



**MARYLAND TRANSIT ADMINISTRATION**

**MARYLAND DEPARTMENT OF TRANSPORTATION**

Martin O'Malley, Governor • Anthony G. Brown, Lt. Governor  
Beverley K. Swaim-Staley, Secretary • Ralign T. Wells, Administrator

**TO:** All Planholders  
**FROM:** Maryland Transit Administration  
**SUBJECT:** **ADDENDUM NO. 2**  
**Contract No.: MTA-1352**  
**Owner Controlled Insurance Program Services**  
**DATE:** June 1, 2012

Enclosed and effective this date is Addendum No. 2 to the subject Contract. This addendum does not delay the Closing date for receipt of proposals from **June 13, 2012**.

The answers to the submitted Contractor's questions are attached.

The Bidder shall acknowledge receipt of this Addendum by completing and returning this form with their proposal package.

All other terms and conditions remain unchanged.

Sincerely,

A handwritten signature in blue ink that reads "Gary R. Lockett". The signature is fluid and cursive.

Gary R. Lockett, Procurement Officer  
Construction/Installation & Professional Services Section  
Procurement Division

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Acknowledgement of receipt of ADDENDUM # 2 to Solicitation #MTA-1352

Vendor Name: \_\_\_\_\_

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Authorized Representative's Signature

Date



# PROJECT: MTA-1352 Owner Controlled Insurance Program Services

## REQUEST FOR PROPOSALS - QUESTIONS / RESPONSES

		Responses to Questions	
No.	Spec. Page #, Section & Para #	Question	Response to Question
1		Please expand on the question raised on May 8th regarding an alternative to providing audited financials. It appears that the intent is to demonstrate the financial ability and resources to service the contract.	Under Section III.I Experience and Stability; the Offeror may provide one or more of the documents listed to validate their financial capacity to perform the work.
2		Is there a preference for a Maryland servicing office and additional points toward the score?	There are no preferences for a Maryland servicing office. The award of this contract will not be based on any numerical point system.
3		It was indicated that the Construction Value for 5 years is \$220Million. Also indicated that the OCIP is already in place and the successful broker will take over that placement. a. How much of the \$220M is already under construction/repair/renovation? Inherited within the existing placement? b. How much of the \$220M is for future projects which have not yet begun? c. What is the timeline over the 5 years for the \$220M? How much is allocated in Year 1, Year 2, Year 3 etc?	a./b. The OCIP Projects Spreadsheet is attached. c. The dollar amount referenced in the RFP is an estimate of the contract authority MTA is projecting in future. However, changes in yearly budget allocations approved by the State and Federal government could drastically impact those estimates of contract work performed.
4		What is the projected pipeline of project Construction Value beyond the \$220M identified and funded?	The Office of Safety Quality Assurance and Risk Management (OSQARM) is made aware of projects as they are awarded and meet OCIP requirements.
5		What Loss Control and Safety plans are in place? What programs need improvement/additional resources? In what areas?	The OSQARM has an assigned Construction Safety Officer, the insurer provides a loss control /safety representative, the current broker provides 2 loss control /safety representatives and the Office of Construction Management Safety Division (CMSD) provides 3 inspectors. What improvements or additional resources are needed would be the recommendation of the subject matter expert(s) and insurance broker professional(s) selected from this solicitation.
6		What is the schedule of closing out projects and contracts with the prime and subcontractors?	The MTA uses a standard process for closing out construction projects that normally includes notification to all parties involved in the contract.



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No.	Spec. Page #, Section & Para #	Question	Response to Question
7		May we obtain a copy of the current Safety program?	See the attached "Contractor Safety & Health Plan Guidelines". In addition, the Offeror awarded this contract must provide their safety manual for approval.
8		Is the MTA adverse to the broker outsourcing the Risk Management Information System (RMIS) as long as the broker maintains control and direction of the RMIS?	No. However, the preference would be that the prime Contractor retain control of RMIS in-house.
9		What is the nature of and expectations of the "safety training program"? What is the subject matter - example OSHA 30 hour? Is there currently a safety training program?	Safety Training is currently being provided by the insurer. The insurer is providing OSHA Safety Training.
10		Describe the current first aid and injury programs? Medical trailers on site? If no, is this desired?	The MTA OCIP provides a list of service locations and participating pharmacies. Maryland is a choice state and therefore injured workers are not directed to any specific location or facility.
11		Is there a disaster recovery plan and crisis management plan?	Not separately for OCIP operations.
12		Is there a budget for a safety incentive program? If so, how much? Is there a safety incentive program in place today?	No.
13		May we obtain a currently valued loss summary for all lines of coverage?	The past OCIP loss ratio (2006-2011) was < 40%. The current program loss ratio is <3%.
14		Does the Scope of Services include the annual review and closing out of the old policy year's program adjustments?	Yes.
15		What is the current number of enrolled contractors under the MTA OCIP? And, what is the expected number going forward?	See the attached chart entitled "OCIP Projects Active/Anticipated".
16		Will the current staffing of Safety Professionals within MTA be deployed to assist on this engagement? If so, will they be accountable to the OCIP team?	No. They are accountable to the Office of Safety Quality Assurance and Risk Management (OSQARM) and the Office of Construction Management Safety Division (CMSD).
17		Who is the MTA's current onsite medical service provider?	There is no onsite medical provider.
18		Could you provide a Schedule of Insurance to include an outline of the limits, coverage, exclusions and policy effective dates?	See attached chart entitled "MTA Rolling OCIP".
19		Will you provide us with relevant loss history as it relates to past construction projects so that we may benchmark MTA's experience?	See answer to #13.



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20		Will you provide us with current environmental reports?	If proposer is the selected broker, all such reports will be provided. These reports have no impact on proposer's bid. To date there have been no environmental claims on this program.
21		What is the current annual brokerage fee?	The current contract was awarded in 2007 for a base three-year period at \$465,000. There were two (2) one (1) renewal options exercised.
22		Will MTA allow interested brokers to visit the project site(s)? Is there a designated time that will allow brokers to do so before the closing date of May 30, 2012?	No.
23	Section I: III. Purpose (pg2)	As noted in the pre-proposal conference the described OCIP program has been bound and is nearing the end of year 1. Please advise how much construction volume remains of the \$220,000,000 that was indicated for the 5-year cycle. a. How many individual projects are anticipated during the course of the OCIP?	a. See the attached entitled "OCIP Active Projects as of April 2012".
24	Section I: V.G (pg 4)	As noted above, we are 1 year into the 5 year proposed OCIP, is the proposed contract duration still 3 yrs, plus 2- 1yr options, or is the duration now a maximum of 4 years?	The proposed contract duration is still 3 yrs, plus 2- 1yr options.
25	Section II A. 1 (pg 13)	Insurance Brokerage Services: Since the proposed OCIP is in place, what if any of these services will be required? From the conference we do understand that a review of policies would be needed.	MTA expects full brokerage servicing of our current OCIP. As part of the selected broker's professional ethics and servicing, MTA would expect the broker to review all coverages to ensure the broker's due diligence as MTA's professional insurance broker of record.
26	Section II A.1 (pg 13)	Who are the insurance carriers on the program?	See the answer to #15
27	Section II A. 1. D (pg 13)	Per conference we will need to review existing policies brokered by the current firm. Please identify which lines have been brokered and would need to be reviewed?	See answers to #25 and #26.



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28	Section II A. 1. (pg 13)	Please confirm that the successful broker will carry no liability for the existing policies except for that incurred through our review of those policies.	As the new broker your review, comments and recommendations will hold you liable as the new broker of record.
29	Section II. A. 1 (pg 13)	As this is a fixed fee procurement and the OCIP has already been bound, how should these brokerage services (for new policies/programs) be priced? Maintenance, review, and servicing of existing policies in terms of fees is clearly defined.	The Offeror is expected to provide pricing for the new policies and programs based on "Price Proposal Summary" (Attachment 8) of the RFP.
30	Section II A. 1: (pg 13)	What documentation will be turned over from the incumbent firm to the new firm relating to the procurement of existing policies? The concern being we would need full turnover of policies, binders, etc. in order to transition management the existing program.	The previous agent would be required to turnover all underwriting information as would be routine with any change of broker situation. The previous agent would not be required to turnover proprietary information regarding their agency. The incumbent Contractor would be expected to adhere to the "General Conditions for Service Contracts", Item #29 (Ownership of Documents) which states the basic responsibilities for the incumbent Contractor concerning return of contract documents to the MTA.
31	Section II A.3 (pg 15) Risk control services	a. What will happen to all data currently managed and housed on the incumbent's RIMS system? Is there a requirement to migrate this data to the successful bidders RIMS? b. If data is to be migrated, what is required of the incumbent in terms of format and timing of data transfer? This is a concern due to continuity of the OCIP and the complexity of data conversions.	a. See answer to #30. b. See answer to #30.
32	Section II A.4 (pg 15) Claims Administrations	a. Since there is an existing program is there a need to generate a new claims management manual, or is the current manual in use by MTA to be used throughout the OCIP? b. Will management of existing claims be the responsibility of the current broker or the successful bidder? i.e. Will incumbent be responsible for all claims they are currently managing and only new claims would transfer to the new broker.	a. MTA has annual OCIP claims management meetings. There is no claims manual. b. Yes.
33	Section II A.5 (pg 15) Rolling Wrap Admin	a. Will incumbent manage run off for the contracts currently awarded under the OCIP? b. If not, what are data migration requirements of the incumbent?	a. No. b. See answer to #30.



