigned to them.*

2.5.2 *The Contractor shall dismiss from the Project any individual employed by the Contractor or the Contractor’s Subcontractors and Material Suppliers who is found by the University, to be incompetent, guilty of misconduct, or detrimental to the Project.*

2.5.2.1 Progressive disciplinary action is required in order to provide uniform and equitable action for all contractors and their employees to ensure that the safety and work rules are taken seriously and adhered to. Violations of the established safety program shall result in the following:

- First violation: documented verbal warning to the individual and his/her employer.
- Second violation: written warning to the individual and his/her employer; copy to the University’s Project Representative.
- Third violation: dismissal from the project, copy to the Project Representative and to Purchasing.

2.6 **SAFETY PRECAUTIONS**

2.6.1 *The Contractor shall take all necessary precautions to ensure worker safety, shall be responsible for the safety of individuals on the Project and shall comply with all applicable provisions of federal, State and local safety laws and building codes to prevent injury to individuals on or adjacent to the Project.*

2.6.1.1 Non-Metallic hard hats, meeting ANSI Z89.1 latest edition, shall be worn at all times by all personnel at the work site. This
requirement specifically includes all work completed during the finish stages of the project. Hard hats shall be worn with the brim facing forward, unless a welding hood or other such device is being used.

2.6.1.2 100% eye protection is required at the work site. Safety glasses (including prescription safety eye wear) with permanently attached side shields, meeting ANSI Z87.1, latest issue, shall be worn.

2.6.1.3 It is the policy of the University of Cincinnati to provide a quality workplace environment for the learning experiences of teaching, education, work, patient care and research which meets or exceeds applicable federal, state and local standards for health and safety. The University policy includes procedures relating to emissions by air, by liquid-carried wastes, by solid and hazardous waste disposal, or by sonic, radioactive, or electromagnetic radiation.

2.6.1.4 Equipment specification, work practices standards, and design principles are adopted by the University to effectuate this safety policy. Contractors hired by the University shall be responsible for following and implementing practices designed to minimize risk and thereby avoid harmful exposure to chemicals, biological, or radiological substances, and physical or mechanical hazards.

2.6.1.5 The Contractor shall assure fall protection measures (i.e., but not limited to, personal fall arrest systems, safety net systems or guardrails meeting OSHA requirements) are in use whenever a fall hazard of six feet or greater exists for any worker under this Contract (including, but not limited to, workers involved in steel erection).

2.6.1.6 It is the policy of the University of Cincinnati to require Contractors hired by the University to use facilities and equipment in prescribed manners so as to avoid injury and health damage to themselves, others, and the environment.

2.6.1.7 Contractors who work on the University’s East Campus are required to obtain University identification badges for all their employees prior to the employee starting work on the site. All identification badges are to be returned to the University at the completion of the project.

2.6.1.8 The Contractor shall coordinate and comply with the University’s established lockout/tagout procedure whenever a
system is to be de-energized. A copy of this procedure shall be furnished to the successful bidder upon request.

2.6.1.9 The Contractor shall ensure that all employees working in confined spaces maintain the appropriate certification. Employees shall carry documentation of this certification during confined space activities.

2.6.1.10 Safe Plan of Action.

2.6.1.10.1 The “Safe Plan of Action” is a required and documented meeting of each construction work crew and their immediate supervisor prior to beginning a new work operation.

2.6.1.10.2 Crews are to survey the work area, plan and review the job task, identify the hazards of the work, and finally eliminate the hazards through personal protective equipment, engineering controls, etc. If the work crew is unable to eliminate the hazards, the work is simply postponed until it can be done safely.

2.6.1.10.3 A “Safe Plan of Action” form and sign-in sheet shall be obtained through the Project Administrator. Copies of the executed forms shall be retained at the project site.

2.6.1.11 The contractor agrees to abide by all established health and safety policies, advisories and procedures of the University’s Environmental Health and Safety & Radiation Safety offices. These policies include, but are not limited to, no food, drink, gum or tobacco products and no application of cosmetics (e.g., lip balm) in any laboratory environment and watching for hazardous material signage. Prior to working in areas where hazardous material signage is present contractors shall contact an appropriate representative of the University of Cincinnati and ensure the contractor is made aware of and then abides by applicable safety requirements. Progressive penalties may be applied for non-compliance of health and safety policies and procedures. The penalties may include requiring selected individuals to not work under a contract, fines and/or suspension of contractors/subcontractors from future bid processes.

