

NOTE: Section 109 has been combined with Section 110

Safety, Health and Environmental Provisions

- 1) Requirements included in this section are the minimum acceptable site requirements as referenced in the current version of the Port Authority World Trade Center Site Safety, Health and Environmental Program (herein referred to as SHEP), revisions to the SHEP, as well as all local, State and Federal requirements. Where conflicts or discrepancies exist between requirements, the most stringent requirement shall govern. All required plans identified in the above Program shall be submitted to the Port Authority Construction Management Team (herein referred to as CM) and others as identified in the Program for approval prior to the performance of work.
- 2) The Contractor shall comply with all current and revised provisions, regulations, guidelines and recommendations issued pursuant with Federal, state, and city laws, rules, ordinances, and regulations of regulatory authorities and agencies having jurisdiction, with regard to all matters relating to the safety and health of workers, the general public, and environmental protection. Compliance with government requirements is mandated by law and considered only a minimum level of safety performance. All work shall therefore be performed in accordance with best safe work practices recognized by the construction industry.
- 3) The Contractor shall be fully responsible for maintaining a safe, secure, and hygienic work place and for assuring that all work is performed in a manner that will not be injurious to safety or health, endangering to the public, or deleterious to the environment.
- 4) In the performance of the Contract, the Contractor shall exercise every precaution to prevent safety health and environmental hazards and incidents to site workers, the public, adjoining properties and utilities, and to secure against environmental releases.

NOTE: Provisions 5, 6 and 7 shall be discussed with WTCC Safety prior to any solicitation of bid.

- 5) The Contractor whose scope of work is, or will be covered under NYC DOB Chapter 33: Safeguards During Construction and Demolition, shall monitor and enforce job site safety through daily documented inspections by a NYC DOB Certified Site Safety Manager. A Certified Site Safety Manager shall be present at the worksite during all working hours, and shall have no other responsibilities other than the

implementation and management of the Contractor's health and safety plan. The candidate shall have First-Aid/CPR certification. The contractor shall provide a copy of the proposed candidate's resume and credentials for review and approval by the Port Authority prior to the individual being hired.

- 6) The Contractor shall have present at the worksite during all working hours a dedicated safety supervisor possessing at a minimum, a current and valid OSHA 30-Hour Construction Industry Training Card, First-Aid/CPR certification, and have at least five (5) years of documented experience as a safety professional with experience in the type of work to be performed. This safety supervisor shall be responsible for safety, health, and environmental compliance and shall have no other responsibilities other than safety management. The contractor shall provide a copy of the proposed candidate's resume and credentials for review and approval by the Port Authority.
- 7) The Contractor shall designate, and will have present on site with each work crew for the duration of that work shift, at least one competent person as defined by the OSHA standard 29 CFR Part 1926.32, and as elsewhere referenced in other 29 CFR Part 1926 standards, and will at a minimum perform the duties as described in 29 CFR 1926.20(b) (2). The designated competent person shall be responsible, and have the authority from their employer to take prompt corrective action to eliminate the hazard(s). At a minimum, each competent person shall possess a current and valid OSHA 30-Hour Construction Industry Training card and First-Aid/CPR certification. The Contractor shall assign, when required by a specific 29 CFR Part 1926 standard, a qualified or authorized person as defined in OSHA standard 29 CFR Part 1926.32.
- 8) The Contractor's duties and responsibilities for the safety and protection of the work shall continue until such time as all the work is completed and the Contractor has removed all workers, remaining materials and equipment from the Site, or upon the issuance of the Port Authority Certificate of Final Completion, whichever shall occur last.
- 9) The Contractor shall promote a Drug, Alcohol & Smoke Free Workplace with their employees and will communicate what constitutes prohibited activities while performing work or providing services on the World Trade Center Site during their safety orientation. Workers that are found to be under the influence of or in possession of alcohol and/or illegal drugs, in possession of weapons, or smoking anywhere on Site shall be immediately removed and/or dismissed from the WTC Site with their WTC Site access credentials revoked, and/or subject to criminal prosecution as warranted by their action(s). As per the NYC Fire Code, section 1404.1 and NYC Building Code, sections 3301.1.2 and 3303.7 smoking on any construction site, inclusive of the WTC Site, is strictly

prohibited and violations may be issued to the contractor and/or other relevant parties.