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		<p>c. Will a new OCIP manual be required for current projects, or only those awarded after this procurement?</p> <p>a. Since this is an existing OCIP program, are we expected to develop a new program per first paragraph (a) or continue the current program?</p> <p>b. Is it the intent of the MTA for the Broker to provide safety personnel to conduct inspections, or to design a program that outlines inspections to be conducted by contractor safety personnel?</p> <p>c. OSHA 30 hr training: Who is the target of the training and how many personnel are expected to participate?</p>	<p>c. No. The current OCIP Manual is sufficient for all contracts. See attached.</p> <p>a. Offerors are expected to continue the current program but be prepared to develop new ones should the program warrant changes.</p> <p>b. MTA will not advise proposer on how to structure their brokerage services.</p> <p>c. This will be facilitated between the proposed broker and MTA's Construction Management Safety Division (CMSD) MTA will not advise proposer on how to structure their brokerage services.</p>
		<p>d. Since year 1 is now over, are only years 3 and 5 needed, or should the proposal include pricing for three sessions?</p> <p>e. OSHA 30 training is now offered on-line and in combinations of classroom and on-line training. Is there a requirement of the MTA as to the training method?</p>	<p>d. See response to item #24.</p> <p>e. No, however Contractor should discuss the training method with OSQARM, prior to proceeding.</p>
35	Section II.C.7 & 8 Project Admin (pg18)	Administration of an OCIP generates large volumes of paper, is permissible to provide electronic copies of documents or to provide access to such documents via a web portal?	The Offeror awarded this contract may use electronic communication. However, there are some documents that require originals to be mailed.
36	Section III. Proposal Format (pg. 26)	Since OCIP program is already in place and many of the services outlined are complete or partially complete, is it permissible to submit fixed pricing for the on-going operations (policy review, claim admin, wrap admin and loss control) and submit separate rate structures for the other services stipulated in the RFP such as developing and brokering an OCIP, or other line of coverage the MTA may require)?	No, provide pricing as indicated in the RFP.
37		What is the current annual Broker Fee being paid to AON?	See response to item #21.



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38		<p>We were informed that the program has renewed and is closing its first year. Please advise the term of the policies, the types of policies issued, the premiums for those policies, and the insurance carriers issuing the policies.</p>	<p>The current contract has been extended. The Offeror recommended for award under this RFP will start a new contract term. See the attached chart entitled "OCIP Projects Active/Anticipated".</p>
39		<p>Are there any other contracted 3rd parties to perform any services requested in the RFP?</p>	<p>No.</p>

**MARYLAND TRANSIT ADMINISTRATION**  
 OCIP Projects Active/Anticipated  
 Updated 4/10/2012

Project Name/Number	Size	Prime Contractor	Description
T-0529 Metro Repairs	\$2,900,000	Pioneer Contracting	Repairs to Balto. Metro Undergrd Structures
T-1298 MARC Edgewood Station	\$2,778,375	Grunley	New Station Bldg. Parking Lot Expansion/Insatiation of accessible ramps
T-0140 Bush St Elec Upgrade	\$4,166,000	MBR	Installation of Prim/Sec Distr. System
T-1181 NW Bus HVFPTD Upgrade	\$4,688,000	J.F.Fischer	HVAC & Fire Protection upgrade/Trench Drain Replacement
T-0435 MARC Halethorpe Station	\$13 M	Schlosser	High Level Platform & Ped Bridge
T-1223 Rogers Ave Crossover Reconstruction	\$2,155,028	Antrac RR Contractors of MD	Reconstruction of Rogers Ave Crossovers
T-1207 Lexington Mkt LR Station	\$997,290	Brawner Builders Inc	Station relocation and Howard St Arch Replacement
T-1149 MARC Fredrick Fueling Shelter	\$1,893,590	Brawner Builders Inc	Erection of pre-fabricated metal shelter of locomotive fueling station
T-1269A OFS #035 Wedge Yd. Aerial Electric Installation	\$867,141	Denver Elek, Inc.	Installation of procured monopoles, wood poles, and electrical cables
T-0208 MARC Wedge Storage Yard at Union Station	\$21,333,000	American Infrastructure	Construction of train layover facility with tracks, inspection pits, and platforms
T-1298 OFS #008 Owings Mills Park and Ride Rehab	\$378,933	M. Luis Construction Co.	Patching and seal-coating with some crack repair and signage
T-1048 Hunt Valley Grade Crossings	\$2,537,000	Atlas Railroad Construction	4 New Grade Crossings for Light Rail in Hunt Valley.
T-1269B OFS #045 Howard St. Aud-Visual Ped Warning	\$106,501	Brawner Builders Inc	Installation of Audible-Visual pedestrian train warning signs

= New Project/Changes

= Long Term Hold

**Additional Anticipated Projects:**

- 1) Waldorf Park & Ride 1038-0140, Est. NTP-6/2011 (\$5.7M)
- 2) Townsend Freight Railine Culvert Rehab T-0213-2640 Est NTP 5/2011 270 Days ( \$2.5 - \$5M)
- 3) MARC West Baltimore Parking Expansion Phase II Est NTP 4/2012
- 4) Charlotte Hall Park and Ride Est NTP 4/2012 (\$8M)



Maryland Transit Administration Rolling OCIP

2011 - 2016 OCIP Policies

Line of Coverage	Carrier	Premium	Limits	Effective Date	Expiration Date
Workers Compensation	New Hampshire Insurance Company	\$ 1,008,450	\$2m/\$2m/\$2m	5/15/2011	5/15/2016
General Liability	New Hampshire Insurance Company	\$ 640,860	\$2m/\$4m	5/15/2011	5/15/2016
Excess Liability (\$25m)	National Union Fire Insurance Company	\$ 598,485	\$25m	5/15/2011	5/15/2016
Excess Liability (\$25m x \$25m)	XL Insurance America	\$ 239,889	\$25m	5/15/2011	5/15/2016
Railroad Protective Liability	Lexington Insurance Company	\$ 475,000	\$5m/\$10m	5/15/2011	5/15/2016
Contractor's Pollution Liability	Chartis Speciality Insurance Co.	\$ 92,619	\$5m/\$10m	5/15/2011	5/15/2016
OPPI (Owner's Protective Professional Indemnity)	Steadfast Insurance Company	\$ 385,000	\$15m/\$15m	5/15/2011	5/15/2016
Builders Risk	ACE American Insurance Company	\$ 35,000	Various	5/15/2012	5/15/2013



*MARYLAND TRANSIT ADMINISTRATION*

**CONTRACTOR SAFETY & HEALTH  
PLAN GUIDELINES**

**2011**

**MTA PROJECT SPECIFIC**  
**CONTRACTOR SAFETY & HEALTH PLAN GUIDELINES**

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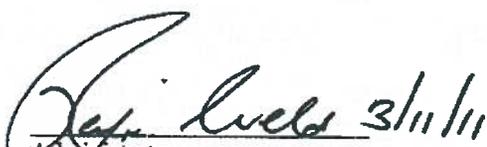
# MARYLAND TRANSIT ADMINISTRATION POLICY STATEMENT

## ADMINISTRATOR'S POLICY STATEMENT ON CONSTRUCTION AND SYSTEM SAFETY PROGRAM PLAN

The Maryland Transit Administration (MTA) was organized to provide safe, reliable and effective service to all users. Safety is a primary concern that affects all levels of MTA activities, including planning, design, construction, testing, and operations and maintenance of all MTA transportation systems. Therefore, all MTA personnel and appropriate contractors are charged with the responsibility of ensuring the safety of passengers, employees, property and the general public which come in contact with the MTA system.

The Office of Safety, Quality Assurance and Risk Management (OSQARM) is empowered and authorized to develop, implement and administer a comprehensive, integrated and coordinated System Safety Program, including a specific plan to identify, prevent, control and resolve unsafe conditions during design, construction, testing, and operations and maintenance of MTA transportation systems.

Accordingly, the Office of Safety, Quality Assurance and Risk Management is empowered to order the cessation of unsafe activities or operations which are evaluated as presenting an immediate and serious hazard within the system and to conduct unannounced inspections aimed at identifying and eliminating unsafe practices, operations and/or conditions not corrected by immediate management/supervision.

  
Administrator

  
Deputy CAO & Chief Engineer

  
Chief Safety Officer, OSQARM

## **2. DEFINITIONS**

**MTA- Maryland Transit Administration**

- The body charged with the expansion and renovation of the Transit System.

**Contract**

- The written agreement by and between the *MTA* and a Contractor.

**Contractor**

- Any individual, firm, or corporation undertaking maintenance, construction, or other services under Contract with the *MTA*.

**Contractor's Safety Engineer**

- A full time safety professional employed by the Contractor to manage the Contractor's safety efforts.

**Contractor's Safety Supervisor**

- A Contractor's employee separate from the superintendent hired to perform various tasks, including safety and other related duties, such as traffic control, utility coordination, etc.

**Contractor Safety & Health Plan Guidelines**

- The safety and loss prevention program established by the *MTA* to control the hazards and risks associated with the contracted projects.

**Employer**

- Any individual, firm, or corporation, except the *MTA* who provides direct manual and non-manual labor or service personnel at or emanating from the Site either by written or verbal Contract.

**Insured's**

- The Authority, Consultants, Contractors, Architects, Engineers, Subcontractors, and any other party named as insured's on the Certificates of Insurance signed by a duly authorized representatives of the Insurance Carriers.

**OCIP**

- The Owner-Controlled Insurance Program under which Worker's Compensation, Employer's Liability, Commercial General Liability, and Excess/Umbrella Liability insurance's are procured and paid for by the *MTA* for all Contractors and all tiers of Subcontractors providing direct manual or non-manual labor or service personnel at or emanating from the Project.

**Resident Engineer**

- Authorized representative of the *MTA* to supervise administration of a contract

**Safety Committee**

- A committee designated by *MTA* responsible for the coordination, direction, and management of the Contractor Safety & Health Plan.

### **3. PLAN ADMINISTRATION:**

**Purpose:** These Contractor Safety & Health Plan Guidelines have been prepared to ensure the health and safety of all contractor employees by providing a consistent program for all contractors to follow and abide. The Contractor Safety & Health Plan Guidelines cannot possibly address all conditions that may arise; therefore, this plan establishes the minimum requirements and is not a complete working guide. These Contractor Safety & Health Plan Guidelines address both safety and health service issues.

The Contractor Project Specific Safety & Health Plan has been established to promote safety and to prevent, limit, reduce, and control hazards and risks associated with Maryland Transit Administration Project. The Contractor Project Specific Safety & Health Plan goals are to:

- Prevent personal injuries and property damage
- Achieve greater efficiency
- Reduce direct and indirect costs

The effectiveness of the Owner-Controlled Insurance Program will depend upon the active participation and sincere cooperation of the Contractor's supervisors and employees, and the coordination of their efforts in carrying out the following responsibilities:

1. Plan all work to eliminate bodily injury, property damage and loss of productive time.
2. Comply with Federal, State and Local laws, ordinances, industry standards and the requirements established in the Contractor Safety & Health Plan Guidelines.
3. Maintain a system of prompt detection and correction of unsafe practices and conditions.
4. Establish and conduct an educational program to stimulate and maintain interest and cooperation of employees. The education program shall include safety meetings and training programs, the use of personal protective equipment and mechanical guards, and prompt notification and investigation of all accidents or claims to attempt to determine the causes and take reasonable corrective action when possible.