Contractors are to refer to the University Architect’s Office website for links to the Environmental Health and Safety &
Radiation Safety office’s websites for their programs and policies.

2.6.1.11 Contractors, sub-tier contractors, and term contractors shall require their prevailing wage and field supervisory workers to participate in the COATS Substance Abuse and Drug Testing Program. Information about the program can be found on the Midwest Toxicology website www.midwesttoxicology.com, click on University of Cincinnati – COATS Program.

2.6.2 The Contractor shall comply with the rules and regulations of the Department of Labor, Occupational Safety and Health Act (OSHA). The Contractor shall be responsible for any fine or cost incurred as a result of any violation or alleged violation.

2.6.3 Prior to the start of any Work, the Lead Contractor shall provide and inform all Contractors of the methods and equipment for protecting the Project, other property and individuals from fire damage, in accordance with applicable fire regulations.

2.6.3.1 It shall be the responsibility of each Contractor to take the proper precautions to prevent fires when welding or while other fire-hazardous work is being performed.

2.6.3.2 When construction operations require welding, cutting or burning, the Contractor shall obtain a Permit for Welding and Cutting Operations from the University’s Department of Public Safety, Fire Prevention Unit through the Project Representative.

2.6.3.3 Gasoline and other flammable liquids shall be kept in approved safety cans at all times.

2.6.3.4 Provide temporary fire extinguishers as required by Federal, State, and Local Occupational Safety and Health Regulations for Construction, and fire codes.

2.6.3.5 Comply with requirements of applicable safety regulations during hook-up, use and removal of temporary controls, facilities and utilities.

2.6.3.6 Smoking shall not be permitted in any area of new construction once it is under roof. Smoking is prohibited in University occupied buildings.
2.6.4 Methods and equipment for protecting the Project, other property and individuals shall be subject to inspection and approval of the appropriate authority having jurisdiction over the Project site.

2.6.5 Work Stoppage Due to Hazardous Materials

2.6.5.1 In the event the Contractor, other than a licensed abatement Contractor encounters materials reasonably believed to be containing asbestos, polychlorinated biphenyl (PCB) or other hazardous waste or material, which has not been rendered harmless, the Contractor shall immediately stop Work in the area affected and verbally report the condition to the Associate and within one (1) business day issue notice of the condition in writing via facsimile to the Associate. A licensed abatement Contractor that encounters unexpected hazardous waste or materials shall report the condition to the University and the Associate in writing and shall remove the material or render it harmless as directed.

2.6.5.2 The Work in the affected area shall be resumed upon written notification from the Associate that the material is removed or rendered harmless.

2.6.5.3 The term “rendered harmless” shall mean that the level of exposure is less than any applicable exposure standards set forth in OSHA or other applicable regulation.

2.6.5.4 The University shall be responsible for off site disposal of unforeseen hazardous materials encountered during the course of the work.

2.6.5.5 University trash receptacles and sanitary drains shall not be used for the disposal of any construction debris or hazardous materials.

2.6.6 Materials to be used at the Project site shall be identified by a Material Safety Data Sheet (MSDS). The Contractor shall assemble all of its applicable MSDS in a notebook and submit it to the Lead Contractor prior to a material being brought to the Project site. The Lead Contractor shall maintain all MSDS notebooks at the Project site for the duration of the Project.

2.6.7 SITE SAFETY

2.6.7.1 Dust, dirt, vapors and odors shall be controlled so as to prevent any harmful or undesirable effects in the surrounding areas.
2.6.7.2 It shall be the responsibility of the Contractor to provide a safe and secure work site.

2.6.7.3 A secure work site shall be defined as one in which casual non-construction traffic (vehicular and pedestrian) is excluded from either entering in or passing through the site. It shall also include the effective securing of equipment, storage of materials and adequate lighting of the site.

2.6.7.4 At a minimum, the site shall be completely enclosed by an eight foot high, painted plywood barricade (wall, fence etc.) or a chain link fence, as specified. The integrity of said barricade shall be maintained so as to prohibit squeezing through, crawling under or otherwise easily circumventing the barricade.

2.6.7.4.1 Any contractor who damages a site fence must make repairs.

2.6.7.5 Roads, walks, ramps, corridors, doors, stairs, etc., that need to be closed or blocked to the University community or building occupants, during the performance of the work, shall be appropriately “signed” and barricaded by the Contractor. Alternate routes shall be established that are clearly marked with signage, well lighted and provide for safe passage, subject to the approval of the Project Administrator.

