

2.5.5. SAFETY AND HEALTH PLAN

The Design-Builder is responsible for work site safety and shall perform all work in a skillful manner as to protect the safety and health of its employees and the public. The Design-Builder shall comply with all laws concerning safety, health, and sanitation standards. The Design-Builder shall not require workers to perform work under conditions that are hazardous, dangerous, or unsanitary. The Design-Builder is required to comply with all safety standards as specified by the Department, FHWA, and OSHA and must provide all appropriate safety equipment to field personnel.

This project shall have a full-time safety manager dedicated to the project as Key Personnel. The Department shall review and approve the Design-Builder's proposed Safety Manager based on the qualifications listed below. Additionally, any changes in personnel will require the Design-Builder to submit new Safety Manager for approval. The safety manager shall be solely dedicated to this project and shall not have any collateral duties related to production or operations leadership.

A Full Time Safety Manager shall have the following credentials.

- Certified Safety Professional (CSP) and one year of site-safety experience.
- Or
- Associate Safety Professional (ASP) certification and two years of site-safety experience
- Or
- Graduate Safety Practitioner (GSP) certification and two years of site-safety experience
- Or
- Five years of relevant Site-Safety Experience

The Design-Builder shall establish and implement a Safety Plan, as required by Contract, for Review and Acceptance by the Department. The Design-Builder shall require its Safety Manager to ensure compliance with the requirements of this **DB Standard Guidance** and the Design-Builder's Safety Plan and safety procedures by inspection and documentation.

The Design-Builder shall implement, review, and update the Safety Plan and introduce a program for assuring that the Project-specific Safety Plan is followed by all workers at all times. The Design-Builder shall coordinate with all Authorities and relevant entities as necessary to ensure compliance with the Safety Plan. The Department may

monitor and audit the Design-Builder's safety performance.

The Design-Builder's Safety Plan shall provide for the following:

- Planning, management, and design to avoid hazards;
- Subcontractor safety management and compliance with Design-Builder's Safety Plan
- Detection of potential hazards;
- Timely correction of hazards;
- Dedication to the protection of the public and the workers;
- Active participation of all persons involved with the Contract;
- Dedicated full-time project safety staff;
- Liaison with the Department's monitoring staff;
- Site safety orientation for new employees and sub-contractors, training, and regular safety meetings, including a plan for indicating attendance at safety orientation that includes sub-contractors and suppliers

The Design-Builder's Safety Plan shall describe in detail how the Safety Plan is implemented and monitored including guidelines for protecting personnel from hazards associated with project operations and activities. The plan shall establish the policies and procedures for safety practices that are necessary for the work to be completed in compliance with the requirements of TOSHA, the MUTCD, and other State and Federal regulatory agencies with jurisdiction, rules, regulations, standards, or guidelines in effect at the time the work is in progress.

The Design-Builder shall ensure that all its employees and those of the Subcontractors at all tiers (including labor-only) fully conform at all times to the provisions of the Safety Plan. In the event that the Design-Builder's employees or its Subcontractors fail to conform to the provisions of the Safety Plan, the Design-Builder shall take appropriate disciplinary measures. Such measures shall include suspension, removal of offending employees from the Project Site, and dismissal. The obligations and requirements of this **DB Standard Guidance** shall be included in the terms and conditions of employment of all employees of the Design-Builder and in all subcontracts at all tiers, including labor-only Subcontractors.

The Safety Plan shall contain a list of the detailed safety procedures to be followed. Safety procedures shall be prepared separately for individual activities and included in appendices to the Safety Plan.

The Design-Builder shall be responsible for ensuring that each Subcontractor employed on the Project complies with this requirement, and the Design-Builder shall provide to the Department a Project-specific Safety Plan covering all work to be done by each Subcontractor prior to the Subcontractor starting work. As an alternate, the Design-

Builder may provide a certification that all activities performed by, and workers employed by, Subcontractors will be subject to the Design-Builder's Safety Plan. Submission of the required Safety Plan by the Design-Builder and Review and Comment by the Department shall not be construed to imply approval of any particular method or sequence for addressing health and safety concerns, or to relieve the Design-Builder from the responsibility for adequately protecting the health and safety of all workers involved in the Project, as well as members of the public affected by the Project.

The Design-Builder shall revise the Safety Plan and safety procedures in order to enhance the standards of safety being implemented on site, and to address changes in activities and experiences on the Project Site.

Every 12 months on or near the anniversary of the initial NTP or when the Department deems necessary, the Design-Builder shall review its Safety Plan, and shall consider all sources of information relevant to safety planning and implementation, including accident reports, inspections, audits, suggestions from meetings, and other sources, such as the Department and hazard analysis reviews or as needed.

A copy of the current version of the Safety Plan shall be kept on site at each work location while work is being performed, and an appropriate notice shall be posted at each work location.

The Design-Builder's Safety Manager shall be responsible solely for the safety aspects of the Project. The Safety Manager shall implement, maintain, and monitor compliance with the Safety Plan and all safety procedures, and shall visit the Project Site on a regular basis and be available for consultation with the Department on an on-call basis throughout the term of the Contract. The Design-Builder shall not commence any work until the Safety Manager has been appointed and the Safety Plan accepted by the Department. No work shall be performed at a work location unless the Design-Builder's Safety Manager or designated deputy is on site.

The Safety Manager and safety staff shall have authority to issue stop-work orders in the event of a perceived safety issue, concern, or observation, suspending work until appropriate corrective action has been taken or the situation has been rectified.

If an incident occurs that requires hospitalization or TOSHA Citation to be submitted, send notification of the incident to the TDOT Engineer and forward to the TDOT Regional Safety Manager.