### **4. GENERAL REQUIREMENTS**

#### ***A. Contractors: (construction only)*** **OSHA Standards (29 CFR part 1926)**

**The Contractor shall provide two (2) copies of the most recent OSHA Standards for the Construction Industry (29 CFR Part 1926). One (1) copy shall be given to the MTA RE and remain the property of the MTA. One (1) copy shall be retained in the Contractor's Field Office.**

#### ***1. Compliance with Contractor Safety & Health Plan:***

Contractor's personnel who fail to comply with the site safety requirements shall not be considered qualified to perform services or work at the *MTA* Project. Such personnel denied site access for noncompliance with the site safety requirements, at the Resident Engineer's, or at his representative's request, shall not be granted site access for other services or work. Contractors who fail to control personnel actions regarding safety shall have their contract terminated. Contractors working at the *MTA* Project shall comply with, but not be limited to, the Occupational Safety and Health Act (OSHA),

Department of Transportation (DOT), Federal Railroad Administration, Federal Transit Administration (FTA) *MTA's* Safety Rules, Procedures, and site safety requirements. The Resident Engineer or his representative shall determine the Contractor's compliance with the site safety requirements.

## ***2. Contractor Policy:***

Each Contractor shall comply with all safety, fire, security policies, procedures, and safe work practices, as well as any other appropriate safety procedures specified in the contract. These combined safety requirements constitute the minimum safety performance required from each Contractor; all subcontractors must adhere to the General Contractor's Project Specific Safety & Health Plan. The Contractor cannot delegate the safety responsibility to the subcontractors, suppliers or other persons. The Office of Safety, Quality Assurance and Risk Management (OSQARM) and *MTA* Construction Division Safety will have final authority regarding contractor safety compliance.

## ***3. Contractor Project Specific Safety & Health Plan:***

Each Contractor shall have a written Project Specific Safety & Health Plan, in accordance with the contract, which addresses the service or work to be performed under the contract. The plan will provide the details commensurate with the services or work to be performed. **Within five calendar (5) days after issuance of NITA (Notice of Intent to Award) for the Contract the Contractor shall submit, at a minimum, a written "General Safety & Health Plan" to the Administration. Within five calendar (5) after the NTP (Notice To Proceed) the contractor must then submit a complete "Project Specific Safety & Health Plan" for approval.** *MTA* Construction Division Safety will review and comment on the Contractor's "Project Specific Safety & Health Plan". The Office of Safety, Quality Assurance and Risk Management will review, comment and approve the Contractor's "Project Specific Safety & Health Plan" With regards to the approval of the Contractor Project Specific Safety & Health Plan; work shall proceed as determined by the Administration. The Administration retains the right to prohibit the start of work until the Contractor's "Project Specific Safety & Health Plan" is approved by the Office of Safety Quality Assurance Risk Management. *A delay in submitting the Contractor Project Specific Safety & Health Plan will not constitute grounds for contract schedule extension or delay claim.*

The plan shall fully describe the Contractor's commitments for meeting its obligations to provide safe and healthful working conditions for its employees, the public, and generally contribute to and enhance safety at the project site. The Contractor Project Specific Safety & Health Plan must reference standards, codes, rules, and regulations applicable to construction activities in the state and local jurisdiction. The Contractor Project Specific Safety & Health Plan shall include, but not be limited to, provisions of the Contractor Safety & Health Plan Guidelines.

The plan shall define the duties and responsibilities of employees at all levels as they pertain to the execution of and compliance with the Contractor Project Specific Safety & Health Plan.

## ***4. Alcohol and Substance Abuse Policy:***

The use of drugs and alcohol and their effects produce a serious threat and **ARE NOT TOLERATED** on any *MTA* project. The Contractor and all sub-tier contractors shall be responsible for implementing and maintaining an effective Substance Abuse Policy as part of the Contractor Project Specific Safety & Health Plan. Any costs incurred in the adoption, implementation, or administration of the Contractor/Subcontractors Substance Abuse Policy shall be the responsibility of the Contractor/Subcontractor. The policy shall address pre-employment, periodic, for cause and post accident testing.

### **5. Designation of Safety Representatives:**

Each Contractor shall designate a competent Engineer/Supervisor to implement their Project Specific Safety & Health Plan. This responsible individual's name and résumé will be given to the Resident Engineer for approval by the Office of Safety, Quality Assurance and Risk Management. This individual may be required to appear for a personal interview by the Office of Safety, Quality Assurance and Risk Management. When the nature of the contract warrants, *MTA* may request the Contractor to employ a full-time qualified Contractor Safety Engineer/Supervisor. This designated person is required to have training appropriate to the nature of the work performed.

### **6. Safety Orientation:**

The Contractor shall establish a written safety orientation and training program to provide employees with information regarding:

- The Contractor Project Specific Safety & Health Plan;
- Applicable safety rules and regulations;
- The responsibility of each employee to formally acknowledge receipt of the safety rules and safety orientation and training prior to performing or being assigned duties on the project.

The safety orientation and training programs shall address the responsibilities of the hourly employees, supervisory employees and management employees. Example: Personal Protective Equipment one must use, how to report any unsafe condition, and hazards present in the assignment and general work area.

Copies of written documentation of safety orientation and training programs shall be provided to the Resident Engineer promptly after they are conducted (See Form108, *Job Orientation Acknowledgement Form*).

All Contractor and subcontractor employees of any tier performing work on or near the right-of-way of any *MTA* Rail System shall successfully complete the appropriate railway training course prior to start of work. Contractors and subcontractor employees who have not successfully completed the training course shall be removed from the Project.

### **7. Accident Investigation, Reporting, and Recordkeeping:**

The Contractor shall verbally notify the Resident Engineer within twenty (20) minutes of any safety incident. Events to be reported immediately by the Contractor to Resident Engineer are:

- Near misses and minor accidents with a potential of serious injury or death;
- Serious accidents or injuries;
- Fatalities.

The Contractor is responsible for the prompt reporting of all occupational injuries and illnesses incurred by any site personnel or in any way related to project work.

Upon notification of an accident, the Contractor shall immediately secure the scene, investigate the circumstances of the accident and complete the *Incident Investigation Report* (see Form 102) and *Witness Statement* (see Form 102A). The investigation should include obtaining physical and photographic evidence. Completed forms are to be submitted to the Resident Engineer within eight (8) hours. Forms are to include sufficient and thorough detail. In completing this report, the Contractor shall review the

circumstances leading to the accident, review with the employee how the accident could have been prevented and the measures to be taken to prevent recurrence.

The Contractor shall cooperate with all resulting accident investigations and reporting. Additional documentation shall be submitted as required.

***A. Serious/Fatal Accident Investigation:***

Immediately, after a serious/fatal accident, an investigation team will begin a thorough investigation. The Resident Engineer, *MTA's* Construction Division Safety Officer and the Contractor's Safety Engineer/Supervisor will lead the investigation. It will be the responsibility of Resident Engineer and the Contractor to see that all documentation such as written statements, photographs, and drawings are maintained. A report of the investigation shall be made to the Office of Safety, Quality Assurance and Risk Management, the *MTA* Construction Management Division Safety, and the *MTA* Insurance Broker as soon as practical, but no later than 8:30 a.m. the following day.

***B. Near-Miss Incidents:***

All near-miss incidents shall be reported by using Form 102 *Incident Investigation Report* and Form 102A *Witness Statement*. Once completed these forms are to be forwarded to the Resident Engineer.

All near-miss incidents shall be investigated by the Contractor's Safety Engineer/Supervisor to ensure corrective and preventive measures are taken. This may involve working with and/or assigning responsibilities to other personnel. Near-miss incidents should also be reviewed by the Contractor during safety meetings so all employees are aware of the near-miss incidents, the potential for injury, and the actions necessary to prevent a recurrence.

***C. Return-to-Work:***

The Contractor and its subcontractors of any tier shall include, as part of their Contractor Project Specific Safety & Health Plan, a Return-to-Work program (also known a "Light Duty" or "Modified Work") to any injured employee who is released by a medical doctor with a signed release return-to-work form with restrictions, modifications, or alternative work. The Contractor shall develop a Return-to-Work program outlining how this will be accomplished. The Contractor and/or subcontractors shall hold a discussion with the Office of Safety, Quality Assurance and Risk Management, the *MTA* Construction Division Safety, and the *MTA* Insurance Broker prior to any injured employee being laid-off or terminated from a Return-to-Work program.

**5. ROLES AND RESPONSIBILITIES**

***A. Contractor's Project Manager:***

The Contractor's Project Manager shall:

1. Be responsible for the supervision of the Safety Engineer/Supervisor in carrying out the duties and responsibilities of the position.
2. Plan and implement work to comply with the stated objectives of the Contractor Project Specific Safety & Health Plan.
3. Comply with the provision of the contract dealing with safety and accident requirements.
4. Cooperate with *MTA's* designated safety representatives.

5. Authorize necessary immediate action to correct substandard safety conditions or acts reported or observed.
6. Attend safety meeting as required by the Resident Engineer.