2.6.7.6 Project gates must be kept closed at all times and locked during non-working hours. Any Campus Police report indicating a violation of this requirement will result in a $300.00 backcharge to the contractor.

2.6.7.7 A walking “spotter” shall accompany the movement of material and equipment outside the project limits. Only scheduled deliveries shall be permitted between the high traffic hours of 8AM and 10AM daily. No construction deliveries shall be permitted during the first three days of the fall winter and spring quarters between the hours of 7AM and 4PM, and on Commencement Friday, Saturday, and Sunday in June.

2.6.7.8 If Contractor desires guard service the Contractor shall provide same at the Contractor’s cost.

2.6.7.9 Lighting which is removed by the Contractor during construction must be replaced with adequate temporary lighting during the time of construction.
2.6.8 Contractor shall provide the following safety documentation to the University Project Administrator, through the Associate.

2.6.8.1 Company Safety and Health program.

2.6.8.2 Material Safety Data Sheets (MSDS) assembled project specific, and retained on site in a conspicuous and marked location.

2.6.8.3 Weekly “tool box talks” minutes including names of attendees submitted by the close of business for that week and kept on record at the job site.

2.6.8.4 Monthly total man-hours worked and lost time report.
Contractor shall record cumulative totals through the duration of the project.

2.6.8.5 Logistics and barrier plan. Refer to GC 2.3.2.

2.6.8.6 List of Emergency Contacts. Refer to SC-S 2.13.4.

2.6.8.7 Copy of confined space certification for each employee engaged in such work.

2.6.8.8 Safe Plan of Action. Refer to SC-S 2.6.1.10.

2.10 CLEANING UP

2.10.1 During the progress of the Work, the Contractor shall be responsible for the removal of all waste materials and rubbish attributed to the Work to an appropriate disposal site designated by the Lead Contractor. The Contractor shall perform daily broom cleaning in area of the Contractor’s Work.

2.10.1.1 The Lead Contractor shall, at the end of each working day or as directed by the Associate, remove all waste materials and rubbish from the Project.

2.10.1.2 The Lead Contractor shall, as required for the Project or as directed by the Associate, remove any waste materials or rubbish from areas adjacent to the Project.

2.10.1.3 The Lead Contractor shall maintain public streets and roads adjacent to property utilized for construction traffic clear, clean and free from dirt and debris. Failure to clean will result in the University having it done at the Contractor’s expense, plus added fees.
2.10.2 If the Contractor fails to clean up during the progress of the Work, the provision of paragraph GC 5.3 shall be invoked.

2.10.3 If the Contractor fails to maintain the areas adjacent to the Project clean and free of waste materials and rubbish, upon written notification by the Associate, the University shall direct the local jurisdiction having responsibility for the area to have the area cleaned to its satisfaction.

2.10.3.1 The cost of cleaning the area adjacent to the Project shall be deducted from the responsible Contractor as the Associate recommends and the University determines to be appropriate.

2.10.3.2 The decision of the University shall be final, subject to proceedings in accordance with Article GC8.

2.13 EMERGENCY

2.13.1 In the event of an emergency affecting the safety of the Project, other property or individuals, the Contractor, without special instruction or authorization, shall act to prevent any threatened damage, injury or loss.

2.13.2 The Contractor shall give the Associate and the University written notice if the Contractor believes that any significant change in the Work or variation from the Contract Documents has been caused by any emergency or action taken in response to an emergency.

2.13.3 If the Associate recommends that a change in the Contract Documents be made because of any emergency or action taken in response to an emergency, and the University approves, a Change Order will be processed, subject to final approval.

2.13.4 The Contractor shall provide the University with a list of contact persons, with telephone numbers, for 24-hour emergency contact.

15.3 CONTRACTOR’S RESPONSIBILITY

15.3.1 The Contractor shall be fully responsible for all acts and omissions of the Contractor’s Subcontractors and Material Suppliers and shall be responsible for scheduling and coordinating the Work of the Contractor’s Subcontractors and Material Suppliers with the Lead Contractor.

15.3.1.2 The Contractor shall require that each of the Contractor’s Subcontractors have a competent supervisor at the Project whenever Work is being performed by the Subcontractor.

END OF SPECIAL CONDITIONS – SAFETY