- 10) The Contractor shall have a progressive disciplinary action program for all personnel who fail to enforce, follow or comply with established policies and procedures. Disciplinary action shall be handled through a 3-Strike Policy (i.e., 1-verbal, 2-written and/or limited removal from the WTC site, 3-limited to permanent removal from the WTC from the site), however, depending on the seriousness of the violation, immediate revocation of the employee's WTC Identification Badge can occur, as referenced in section 9. Records shall be available for review by the Port Authority.
- 11) For work performed under OSHA 29 CFR 1926 Subpart M: Fall Protection, each contractor shall submit to the CM prior to the start of work a comprehensive and enforceable 100% Fall Protection and Prevention Program consistent with Subpart M as well as the requirements outlined in the WTC Site Safety, Health, and Environmental Program. This program shall be followed by all employees, vendors, and consultants when working or walking on all unprotected vertical or horizontal side and edge, scaffold, and locations as identified in Subpart M, at a height equal to or greater than six feet above a lower level, or at any height above a dangerous process, operation, or piece of equipment. Fall protection systems shall be designed by qualified person, and installed and maintained by a competent person.
- 12) For work performed under OSHA 29 CFR 1926 Subpart R: Steel Erection, each Contractor shall submit to the CM prior to the start of work a comprehensive and enforceable fall protection plan.
- 13) The Contractor shall submit to the CM prior to the start of work a comprehensive and enforceable plan outlining the securing and anchorage of all materials and equipment to resist uplift attributable to high wind hazards.
- 14) The CM shall and ensure that all contractors provide a site safety orientation training session to their workers upon initial assignment. All site workers shall attend weekly "tool-box" training sessions held by the contractor who shall distribute meeting information to all project workers.
- 15) The Contractor shall ensure workers, and all sub-contractor workers are properly trained, and as required have in their possession while on-site valid and appropriate license(s), and/or certificate(s) consistent with regulations, laws, and best industry practices specific to their work activities and the tools/equipment being used as per manufacturer specifications. At a minimum, employees working at the World Trade Center site shall have a valid OSHA 10-Hour, 30-Hour Construction

Safety and Health Certification card or be an authorized OSHA trainer for the construction industry. This certification must be renewed every five (5) years. A training matrix shall be readily available for review and audit on site.

- 16) Depending upon the severity of a site condition or circumstances surrounding an accident or incident, the Port Authority may require the Contractor to order a "Safety Stand-down." Examples of conditions and circumstances that may prompt a Stand-down include, but are not limited to:
 - a) Failure to maintain a safe and healthy work environment that could potentially result in danger to workers or the general public;
 - b) Recurring deficiencies;
 - c) Willful disregard of safety requirements;
 - d) Fatality, fire, explosion, significant injury, accident, or incident;
 - e) Chemical Release or Spill;
 - f) Failure to comply with Environmental Performance Commitments.

The length of the Safety Stand-down shall be determined by the extent and severity of the incident, and condition of the work area to safely allow work to resume. During the Stand-down, the contractor shall:

- a) Inform the work crew as to the circumstances and reasons requiring the Stand-down;
- b) Identify the type of training / re-training required;
- c) Determine the type and extent of equipment / tool / machine inspection, perform the inspection, report findings, and correct

A safety stand down is not a reimbursable event and the contractor responsible shall bear full financial responsibility for the event.

- 17) The Contractor shall obtain and submit to the CM, Material Safety Data Sheets (MSDS) for all materials to be stored, and used in the work. The MSDS shall be readily available whenever required, in a convenient location, in close proximity to where the materials are used on the project. All workers shall have ready access to the MSDS. The Contractor is responsible for full compliance with OSHA Hazard Communication Standard, 29 CFR 1910.1200 .
- 18) The Contractor shall establish a housekeeping program to ensure that debris, trash, slippery items, standing water, spills, and combustible materials are removed off floors and other surfaces daily. At no time will access and egress ways be obstructed, indistinguishable, or maintained in disrepair.
- 19) The Contractor shall establish the required programs, practices, means and methods to address and control the hazards associated with their work. Examples of such plans include, but are not limited to fall

protection, fire protection and prevention, scaffold use, material handling and sling use, and hand/power tool safety.

- 20) Each Contractor shall prepare an Emergency Action Plan as described in OSHA 29 CFR 1926.35, establish and maintain at all times at least two access and egress ways on their project, participate in WTC Site wide incident planning meeting, response and evacuation drills, and identify key support personnel.