***B. Contractor's Safety Engineer/Supervisor:***

The Contractor's Safety Engineer/Supervisor shall perform daily safety inspections of the contractor's and subcontractor's job sites to eliminate unsafe acts and/or conditions. The Contractor's Safety Engineer/Supervisor shall ensure that all of the contractor's employees are made aware of the steps to take in the event of an accident and the location of first-aid facilities. The position requires this individual to perform the following:

1. Provide timely reports in writing of any observed unsafe condition or practices, or violations of job security regarding safety issues; and take corrective actions. (See Form 110).
2. Investigate all accidents and implement immediate corrective action.
3. Report all injuries and accidents in a timely manner in accordance with federal and state laws and *MTA* requirements.
4. Provide Job Foremen with appropriate training materials to conduct weekly "tool box" safety meetings. Attend Engineer/Supervisor weekly "toolbox" safety meetings to evaluate the effectiveness of these meetings.
5. Review safety meeting reports submitted by Job Foremen and take necessary action to ensure that the Job Foremen hold meaningful weekly safety meetings.
6. Assist in the preparation of all accident investigation and reporting procedures.
7. Implement safety-training programs for supervisors and employees applicable to their specific responsibilities.
8. Be responsible for the control, availability and use of necessary safety equipment, including personal protective equipment and apparel for the employees.
9. Coordinate the safety activities with *MTA* personnel, and Insurer's safety representative, and take necessary steps to promptly implement safety recommendations.
10. Coordinate the public relations aspects of the Contractor Project Specific Safety & Health Plan with *MTA*.
11. Attend special safety meetings held or sponsored by *MTA*, the Insurer, or the Insurance Administrator. The safety Engineer/Supervisor is expected to participate in these sessions.
12. Ensure that adequate first-aid supplies and personal protective equipment are available at the work site and that personnel are qualified to administer first aid as required by contract.
13. Maintain Material Safety Data Sheets (MSDS) and provide unobstructed access to MSDS on the job site.
14. Advise the *MTA* R.E of any known hazardous operations that could adversely impact *MTA* employees or the public.

**C. Contractor's On-Site Management Representative:**

This person will ensure compliance with provisions of the contract, including the Contractor Project Specific Safety & Health Plan, OSHA, MOSH, and other agency and industry safety requirements and standards. Additional duties of the senior on-site Contract Representative or Project Manager shall include the following:

1. Review and direct immediate action to correct substandard safety conditions brought to his/her attention.
2. Take an active part in all supervisory safety meetings, including the discussion of observed unsafe work practices or conditions, a review of the accident experience and corrective actions, and encouragement of safety suggestions from employees.
3. Cooperate with the *MTA*, Consultants, and safety representatives of the Insurance Broker or Insurance Carrier.

**D. Contractor's Safety Supervisor:**

The Contractor Safety Supervisor will perform daily safety inspections of the Contractor's and Subcontractor's job sites to eliminate unsafe acts and/or conditions. The Contractor's Safety Supervisor will ensure the contractor's employees are made aware of steps to take in the event of an accident and the location of first aid facilities. The position requires the individual to perform the following:

1. Provide timely reports in writing of any observed unsafe conditions or practices, or violations of job safety issues; and take corrective action.
2. Investigate accidents and implement corrective action.
3. Report all injuries in a timely manner in accordance with federal and state laws and regulations and the Contractor Project Specific Safety & Health Plan.
4. Provide appropriate training materials to conduct weekly "tool box" safety meetings, and attend to evaluate the effectiveness of the meeting.
5. Review safety meeting reports and takes necessary action to ensure meaningful weekly safety meetings are held.
6. Assist in the preparation of accident investigations and reporting.
7. Implement safety-training programs for supervisors and employees applicable to their specific responsibilities.
8. Ensure the control, availability, maintenance, and proper use of necessary safety equipment, including personal protective equipment and apparel for the employees.
9. Coordinate safety activities with the *MTA's* Consultants and the Insurance Carrier safety representatives, and take necessary steps to promptly implement safety recommendations.
10. Attend regularly scheduled and any special safety meetings held or sponsored by the *MTA's* safety representatives or Consultants. The Contractor's Safety Supervisor shall participate in these meetings.
11. Ensure adequate first aid supplies are available at the work site and sufficient personnel are qualified to administer first aid and CPR as required.

**E. Contractor's Employees:**

Every contractor employee has the responsibility to comply with all health and safety regulations and directives, and to participate in the identification and control of hazards.

Additional responsibilities include but are not limited to:

1. Report health and safety hazards that they become aware of;
2. Follow established health and safety procedures;
3. Report injuries or illnesses that may be workplace related;
4. Properly utilize personal protective equipment when required;
5. Cooperate with and assist in investigations of accidents;
6. Inspect all equipment prior to use and report any unsafe condition to your supervisor immediately.

***F. Safety Committee:***

The Office of Safety, Quality Assurance and Risk Management and the *MTA* Construction Division Safety shall have three primary functions:

1. Leadership: Provide coordination, leadership, and direction for the Contractor Project Specific Safety & Health Plan.
2. Enforcement: Monitor the management of the Contractor Project Specific Safety & Health Plan to ensure the plan is maintained and enforced by all personnel.
3. Recommendations: Recommended resolutions to safety problems not routinely resolved by the Project Safety Engineers/Supervisors or Resident Engineers.

The Committee shall meet as required by the Chairperson. Members may request the Chairperson to call a meeting when the need develops. The Committee membership consists of:

- Resident Engineer/acting Chairperson
- Office of Safety, Quality Assurance and Risk Management Representative
- General Contractor (GC) Project Manager
- GC On-site Safety Engineer/Supervisor
- Insurance Safety Consultant
- Broker Insurance Safety Consultant
- *MTA* Construction Division Safety Representative

***G. Modification of Contractor Project Specific Safety and Health Plan:***

The *MTA* reserves the right to require the Contractor to modify, at any time, any portion of the Plan that is not in conformance with Federal, State, or Local codes and regulations, or with the *MTA* Contractor Safety & Health Plan Guidelines.

**6. SAFETY REQUIREMENTS:**

***A. Safety Concerns:***

The Safety Concern Form is to be utilized as a means to express safety concerns when other mechanisms have not addressed and/or corrected the issue in a timely manner.

To document the concern and help in its tracking, The Safety Concern Form (See Form 116, *Safety Concern*) is available and is located throughout the site. Once a Safety Concern Form is completed, forward it to the Resident Engineer who will review it and determine the appropriate action.

***B. Safety Meetings:***

Safety break or “tool box” meetings shall be held on a weekly basis at a minimum by each Contractor. It is recommended that a specific date and time be set up for these meetings. A meeting agenda should consist of at least the following:

- Statistics and performance review;
- Injury and accident reviews which include the reason(s) the accident occurred and a discussion on the corrective actions taken to prevent recurrence;
- Review and discussion of any outstanding items;
- Five-minute safety talk on a pertinent subject to the work performed.
- The Safety Meetings shall be documented and copied to the Resident Engineer (see Form 109, *Tool Box Safety Meeting*).

***C. Safety Inspections:***

The Contractor shall conduct daily safety inspections for each shift worked in accordance with contract specifications. Any unsafe conditions and/or acts detected during the safety inspections, or at any other time, should be corrected immediately and reported on Form 110, *Contractor Daily Safety Audit Checklist*. Completed copies, indicating action taken and date completed, shall be submitted daily to the RE’s office for review and verification of completion of required action.

The Resident Engineer shall maintain in their office the daily inspection reports and shall communicate to the *MTA* Construction Division Safety and the Office of Safety, Quality Assurance and Risk Management any trends and suggestions for improvement.

**Any person on site has the authority to stop any job having the potential to be immediately dangerous to life and health. When a job is stopped, the Resident Engineer, and Site Superintendent shall be notified immediately so corrective actions can be taken. Until corrective actions are taken, the job will not commence.**

Safety violations found by other safety inspectors shall be reported to the Resident Engineer and the Contractor’s on-site Safety Engineer/Supervisor who will ensure that the proper personnel are contacted so corrective measures are taken.

***D. First Aid:***

The Contractor shall have adequate first aid supplies on-site and first aid supplies shall be accessible for immediate use. Written procedures shall be developed to ensure that first aid supplies are replaced promptly if used, and are not missing or depleted.

Sufficient personnel shall be available at the work site(s) to render first aid. The first aid personnel shall be and have valid CPR and first aid certifications. (U.S. Bureau of Mines, American Red Cross, or an equivalent training program that can be verified.)

***E. Safety Compliance:***

Compliance with the safety requirements is mandatory. The Contractor's supervisory staff or the Safety Engineer/Supervisor who is unable or unwilling to assure performance in compliance with the safety obligations will not be acceptable for supervision. If substandard performance warrants, the person shall be removed from the project.

**The Contractor shall be held responsible for safety compliance of their Subcontractor(s).** Any Contractor and/or Subcontractor(s) or employee(s) who fails to comply with the project safety requirements will be considered unqualified to perform services or work at the *MTA*.

***1. Noncompliance:***

In the event the Resident Engineer deems it necessary to notify the Contractor in writing of noncompliance with any of the safety requirements contained in the safety regulations, by any governmental agency with the authority to enforce safety regulations or authorized representative of the *MTA*, the Resident Engineer shall:

- A. Notify the Contractor in writing of the noncompliance.
- B. Exercise the right to issue a suspend-work order stopping all or part of the work if the Contractor fails or refuses to take corrective action to abate the noncompliance notice in the specified time.
- C. Deny any claim or request from the Contractor for adjustment for additional time or money on the suspended work order issued under these circumstances.
- D. Require the removal of an employee or piece of equipment or correction of a situation that is deemed to be unsafe.

***2. Contractor Analysis Report:***

In the event that a Contractor and/or Subcontractor has been uncooperative on safety or contractual issues, the Resident Engineer shall prepare a report documenting the problem encountered. This report will form an historical record, which will be available to determine future course of action. This report will be reviewed by Office of Safety, Quality Assurance and Risk Management prior to being sent to the Contract Officer with recommendation for disciplinary action including removal from the project of an individual or termination of the contract.

***F. Tours and Site Visitors:***

Only visitors authorized by the *MTA* shall be allowed on a project. The following guidelines have been prepared as general instructions for organization, direction and safe conduct of such tours on *MTA*'s Project Sites:

**1. Escorted Visitors:**

While on the job site, non-construction personnel or groups shall be accompanied at all times by an authorized representative from the Contractor, *MTA*, or designee familiar with the job site (Especially on any right of way).

**2. Notification and Tours:**

Personnel tours that do not involve technical inspections need to be cleared through the *MTA* Media Relations Department. Allowing a minimum 24-hour advance notice the Media Relation Department will contact the Resident Engineer at the sites to be visited to coordinate the tour and to make sure the necessary safety precautions are taken

Safety Awareness: All visitors must be informed, before entering the job site, the need for careful, orderly conduct and notified of any special hazards that may be encountered. All visitors and tour groups must comply with the safety precautions required, including the use of personal protective equipment, such as eye protection, hard hats, and reflective clothing that may be required. An adult will accompany children between the ages of 12 -15. No child will be allowed to accompany a tour under the age of 12.

