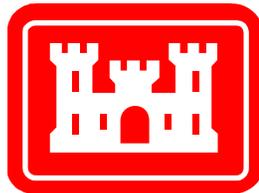


Paying Attention to Contractors



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WHY pay attention to Contractor Safety?

- Save lives/ livelihoods – gov't is gold std.
- Save costs of injuries to gov't
- Work completion
- Publicity



Contracting The U.S. Army Corps of Engineers (USACE) Way (and the NAVFAC way)

- USACE Starts with Project Delivery Team Safety Planning
- Hazard Assessment of Work by Type
- Review for Extra Planning, Submittals
- Determines Which Clauses will be Used

Basic Contract Safety

- Accident Prevention Clause, FAR 52.236-13, Accident Prevention
 - Part a) Be Safe, Avoid Interruptions, Control Costs
 - Part b) For Construction, Demolition

Special Clauses

- For USACE and NAVFAC, EM 385-1-1, The USACE Safety and Health Requirements Manual, is a contract document.
- USACE Discourages “Local Safety Clauses” unless they are needed to address a specific, unique hazard or requirement.

Special Clauses

- For Construction / facility work, USACE, NAVFAC, and others also use UFGS 01 35 29, which reinforces parts of the safety manual and allows spec. developer/ designer to specify requirements for each project such as:

UFGS 01 35 29

- Levels of competency for On-site Contractor Safety personnel,
- Safety management oversight,
- Training, and other personnel qualifications.
- Specification of work methods and testing.
- You can find this and other specifications at :
http://www.wbdg.org/ccb/browse_org.php?o=70

After Contract Award

- Once the contract is awarded, a date is set for a prework conference including:
 - Principals from the prime contractor
 - and all subs
 - The USACE project manager and QA personnel.
 - Safety personnel may also attend, depending on complexity or hazards.

After Contract Award

- Around this time, preferably before the conference, the contractor submits required safety documents for review by the project manager and safety.

Safety Submittals

- The contractor's primary safety program is outlined in the Accident Prevention Plan (APP). This must be site-and job-specific and outline their policies and broad intentions (without repeating the EM). The APP includes:

APP Components

- Responsibilities and lines of authority
- Subs and suppliers
- Training plans and policies
- Safety inspections
- Accident reporting
- Medical support
- Specific technical safety plans

Safety Submittals

- The most important document affecting safety, if done right, is the Activity Hazard Analysis
- Must be submitted for acceptance prior to start of work on each phase or task of work
- Identifies tasks, hazards associated with them, and controls including PPE, training, and procedures.

Conduct of Work – QC Safety

- Under EM 385-1-1, contractor QC performs daily inspections that include safety. They are required to notate something for safety daily
- Safety deficiencies must be logged, to include responsible person and cure dates
- Safety and competent persons are required to conduct “regular” safety inspections, depending on need.

Conduct of Work – USACE oversight

- The primary eyes-on-site for USACE is the Quality Assurance rep.
- QAR works directly for the Contracting Officer's Rep- COR
- QAR performs daily or regular worksite evaluations for quality of work and safety and records them as well

Conduct of Work – USACE oversight

- QARs receive regular, advanced safety training to aid their work
- District Safety Office performs periodic site evaluations (assistance visits) at COR locations.

Contractor Performance

- All OSHA recordable accidents and property damage over \$2,000 are reported on ENG form to COR, investigated by contractor and COR/QAR
- USACE performs Board of Investigation on all fatal, permanent disability, and property damage over \$200,000 accidents.
- Contractor submits manhours of work and injury records to COR monthly and a copy of the OSHA form 300 on request.

Safety Enforcement/ Incentives

- Contract and EM include “stop work” clause – COR can stop work at any time for serious safety hazards, contractor may pay liquidated damages
- Repeated bad performance can lead to Safety stand-down, or Termination for Cause

Safety Enforcement/ Incentives

- Safety performance is an element on the contractor's interim and final rating – affects eligibility for future contract awards
- Some contracts include a performance hold-out award; contractor can get bonus money for completing project ahead of schedule, improvements, etc. Safety is often included as a line item.

Project Completion

- Upon completion, project performance is reviewed and final rating is determined. “Unsat” rating can disqualify them for future contracts
- Project offices publish lessons learned (quality, safety, etc.) LL are categorized by type of project, task, and other factors

USACE performance Tracking

- Collective contractor accident performance is tracked by District as an accident rate. Can be broken down to project level
- Divisions collect and report accident rates quarterly to HQ as part of a command management review and compared to USACE-wide goal.

USACE Performance Tracking

- Organizations with problems must develop corrective actions – normally focusing on contract administration, training, inspections.

Strategies for Other Contracts

- For service, maintenance, and small construction contracts, it is a management decision whether to include the EM as a contract requirement.
- Some managers prefer to use abbreviated customized clauses or require compliance with portions of the EM applicable to the work.

Minimum Contract Safety Requirements

- For other projects, most other contracts include some basic elements:
- Safety plan or APP – can be as simple as a form outlining basic safety, training, etc.
- Activity Hazard Analysis – Position Hazard Analysis

Minimum Contract Safety Requirements

- Manhour and accident reporting – use OSHA log
- Designated safety person – based on experience, training, or competent person status



Questions?