In the event of an emergency impacting the Site, the public, adjoining property and utilities, or the environment, the CM may order continuous work with an increased work force for such time necessary to eliminate the emergency.

- 21) As required by the WTC SHEP, or when directed by the CM, a Job Hazard/Safety Analysis (JHA) shall be prepared. For example, a JHA shall be required, at a minimum, for Confined Space Entry Operations, Excavations requiring shoring or bracing, Critical Lifts or any non-routine hazardous operation. Prior to an activity for which a JHA Analysis was prepared, a pre-work job briefing will be held with the work crew, foremen, competent person, safety supervisor, and site safety manager and a record of this document shall be on site for review.
- 22) The Contractor shall in accordance with the Port Authority Owner Controlled Insurance Program (PA OCIP) Guide to Contractors and all terms and conditions of applicable insurance policies, promptly report in writing to the CM and to the Port Authority Manager, Claims Administration all accidents whatsoever arising out of or in connection with the performance of the Contract, whether on or adjacent to the construction site, which result in death, injuries, property damage, and/or exposure of people to chemicals or hazardous materials, giving full details and statements of witnesses. In addition, if death, serious injuries or serious damage is caused, the accident shall be reported immediately by telephone of the said representatives of the Port Authority.
- 23) The Contractor shall provide at the construction site such equipment and medical facilities as are necessary to supply first aid service, in case of accident, to anyone who may be injured in the progress of the Contract. The Contractor shall have standing arrangements for the removal from the site and hospital treatment of any person who may be injured while engaged in the performance of the Contract. The Contractor shall provide two (2) First Aid/CPR trained individuals at the construction site to administer first aid, if required.
- 24) If any claim is made by any third person against the Contractor or any subcontractor on account of any accident, the Contractor shall promptly report the fact in writing to the aforementioned representatives of the Authority, giving full details of the claim and cooperate throughout the disposition of the claim in accordance with the instructions and requests of all claim investigators.

- 25) Each Contractor shall utilize the Port Authority Safety Management System Tracking Tool to document and track safety, health and environmental performance.
- 26) As required each Contractor shall complete and submit for approval Personnel Platform Lift Plans, Hot Work Program, Lifting Plans and similar documentation prior to the performance of such operations to the CM as identified in the Program or as required by the CM.
- 27) Each Contractor shall on a daily basis inspect their motor vehicles, and mechanized equipment used at the WTC Site. At a minimum, the requirements of 29 CFR 1926, Subpart O shall be followed. Any vehicle or mechanized piece of equipment not in acceptable working condition shall be immediately removed from service. A log shall be maintained on site for review and audit.
- 28) Each Contractor shall submit to the CM prior to the start of work a comprehensive and enforceable plan addressing the performance of any abrasive blasting, surface scarification, steam or water blasting, or high pressure water cutting.
- 29) Each Contractor shall submit to the CM prior to the start of work a comprehensive and enforceable plan identifying all proposed access routes, staging areas, crane locations, temporary traffic signal controls, worker and pedestrian crossings, vehicular and pedestrian gates for exit and entry, barriers, barricades, lighting, and fencing. The construction of temporary structures, other than those noted on Contract Drawings, shall require approval from the CM.
- 30) Prior to an activity which will impede, alter, impair, block, or in any way deactivate an active standpipe, sprinkler system, smoke detection system, hydrant, or existing fire protection or prevention system the Contractor shall notify the CM. Prior to performing an activity described above, the contractor shall submit to the CM for approval the following:
 - a) Date and duration of the impairment
 - b) Location and Scope of work
 - c) Area(s) impacted
 - d) Name of contractor performing work
 - e) Type of interim fire protection system that will in-place during impairment
 - f) Method of communicating emergencies
 - g) Name of person performing final inspection to verify work is complete and normal fire protection/prevention is active
 - h) Method of notifying CM of completion
- 31) The Contractor shall comply with the Rules of the City of New York (3RCNY§11-01) whereby all buildings under construction are subject to regular inspections conducted by the NYC Fire Department,

Administrative Fire Company and the Bureau of Fire Prevention Construction, Demolition and Alteration (CDA) Civilian group.

- 32) A minimum of two (2) business days prior to any excavating, the Contractor shall notify the CM. The Contractor shall notify the NYC One Call Center to allow member agencies to mark locations of underground utilities prior to any excavating and confirm such notifications with the CM.