**G. Protection of the Public and Property:**

The Contractor shall take the necessary precautions to protect the general public (individuals not contractually related to the project) from injury or damage to property and shall follow the contract requirements. The precautions to be taken shall at a minimum:

1. Perform no work in any area occupied or in use by the public unless specifically permitted by the contract or in writing from the *MTA* or designated Consultant.
2. Maintain public use of work areas where necessary involving sidewalks, entrances to buildings, lobbies, corridors, aisles, stairways, and vehicular roadways, protect the public with appropriate guardrails, barricades, temporary fences, overhead protection, temporary partitions, shields, and adequate visibility. Such protection shall guard against harmful radioactive rays or particles, flying materials, falling or moving materials and equipment, hot or poisonous materials, explosives and explosive atmospheres, flammable or toxic liquids and gases, open flames, energized electric circuits, or other harmful exposures.
3. Keep sidewalks, entrances to buildings, lobbies, corridors, aisles, doors, or exits that remain in use by the public clear of obstructions to permit safe ingress and egress of the public at all times.
4. Appropriate warnings, conspicuous signs and instructional safety signs shall be posted where necessary. In addition, a signalman shall control the movement of motorized equipment in areas where the public might be endangered.
5. Provide sidewalk shed canopies, catch platforms, and appropriate fences when it is necessary to maintain public pedestrian traffic adjacent to the erection, demolition or structural alteration of outside walls on any structure.
6. Provide temporary fences around the perimeter of above ground operations adjacent to public areas except where a sidewalk shed or fence is provided by the contract or as required (2) above. Perimeter fences shall be at least six (6) feet high. They may be constructed of wood or metal

frame and sheathing, wire mesh or a combination of both. When the fence is adjacent to a sidewalk near a street intersection, at least the upper section of the fence shall be open wire mesh from a point not over four (4) feet above the sidewalk and extending at least twenty-five (25) feet in both directions from the corner of the fence or otherwise required by local jurisdiction involved.

7. Provide warning signs and lights, during periods of severely restricted visibility, and continuously from dusk to sunrise along the guardrails, barricades, temporary sidewalks, and at every obstruction to the public as needed. They shall be placed at both ends of such protection or obstructions and not over twenty (20) feet apart alongside of such protection or obstruction.
8. Provide temporary sidewalks when a permanent sidewalk is obstructed by the Contractor's operations. They shall be in accordance with the requirements of the local ordinances. Guardrails shall be provided on both sides of temporary sidewalks.
9. Provide guardrails on each side and vehicular and pedestrian, bridges, ramps, runways, and platforms. Pedestrian walkways elevated above adjoining surfaces, or walkways within six (6) feet of the top of excavated slopes or vertical banks shall be protected with guardrails, except where sidewalk sheds or fences are provided. Guardrails shall be made of rigid materials capable of withstanding a force of at least two hundred (200) pounds applied in any direction at any point in their structure. Their height shall be approximately forty-two (42) inches. Top rails and posts may be two inches by four inches (2 x 4) dressed wood or equal materials. Posts shall not be more than eight (8) feet apart.
10. Provide barricades where sidewalk shed fences or guardrails as referenced above are not required between work areas and pedestrian walkways, roadways or occupied buildings. Barricades shall be secured against accidental displacement and shall be maintained in place except where temporary removal is necessary to perform the work. When a barricade is temporarily removed, a watchman shall be placed at all openings.
11. Prohibit fuel-burning types of lanterns, torches, flares or other open flame devices.
12. Maintain all equipment, devices and structures so as to not pose a hazard to the public, property or employees, and to perform their intended functions properly at all times.

#### ***H. Traffic Control:***

All work shall be planned well in advance to prevent traffic obstructions, public and MTA inconvenience, and lost work time. Therefore, a vehicle and/or pedestrian traffic plan shall be included as part of the Contractor Project Specific Safety & Health Plan. The plan shall include:

1. Traffic conditions;
2. Existing traffic controls;
3. Physical features;
4. Visibility restrictions;
5. Problems of access to private property;
6. Business access and activities;
7. The type, number and location of signs, barricades, lights and other traffic devices required for the work;
8. Means of mitigating any adverse effect upon the blind or other physically handicapped.

Flaggers are required:

1. Where workers or equipment intermittently block a traffic lane;
2. Where plans or permit allow the use of one lane for two directions of traffic (one flagger is required for each direction of traffic);
3. Where the safety of the public and/or workers determines there is a need.
4. Flaggers shall be certified.

***I. Emergency Procedures:***

The Contractor's emergency procedures should be continually reviewed and adjusted to provide maximum effectiveness. All such procedures are to be included in the Contractor Project Specific Safety & Health Plan and coordinated with the Resident Engineer.

The Contractor shall develop written procedures for, but not limited to the following events:

- Injury;
- Fire;
- Utilities damage – gas, water, electric, sewer, communications;
- Other potential emergency situations

Emergency procedures shall designate specific responsibilities for execution of and compliance with the Contractor's emergency plan.

Methods of promptly summoning Emergency Service Personnel and communication with the Resident Engineer shall be included in the procedure and made available at the job site before construction begins.

Actions to be taken during emergencies should be discussed at "tool box" safety meetings regularly.

***J. Media Relations and Safety:***

In any emergency affecting the safety of persons or property, the Contractor shall act immediately, as necessary and appropriate to prevent or minimize the threatened damage, injury or loss. The Contractor shall notify the Resident Engineer immediately of the situation and all actions taken.

For all press inquiries for emergencies, news releases or announcements related to the job, photo session, the Contractor shall refer the press to the *MTA* Media Relations.

The Contractor should make no statements until authorized by the *MTA*'s Office of Media Relations.

**7. SPECIFIC SAFETY STANDARDS**

***A. Personal Protective Equipment:***

OSHA Reference 1926.100-106, Subpart E, "Personal Protective and Life-Saving Equipment."

Minimum requirements for this section are:

- Hard Hats: Approved ANSI Z89.1-1969 hard hats shall be worn at all times while on the construction site. Hard Hats shall be worn properly with the bill forward unless the eye

protection prevents this, as with welders.

- **Eye Protection:** This is a 100% eye protection project. Employees must wear ANSI Z87 approved safety glasses with side shields 100% of the time while in the construction areas.
- **Clothing:** Full-length trouser without excessive length or flared bottoms is required. Shirts must cover the entire mid-section and the sleeves must cover the entire shoulder. Sleeveless shirts, tank tops, net shirts, halter tops, and any clothing with derogatory language or offensive photographs shall not be worn on the construction site.

ANSI Class II High Visibility Reflective Clothing will be worn at all times when in the right of way of rail, highway, or area of construction.

Flame resistant clothing must be worn for all electrical, welding / hot work

- **Work Shoes:** A serviceable pair of ANSI Z.41.1-1967 work shoes or boots made of leather or similar material shall be worn. Steel toe shoes and metatarsal covers are required for all track and rail operations, operating jackhammers, earth compacting equipment, and other areas when designated. Tennis shoes, sandals and other similar shoes are not permitted.

Other requirements may include, but not be limited to:

- **Respirators:** Respirators shall be worn when required.
- **Hearing Protection:** Hearing protection shall be worn when required.
- **Fall Protection:** Guardrail systems, safety nets, or personal fall protection must be used during any activity where a worker is exposed to a fall hazard greater than four (4) or six (6) feet depending on the work involved. Full body safety harnesses with seat support and shock absorbing lanyards are the only acceptable fall protection outside of safety rails and nets.

***B. Housekeeping:***

OSHA Standard 1926.25, Subpart C, "General Safety & Health Provisions"

***C. Guardrails and Perimeter Protection:***

OSHA Standard 1926, Subpart M, "Floor and Wall Openings"

***D. Concrete and Form Work:***

OSHA Standard 1926, Subpart Q, "Concrete and Masonry Construction"

***E. Reinforced Steel (Rebar)***

OSHA Standard 1926, Subpart Q, Concrete and Masonry Construction

***F. Excavations, Trenching, and Shoring:***

OSHA Standard 1926, Subpart P, "Excavation", including appendix A-F

**G. Fire Protection and Prevention:**

OSHA Standard 1926, Subpart F, "Fire Protection and Prevention"; National Fire Protection Association (NFPA) Regulations; local fire codes. The Contractor shall, in addition to complying with the Federal, State, and Local Fire Codes and regulations, prohibit the presence or use of open fire. The Contractor shall require that temporary heating or warming devices be UL approved.

**H. Flammable and Combustible Liquids:**

OSHA Standard 1926, Subpart F, "Fire Protection and Prevention"; National Fire Protection Association (NFPA) Regulations; local fire codes.

**I. Confined Area (Space) Entry:**

OSHA Standard 1910.146, "Permit Required Confined Spaces".

All confined space entry work is to be discussed with the RE and the on-site Safety Engineer/Supervisor forty-eight (48) hours prior to entry. *The Confined Space Entry Permit* (Form 107, Attachments) shall be filled out by the Contractor and kept at the jobsite. The MTA Office of Safety, Quality Assurance & Risk Management (OSQARM) shall be notified forty eight (48) hours prior to confined space entry. All completed, terminated or expired permits shall be submitted to the OSQARM within twenty four (24) hours of completion, termination, or expiration; Resident Engineer shall receive duplicate copy.

**Evaluating the Environment:**

Tests for oxygen deficiency, flammability, and toxicity are to be made before any entry into a confined space.

**J. Mobile and Tower Crane Safety:**

OSHA Standard 1926.550-556, Subpart N - "Cranes, Derricks, Hoists, Elevators and Conveyors".

**K. Rigging Requirements:**

OSHA Standard 1926.250-252, Subpart H - "Material Handling, Storage, Use and Disposal".

**L. Environmental Policy Statement:**

Refer to Section 01570 "Environmental Protection" of the contract.

The environmental control issues will be specifically detailed within the individual bid packages, as they are developed.

**M. Hazard Communication Program Responsibilities:**

OSHA Standard 1926.59, Subpart D, - "Occupational Health and Environmental Controls".  
OSHA Standard 1910.1200, "Hazard Communication".

All chemicals brought on *MTA* property require prior approval from The Office of Safety, Quality Assurance & Risk Management. (Form 117). Parts one (1) and two (2) of Form 117 must be completed for each MSDS submitted for evaluation.

***N. Use of Explosives/Blasting:***

OSHA Standard 1926.900, Subpart U- "Blasting and Use of Explosives"

**8. APPLICABLE GOVERNMENT AGENCY AND INDUSTRY SAFETY STANDARDS:**

The Contractor shall comply with, but is not limited or precluded to, the safety standards and provisions of the following agencies, associations, councils, societies, etc.

- Regulation, 49, CFR, Parts 27, 37, and 3 U.S. Department of Transportation (DOT) ("American with Disabilities Act").
- Regulation 40 CFR 261 Environmental Protection Agency (EPA) Titled: Identification and Listing of Hazardous Waste (Implemented by State DER (Dept. of Environmental Resources).
- Regulation 40 CFR 403 General Pretreatment Regulations For Existing And New Sources Of Pollution (Sewer)
- Regulation 49 CFR, Part 29, "Drug Free Workplace Act".
- Regulation 49 CFR, Part 653, 654 and 655, "Prevention of Alcohol and Prohibitive Drug Misuse in Transit Operations".
- Regulation 49 CFR 659 "Rail Fixed Guideway Systems: State Safety Oversight
- Federal Transit Administration (FTA) and incorporated documents by reference or submission to and acceptance by *MTA* and includes:
  1. MIL-STD-882B "System Safety Program Plan Requirements"
  2. FTA "Recommended Emergency Preparedness Guidelines for Rail Transit Systems"
- OSHA Standards 29 CFR 1926, Construction Standards
- OSHA Standards 29 CFR 1910, General Industry Standards
- COMAR 09.12.20 thru 33. Maryland Occupational Safety and Health
- COMAR Title 26 Maryland Department of the Environment,
- Underwriters Laboratories, Inc.
- U.S. Army, Corp of Engineers
- American Society for Testing of Materials (ASTM)
- American National Standards Institute (ANSI)
- National Fire Protection Association (NFPA)
- Local and State Building and Fire Code Standards

## **Contractor Project Specific Safety and Health Plan Forms**

### **Form 102**

- **Incident Investigation Report**

### **Form 102A**

- **Witness Statement**

### **Form 107**

- **Confined Space Entry Permit**

### **Form 108**

- **Job Orientation Acknowledgement**

### **Form 109**

- **Tool Box Safety Meeting**

### **Form 110**

- **Contractor Daily Safety Audit Checklist**

### **Form 112**

- **Safety Observation Notice**

### **Form 116**

- **Safety Concern**

### **Form 117**

- **MSDS Evaluation Request**

### **Form 118**

- **Hot Work Permit**

## INCIDENT INVESTIGATION REPORT Form 102

### PART 1

Date of Incident:	Time of Incident:	Date of Investigation:
Company:		Contract Number:
Location of Incident:		
Describe what the employee was doing at the time of the incident:		
Did injury result? Yes/No ____.	If yes ;Employee Name(s) ;SSN(s) ;Proceed to Part 2	

### PART 2

Body part(s) affected:		
Disposition: Employee Sent to Type of Injury:	<input type="checkbox"/> Doctor <input type="checkbox"/> Emergency Room <input type="checkbox"/> Personal Physician <input type="checkbox"/> On-Site Medical Station <input type="checkbox"/> Other	<input type="checkbox"/> Employee refused treatment <input type="checkbox"/> Result impression <input type="checkbox"/> 1 <sup>st</sup> Aid Only <input type="checkbox"/> Medical Recordable <input type="checkbox"/> Lost Time or Restricted Duty
Employee Supervisor:		
Witnesses:		
Circle the Number of Identifying Contributing Factors:		
1. Absent/Improper Guarding 2. Defective Equipment 3. Weather/Temperature 4. Inappropriate PPE 5. Inadequate Housekeeping 6. Slippery/Uneven Walking Surface 7. Improper Layout of Work Area 8. Inadequate Ventilation 9. Inadequate Lighting or Noise Control 10. Improper Storage or Placement of Materials 11. Insect/Animals in Work Area 12. No At Risk Condition Identified 13. Other _____	14. Operating Without Authority 15. Improper Use of Equipment 16. Inadequate Procedures 17. Use of Defective Equipment/Tools 18. PPE Not Used 19. Inadequate/Inappropriate Training 20. Improper Position or Posture 21. Horseplay 22. Altercation 23. No At Risk Act Identified 24. Other _____	

### PART 3

How Did The Incident Occur?		
What Object or Substance was Involved?		
Any Previous or Similar Incidents?	Project Specific:	Company Wide:
What Factors Contributed to the Incident		

Was an SPA/JSA developed for the task being performed? Yes/No \_\_\_\_\_. If yes, attach a copy.

What corrective actions are being taken to prevent recurrence? Also list the person responsible for implementing and the target completion date for each item.

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Supervisor/Investigation Team Members: \_\_\_\_\_  
Name(s)
Signature(s)/Date





## Confined Space Entry Permit

Permit valid for eight (8) hours only

<b>Date Issued:</b>		<b>Time Issued:</b>		<b>Date Expires:</b>		<b>Time Expires:</b>	
<b>Job Site:</b>				<b>Equipment worked on:</b>			
<b>Worked to be Performed:</b>							
<b>Supervisor: (Print)</b>				<b>(Phone)</b>			
<b>Attendant: (Print)</b>				<b>(Phone)</b>			
<b>Entrant: (Print)</b>				<b>Entrant: (Print)</b>			
<b>Entrant: (Print)</b>				<b>Entrant: (Print)</b>			
<b>Communication Procedures:</b>							
<b>Rescue Procedures as arranged &amp; verified by Supervisor (Include phone numbers):</b>							
<b>Supervisor, Attendant, Entrant have successfully completed required trained:</b>							
						Yes:	No:
<b>Atmospheric Check (Various Levels) Before Isolation &amp; Ventilation</b>		<b>Date:</b>	<b>Time:</b>	<b>Oxygen: &gt; 19.5%</b>	<b>Explosives: &lt;10% LFL</b>	<b>Toxic % PPM &lt;10ppm H<sub>2</sub>S</b>	
<b>Atmospheric Check (Various Levels) After Isolation &amp; Ventilation</b>		<b>Date:</b>	<b>Time:</b>	<b>Oxygen: &gt; 19.5%</b>	<b>Explosives: &lt;10% LFL</b>	<b>Toxic % PPM &lt;10ppm H<sub>2</sub>S</b>	
<b>Atmospheric Tester's Signature:</b>							
<b>Direct Reading Gas Monitor:</b>		<b>Test Date:</b>	<b>Make:</b>	<b>Model #:</b>	<b>Serial #:</b>		
<b>Requirements Completed:</b>		N/A		Yes		No	
<b>a) Lockout Tag out</b>							
<b>b) Line(s) Broken, Capped, Blanked</b>							
<b>c) Purge, Flush &amp; Vent</b>							
<b>d) Ventilation</b>							
<b>e) Secure Area (Fall Protection)</b>							
<b>f) Respirator (s)</b>							
<b>g) Emergency Personnel Notified</b>							
<b>h) Full Body harness w/"D" Ring</b>							
<b>i) Retrieval Equipment</b>							
<b>j) Fire Extinguishers</b>							
<b>k) Lighting (Explosion Proof)</b>							
<b>l) Protective Clothing</b>							
<b>Continuous Monitoring: (Various Levels) Every 2 hours</b>		<b>Date:</b>	<b>Time:</b>	<b>Oxygen: &gt; 19.5%</b>	<b>Explosives: &lt;10% LFL</b>	<b>Toxic % PPM &lt;10ppm H<sub>2</sub>S</b>	
		<b>Date:</b>	<b>Time:</b>	<b>Oxygen: &gt; 19.5%</b>	<b>Explosives: &lt;10% LFL</b>	<b>Toxic % PPM &lt;10ppm H<sub>2</sub>S</b>	
		<b>Date:</b>	<b>Time:</b>	<b>Oxygen: &gt; 19.5%</b>	<b>Explosives: &lt;10% LFL</b>	<b>Toxic % PPM &lt;10ppm H<sub>2</sub>S</b>	
		<b>Date:</b>	<b>Time:</b>	<b>Oxygen: &gt; 19.5%</b>	<b>Explosives: &lt;10% LFL</b>	<b>Toxic % PPM &lt;10ppm H<sub>2</sub>S</b>	
<b>Continuous Tester's Signature:</b>							
<b>Material Safety Data Sheets Approved:</b>		N/A		Yes		No	
<b>Known Hazards:</b>							
<b>Supervisor Authorizing All Conditions Satisfied</b>							
<b>Print:</b>				<b>Signature:</b>		<b>Date:</b>	
<p>This permit is to be kept on the job site. The MTA Office of Safety, Quality Assurance &amp; Risk Management (OSQARM) must be notified 48 hours prior to confined space entry. All completed, terminated and expired permits are to be submitted to the OSQARM within 24 hours of completion, termination or expiration. Phone: 410-454-7143 Fax: 410-454-7138</p>							

**JOB ORIENTATION ACKNOWLEDGEMENT FORM  
Form 108**

My signature below acknowledges my completion of the project specific safety orientation and review of the security rules and regulations. I agree to adhere to these, as well as all other specific project rules and regulations.

Check as covered:

<input type="checkbox"/> Eye Protection	<input type="checkbox"/> Fire Protection
<input type="checkbox"/> Head Protection	<input type="checkbox"/> Interim Life Safety Measures
<input type="checkbox"/> Foot Protection	<input type="checkbox"/> Drug Policy
<input type="checkbox"/> Clothing Requirements	<input type="checkbox"/> Employee's Guide to WC Managed Care
<input type="checkbox"/> Fall Protection	<input type="checkbox"/> MSDS Procedure
<input type="checkbox"/> Scaffold Tagging Requirements	<input type="checkbox"/> Security
<input type="checkbox"/> Work Permit	<input type="checkbox"/> Lockout Procedures
<input type="checkbox"/> Hot Work Permit	

**Project Identification Data Sheet**

Please Print Clearly

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

SSN: \_\_\_\_ - \_\_\_\_ - \_\_\_\_\_ Employer: \_\_\_\_\_

Trade: \_\_\_\_\_ Contact Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

A Photo ID will be required at the time the Project ID is issued.



## CONTRACTOR DAILY SAFETY AUDIT CHECKLIST

Form 110

This list is intended to be used as a starting point for your company. Add exposures that are specific to your construction activities as necessary. Look for other unsafe acts and conditions, and then document them so that corrective action can be taken and recorded

**Company Name** \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

JOB/PROJECT #: \_\_\_\_\_

SUPERVISOR: \_\_\_\_\_

Reported injuries, and corrective actions, since last safety survey: (i.e. cut hand, debris in eye, back strain, etc..)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

	AREA/ITEM	STATUS Ok / Not Ok	PROBLEM AND CORRECTIVE ACTION	Control Completion Date/Initial s
1	<b>Housekeeping</b>			
	Walkways, exits, work areas, clear	<input type="checkbox"/> <input type="checkbox"/>		
	Nails bent over or removed from scrap	<input type="checkbox"/> <input type="checkbox"/>		
	Waste materials properly placed/cleaned up	<input type="checkbox"/> <input type="checkbox"/>		
	Hazardous construction materials controlled	<input type="checkbox"/> <input type="checkbox"/>		
	Waste bins emptied and placed throughout site			
	Designated lunch areas kept clean and trash cans available	<input type="checkbox"/> <input type="checkbox"/>		
2	<b>Fall Protection</b>			
	Scaffolds over 7 ½" properly tied off and guard rails in place	<input type="checkbox"/> <input type="checkbox"/>		
	Scaffold planks and footings properly placed	<input type="checkbox"/> <input type="checkbox"/>		
	Interior stair railings in place	<input type="checkbox"/> <input type="checkbox"/>		
	Roof/floor openings properly protected	<input type="checkbox"/> <input type="checkbox"/>		
	Ladders in good mechanical condition	<input type="checkbox"/> <input type="checkbox"/>		
	Ladders properly used by tradespersons	<input type="checkbox"/> <input type="checkbox"/>		
	Safety harnesses used if required, good anchorage points	<input type="checkbox"/> <input type="checkbox"/>		
	Other	<input type="checkbox"/> <input type="checkbox"/>		

3	<b>Falling Material</b>		
	Construction materials secured to prevent them falling on workers	<input type="checkbox"/> <input type="checkbox"/>	
	Construction materials secured to prevent them from being blown by wind or knocked over the edge of the roof	<input type="checkbox"/> <input type="checkbox"/>	
	Pallets properly stacked and not tipping	<input type="checkbox"/> <input type="checkbox"/>	
	Other	<input type="checkbox"/> <input type="checkbox"/>	
4	<b>Electrical</b>		
	Electrical <u>extension cords</u> not frayed or cut exposing internal wiring	<input type="checkbox"/> <input type="checkbox"/>	
	Electrical <u>tool cords</u> not frayed or cut exposing internal wiring	<input type="checkbox"/> <input type="checkbox"/>	
	Grounding (GFCI) in use as required	<input type="checkbox"/> <input type="checkbox"/>	
	Adequate lighting in work areas	<input type="checkbox"/> <input type="checkbox"/>	
	Other	<input type="checkbox"/> <input type="checkbox"/>	
5	<b>Personal Protective Equipment</b>		
	Safety Glasses / Goggles as required	<input type="checkbox"/> <input type="checkbox"/>	
	Hard Hats if required	<input type="checkbox"/> <input type="checkbox"/>	
	Gloves if required	<input type="checkbox"/> <input type="checkbox"/>	
	Sturdy work shoes/boots or steel toed shoes if required	<input type="checkbox"/> <input type="checkbox"/>	
	Other	<input type="checkbox"/> <input type="checkbox"/>	
6	<b>Machinery</b>		
	Properly guarded	<input type="checkbox"/> <input type="checkbox"/>	
	Properly used	<input type="checkbox"/> <input type="checkbox"/>	
	Other	<input type="checkbox"/> <input type="checkbox"/>	
7	<b>Fire Protection</b>		
	Flammables properly used/stored	<input type="checkbox"/> <input type="checkbox"/>	
	Fire extinguishers on hand	<input type="checkbox"/> <input type="checkbox"/>	
	Protective guards in place during welding and soldering to prevent flame from reaching combustible materials in the building walls	<input type="checkbox"/> <input type="checkbox"/>	
	Other	<input type="checkbox"/> <input type="checkbox"/>	

8	<b>Public / Worker Protection</b>		
	Barricades in place as necessary	<input type="checkbox"/> <input type="checkbox"/>	
	Trenches 5' and greater properly sloped or shored	<input type="checkbox"/> <input type="checkbox"/>	
	Operations (such as rebar bending, etc.) not being conducted in active street	<input type="checkbox"/> <input type="checkbox"/>	
	Fences installed as necessary/planned	<input type="checkbox"/> <input type="checkbox"/>	
	Free standing chain link fences protected from falling on sidewalks/work areas in the event of unexpected high winds	<input type="checkbox"/> <input type="checkbox"/>	
	Other	<input type="checkbox"/> <input type="checkbox"/>	
		<input type="checkbox"/> <input type="checkbox"/>	
9	<b>Vehicle Operation on Jobsite</b>		
	Backup warning signals in operation	<input type="checkbox"/> <input type="checkbox"/>	
	Speed properly controlled	<input type="checkbox"/> <input type="checkbox"/>	
	Properly parked	<input type="checkbox"/> <input type="checkbox"/>	
	Other	<input type="checkbox"/> <input type="checkbox"/>	
		<input type="checkbox"/> <input type="checkbox"/>	
10	<b>Behavior Based Safety (BBS)</b>		
	Employees following safety rules	<input type="checkbox"/> <input type="checkbox"/>	
	Unsafe acts observed (i.e. unsafe lifting/material handling could lead to a muscle strain)	<input type="checkbox"/> <input type="checkbox"/>	
	Good safety culture observed (i.e. employees follow safety rules when they are on their own and no one is observing them).	<input type="checkbox"/> <input type="checkbox"/>	
	Other areas of behavior that need to be addressed	<input type="checkbox"/> <input type="checkbox"/>	
		<input type="checkbox"/> <input type="checkbox"/>	
11	<b>OTHER</b>		
		<input type="checkbox"/> <input type="checkbox"/>	
		<input type="checkbox"/> <input type="checkbox"/>	
		<input type="checkbox"/> <input type="checkbox"/>	
		<input type="checkbox"/> <input type="checkbox"/>	
		<input type="checkbox"/> <input type="checkbox"/>	
		<input type="checkbox"/> <input type="checkbox"/>	

JOB/PROJECT #: \_\_\_\_\_

SUPERVISOR: \_\_\_\_\_

Reported injuries, and corrective actions, since last safety survey: (i.e. cut hand, debris in eye, back strain, etc..)

\_\_\_\_\_  
 \_\_\_\_\_

**SAFETY OBSERVATION NOTICE  
Form 112**

To Prime Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

The Resident Engineer is formally notifying the Prime Contractor Party that the following condition(s) are in non-compliance with the safety requirement established for the Project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Originator: \_\_\_\_\_

Prime Contractor's Corrective Action: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Corrective Action Completed:  Yes  No

Safety Engineer/Supervisor/Designee: \_\_\_\_\_ Date: \_\_\_\_\_

**FOLLOW UP**

- Complete
- Incomplete
  - 2<sup>nd</sup> Notice Sent: \_\_\_\_\_

Completion Sign-off  
Originator: \_\_\_\_\_ Date: \_\_\_\_\_

cc: \_\_\_\_\_ / \_\_\_\_\_  
OSQARM / MTA Construction Division Safety

***SAFETY CONCERN*****Form 116**

Date;	NO.
<p>Here's <b>MY CONCERN</b>. Describe safety condition that should be improved, changed, or corrected. (Please print, type or write clearly – use black ink. If more room is needed, attach additional sheets.)</p>	
<p>Here's <b>MY RECOMMENDED CORRECTIVE ACTION</b></p>	

Name: \_\_\_\_\_

Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Employee No: \_\_\_\_\_

Telephone #/Ext. \_\_\_\_\_

Receipt Acknowledged: \_\_\_\_\_

Resident Engineer

**HERE'S MY SAFETY CONCERN**  
**Instructions**

1. Enter your concern on the Safety Concern blank.
  - a. Use sheets of plain paper if you need additional space.
  - b. Draw a sketch if you think it will help.
2. In the lower portion of the SC blank, enter your name, address, telephone number or extension, department, and employee number so the canary copy can be returned to you with response to your concern.
3. Seal the completed form and any attachments in an envelope and submit to:  
Resident Engineer



MARYLAND TRANSIT ADMINISTRATION

Form 117

**Material Safety Data Sheet (MSDS) Evaluation Request**

Send to this form along with a legible English language MSDS and any other related information to:  
 Dennis Rafferty Sr., Manager Occupational Safety & Health, 1515 Washington Blvd., Baltimore, Md. 21230  
 drafferty@mta.maryland.gov

**PART 1** (Completed by Sales Representative)

Name Of Product To Be Evaluated:

Date

Manufacture's Name, Address & Phone:

Sales Representative's Name And Phone Number:

Distribution Company's Name, Address & Phone:

**PART 2** (Completed by End User – MTA or Contractor)

Describe the location and intended use. IE – Spray application on vehicle to remove graffiti.

Location Used:

Intended Use:

Requested By

Date

**PART 3** (Office of Safety Determination)

Date

This Product Is:

Approved For Test Only See Restrictions Below

Approved For MTA Use As Directed

Approved With Attached Restrictions Below

Not Approved For MTA Use

Restrictions:

MTA MSDS Reference Number:

Approved By:

**MARYLAND TRANSIT ADMINISTRATION**

**FORM 118**

**HOT WORK PERMIT**

DATE ISSUED \_\_\_\_\_ VALID UNTIL \_\_\_\_\_

BUILDING \_\_\_\_\_ BUILDING # \_\_\_\_\_ PROJECT # \_\_\_\_\_

LOCATION OF WORK \_\_\_\_\_

CONSTRUCTION PROJECT MANAGER/PHONE # \_\_\_\_\_

CONTRACTOR/PHONE # \_\_\_\_\_

The location where this work will take place will be examined before the start of cutting/welding operations and all the appropriate precautions (**including any that exceed those outlined below**) will be taken.

Signed (at issue of permit) \_\_\_\_\_ Date \_\_\_\_\_

Print name \_\_\_\_\_

**FIRE SAFETY PRECAUTIONS**

**BEFORE THE WORK** - *All* of the following precautions must be taken:

- Cutting and/or welding equipment must be thoroughly inspected and found to be in good repair, free of damage or defects.
- A multi-purpose dry chemical, portable fire extinguisher must be located such that it is immediately available to the work and is fully charged and ready for use.
- At least one fire alarm pull station or means of contacting the fire department (i.e. site telephone) must be available and accessible to person(s) conducting the cutting/welding operation.
- Floor areas under and at least 35 feet around the cutting/welding operation must be swept clean of combustible and flammable materials.
- All construction equipment fueling activities and fuel storage must be relocated at least 35 feet away from the cutting/welding operation.

*Where applicable*, the following precautions will also be taken before the work begins:

- Fire resistant shields (fire retardant plywood, flameproof tarpaulin, metal, etc.), must cover combustible floors.
- Spark/slag catchers (fire retardant plywood, flameproof tarpaulins, metal, etc.) must be suspended below any elevated cutting/welding operation.

- ❑ All floor and wall openings must be covered to prevent sparks/slag from traveling to other, unprotected areas.
- ❑ Containers in or on which cutting/welding will take place must be purged of flammable vapors.

**DURING / AFTER THE WORK** - The following precautions will be taken:

- ❑ Person(s) must be assigned to a fire watch during and for at least 30 minutes after all cutting/welding ceases.
- ❑ Fire watch person(s) are to be supplied with multi purpose dry chemical, portable fire extinguisher and trained in its use.
- ❑ A fire alarm pull station or means of contacting the fire department (i.e. site telephone) available and accessible to fire watch person(s).

The location where this work will take place has been **examined before the start** of cutting/welding operations and all the appropriate precautions have been taken. *Responsible party to sign under Signature 1 for each date.*

The work area and all adjacent areas to which sparks and heat might have spread (including floor levels above and below and on opposite side of walls) were **inspected 30 minutes after** the cutting and or welding operations ceased for the day and were found to be fire safe. *Responsible party to sign under Signature 2 for each date.*

	Signature 1	Signature 2
Date _____	Before _____	After _____
Date _____	Before _____	After _____
Date _____	Before _____	After _____
Date _____	Before _____	After _____
Date _____	Before _____	After _____
Date _____	Before _____	After _____
Date _____	Before _____	After _____



**MARYLAND TRANSIT ADMINISTRATION**

**MARYLAND DEPARTMENT OF TRANSPORTATION**

Martin O'Malley, Governor • Anthony G. Brown, Lt. Governor  
Beverley K. Swaim-Staley, Secretary • Ralign T. Wells, Administrator

**TO:** All Planholders  
**FROM:** Maryland Transit Administration  
**SUBJECT:** **ADDENDUM NO. 1**  
**Contract No.: MTA-1352**  
**Owner Controlled Insurance Program Services**  
**DATE:** May 24, 2012

Enclosed and effective this date is Addendum No. 1 to the subject Contract. This addendum delays the Closing date for receipt of proposals from May 30, 2012 to **June 13, 2012**. Official MTA responses to questions received are being prepared for distribution in the next addendum.

A conformed copy of the revised specification sections is attached. A list of the changes made to this contract is attached to this Addendum.

The Bidder shall acknowledge receipt of this Addendum by completing and returning this form with their proposal package.

All other terms and conditions remain unchanged.

Sincerely,

Gary R. Lockett, Procurement Officer  
Construction/Installation & Professional Services Section  
Procurement Division

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Acknowledgement of receipt of ADDENDUM # 1 to Solicitation #MTA-1352

Vendor Name: \_\_\_\_\_

---

Authorized Representative's Signature

Date

ADDENDUM NO.: 1  
DATE: 05/24/12  
CONTRACT NO.: MTA-1352

The following additions, deletions, and modifications are hereby made a part of the Contract Documents of Owner Controlled Insurance Program Services, Contract No.: MTA-1352.

<b>Item No.</b>	<b>Page</b>	<b>Modification</b>
<b>I. CONTRACT SPECIFICATIONS</b>		
1	<b>Key Information Summary Sheet, ii</b>	<b>Changed Proposal Due Date to June 13, 2012</b>
2	<b>Section I, pg. 1</b>	<b>Changed Proposal Due Date to June 13, 2012</b>
3	<b>Section I, pg. 3</b>	<b>Changed Proposal Due Date to June 13, 2012</b>

**KEY INFORMATION SUMMARY SHEET**

**STATE OF MARYLAND**

**Request For Proposals (RFP)**

**Owner Controlled Insurance Program Services**

**CONTRACT NO. MTA-1352**

**RFP Issue Date:** April 23, 2012

**RFP Issuing Office:** **Maryland Department of Transportation  
Maryland Transit Administration**

**Procurement Officer:** **Gary R. Lockett  
Office Phone: (410) 767-3360  
Facsimile: (410) 333-4810  
E-mail: [glockett@mta.maryland.gov](mailto:glockett@mta.maryland.gov)**

**Proposals are to be sent to:** **MD. Department of Transportation  
Maryland Transit Administration  
6 St. Paul Street. Rm. 700  
Baltimore, Md. 21202  
Attention: Gary R. Lockett**

**Pre-Proposal Conference:** **May 8, 2012 – 2:00 PM Local Time  
Maryland Transit Administration  
6 St. Paul Street Rm. 731  
Baltimore, Md. 21202**

**Closing Date and Time:** **June 13, 2012– 2:00 PM Local Time**

**NOTICE:**

Prospective Offerors who have received this document from a source other than the Procurement Officer's authorized agency and who wish to assure receipt of any changes or additional materials related to this RFP, should immediately visit MTA's website ([www.mta.maryland.gov](http://www.mta.maryland.gov)) to download this RFP. Follow links "Business", "Procurement", "Bids/Solicitations", to view the specifications and/or addenda.

**Disadvantage/Minority Business Enterprises are encouraged to respond to this solicitation.**

## **SECTION I – INTRODUCTION**

### **I. BACKGROUND**

The Maryland Transit Administration (MTA) is a modal administration within the Maryland Department of Transportation. The Administration directly operates bus, metro, light rail and mobility transit services in the "Metro Transit District" comprising Baltimore City, and the surrounding counties. The MTA also contracts with several companies to operate statewide and commuter bus services, mobility services and commuter rail services ("MARC").

### **II. PROCUREMENT SCHEDULE**

April 23, 2012	Advertisement of the RFP in e-Maryland marketplace
May 8, 2012	Pre-proposal Conference at 2:00 p.m. Maryland Transit Administration Contract Administration Division Room 731 6 St. Paul Street Baltimore, MD 21201
May 15, 2012	Submission deadline for inquiries
<b>June 13, 2012</b>	Closing date for submission of proposals. Proposals must be received by the Procurement Officer before 2:00 p.m. EST.
July, 2012	Orals, if required by MTA evaluation committee
July, 2012	Projected date for selection of the Offeror proposed for contract award
October, 2012	Projected date contract with the successful Offeror will be presented to the Maryland Board of Public Works
October, 2012	Projected Notice to Proceed (NTP) with contract work

### **III. PURPOSE**

The MTA is requesting proposals from a consulting firm with demonstrated experience in, and thorough knowledge of, insurance broker services in connection with an Owner Controlled Insurance Program (OCIP) as described more fully in this Request for Proposals ("RFP"). This request does not commit the MTA to accept a proposal or recommend award. Each potential Offeror is encouraged to read this RFP carefully and submit technical proposals outlining in detail its ability to provide the requested services. The OCIP will be for the MTA's Capital Construction Program, which includes improving portions of the Metro Subway's Fire Security system and performing a Facility Systems Modernization. Also planned are updates and expansions of the Park and Ride Lots for MARC train and commuter bus that will take place in

## **B. Pre-Proposal Conference**

A pre-proposal conference will be held on May 8, 2012 at the MTA's office located at 6 St. Paul Street, Baltimore, Maryland, 7th floor conference room 731 beginning at 2:00 P.M. Attendance should be limited to no more than two (2) representatives per proposing team.

The conference will be transcribed. A copy of the transcript will be available to potential Offerors as an addendum to this RFP. In addition a transcript of the Pre-Proposal Conference and all known questions and answers at the time will be distributed, free of charge, to all prospective Offerors known to have received a copy of this RFP.

## **C. Inquiries**

Written questions from prospective Offerors will be accepted by the Procurement Officer prior to the pre-proposal conference. As reasonably possible and appropriate, such questions will be answered at the pre-proposal conference. (No substantive question will be answered prior to the pre-proposal conference). Questions may be submitted by mail, facsimile, or, by e-mail to the Procurement Officer. Questions, both oral and written, will also be accepted from prospective Offerors attending the Pre-Proposal Conference. As reasonably possible and appropriate, these questions will be answered at the pre-proposal conference.

Questions will also be accepted subsequent to the pre-proposal conference. All post-conference questions should be submitted in a timely manner to the Procurement Officer only. **The submission deadline for written inquiries is May 15, 2012, by 4:00 p.m.** In case of questions not received in a timely manner, the Procurement Officer shall, based on the availability of time to research and communicate an answer, decide whether an answer can be given before the proposal due date. Answers to all substantive questions that have not previously been answered, and are not clearly specific only to the requestor, will be distributed to all vendors who are known to have received a copy of the RFP.

## **D. Submission Deadline**

**In order to be considered, proposals must be received no later than 2:00 p.m. (Eastern Time) on June 13, 2012, to the Procurement Officer at the address listed in Section 1.V.A.** Offerors submitting proposals by mail should allow sufficient mailing and delivery time to ensure timely receipt by the Procurement Officer. Proposals arriving after the closing date and time are late and shall be rejected in accordance with applicable regulations. Electronic and fax proposals will not be accepted.

One original and four (4) copies of the Technical Proposal and one original and four (4) copies of the Price Proposal, each in a separate sealed envelope, clearly marked with the full name and address of the Offeror and the contents of the envelopes or packages, e.g., "Technical Proposal, Contract No. MTA-1352" and "Financial Proposal, Contract No. MTA-1352".