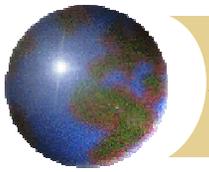
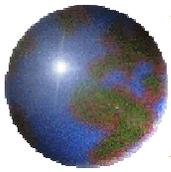


REACTIVE STEPS FOR POOR PERFORMING CONTRACTORS



Site Manager and Employee:

Removal

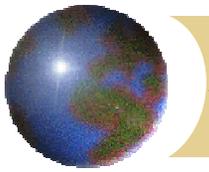


TOOL 1: 01525 Guide Specification

*Safety Tri Service Safety Guide Specification 01525
(11/02):*

Something to make sure is in your new contracts –

What's in it to help back up contractor actions?



01525 Safety Guide Specification

1.6.2.1 Site Safety & Health Officer

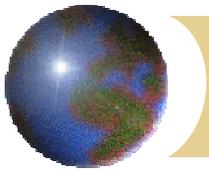
(Superintendent/SSHO) responsibilities:

a. Conduct daily safety & health inspections including written log

b. Conduct mishap investigation

c. Maintain safety reference material on site

d. Attend pre-construction conference & pre-work meetings including preparatory inspection meeting & periodic progress meetings.

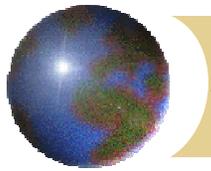


01525 Safety Guide Specification

e. Implement and enforce Accident Prevention Plan (APP) and Activity Hazard Analyses (AHAs)

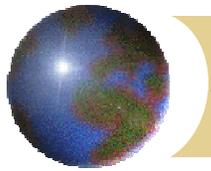
f. Maintain safety deficiency tracking system that monitors outstanding deficiencies until resolution

g. Ensure subcontractor compliance with safety & health requirements



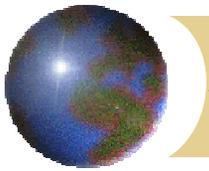
01525 Safety Guide Specification

Failure to perform the above duties will result in dismissal of the superintendent or SSHO and project work stoppage. The project work stoppage will remain in effect pending approval of a suitable replacement



Tool 2 EM 385-1-1

01.A.16 The COR or his/her designated representative may immediately stop work when an employee is deemed to be in imminent danger or serious injury or loss of life. See Federal Acquisition Regulation (FAR) Clause 52.236-13(d)



Tool 3 FAR 52.236-13:

22.406 Administration and enforcement.

22.406-1 Policy.

(a) General. Contracting agencies are responsible for ensuring the full and impartial enforcement of labor standards in the administration of construction contracts. Contracting agencies shall maintain an effective program that shall include-

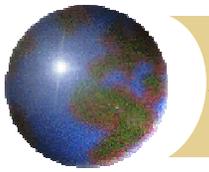
(1) Ensuring that contractors and subcontractors are informed, before commencement of work, of their obligations under the labor standards clauses of the contract;

(2) Adequate payroll reviews, on-site inspections, and employee interviews to determine compliance by the contractor and subcontractors, and prompt initiation of corrective action when required;

(3) Prompt investigation and disposition of complaints; and

(4) Prompt submission of all reports required by this subpart.

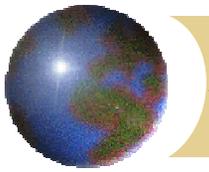
(b) Preconstruction letters and conferences. Before construction begins, the contracting officer shall inform the contractor of the labor standards clauses and wage determination requirements of the contract and of the contractor's and any subcontractor's responsibilities under the contract. Unless it is clear that the contractor is fully aware of the requirements, the contracting officer shall issue an explanatory letter and/or arrange a conference with the contractor promptly after award of the contract.



52.236-13 Accident Prevention.

(d) Whenever the Contracting Officer becomes aware of any noncompliance with these requirements or any condition which poses a serious or imminent danger to the health or safety of the public or Government personnel, the Contracting Officer shall notify the Contractor orally, with written confirmation, and request immediate initiation of corrective action. This notice, when delivered to the Contractor or the Contractor's representative at the work site, shall be deemed sufficient notice of the noncompliance and that corrective action is required. After receiving the notice, the Contractor shall immediately take corrective action. If the Contractor fails or refuses to promptly take corrective action, the Contracting Officer may issue an order stopping all or part of the work until satisfactory corrective action has been taken. The Contractor shall not be entitled to any equitable adjustment of the contract price or extension of the performance schedule on any stop work order issued under this clause.

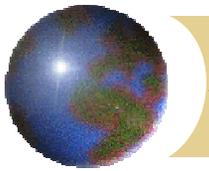
(e) The Contractor shall insert this clause, including this paragraph (e), with appropriate changes in the designation of the parties, in subcontracts.



22.406-12 Cooperation with the Department of Labor. OSHA

(a) The contracting agency shall cooperate with representatives of the Department of Labor in the inspection of records, interviews with workers, and all other aspects of investigations undertaken by the Department of Labor. When requested, the contracting agency shall furnish to the Secretary of Labor any available information on contractors, subcontractors, current and previous contracts, and the nature of the contract work.

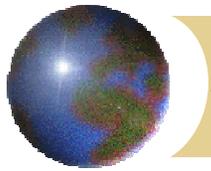
(b) If a Department of Labor representative undertakes an investigation at a construction project, the contracting officer shall inquire into the scope of the investigation, and request to be notified immediately of any violations discovered under the Davis-Bacon Act, the Contract Work Hours and Safety Standards Act, or the Copeland (Anti-Kickback) Act.



22.407 Contract clauses.

(a) The contracting officer shall insert the following clauses in solicitations and contracts in excess of \$2,000 for construction within the United States:

- (1) The clause at 52.222-6, Davis-Bacon Act.*
- (2) The clause at 52.222-7, Withholding of Funds. **
- (3) The clause at 52.222-8, Payrolls and Basic Records.*
- (4) The clause at 52.222-9, Apprentices and Trainees.*
- (5) The clause at 52.222-10, Compliance with Copeland Act Requirements.*
- (6) The clause at 52.222-11, Subcontracts (Labor Standards).*
- (7) The clause at 52.222-12, Contract Termination-Debarment. **
- (8) The clause at 52.222-13, Compliance with Davis-Bacon and Related Act Regulations.*
- (9) The clause at 52.222-14, Disputes Concerning Labor Standards.*
- (10) The clause at 52.222-15, Certification of Eligibility.*

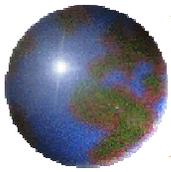


Tool 4 Evaluations

Evaluations:

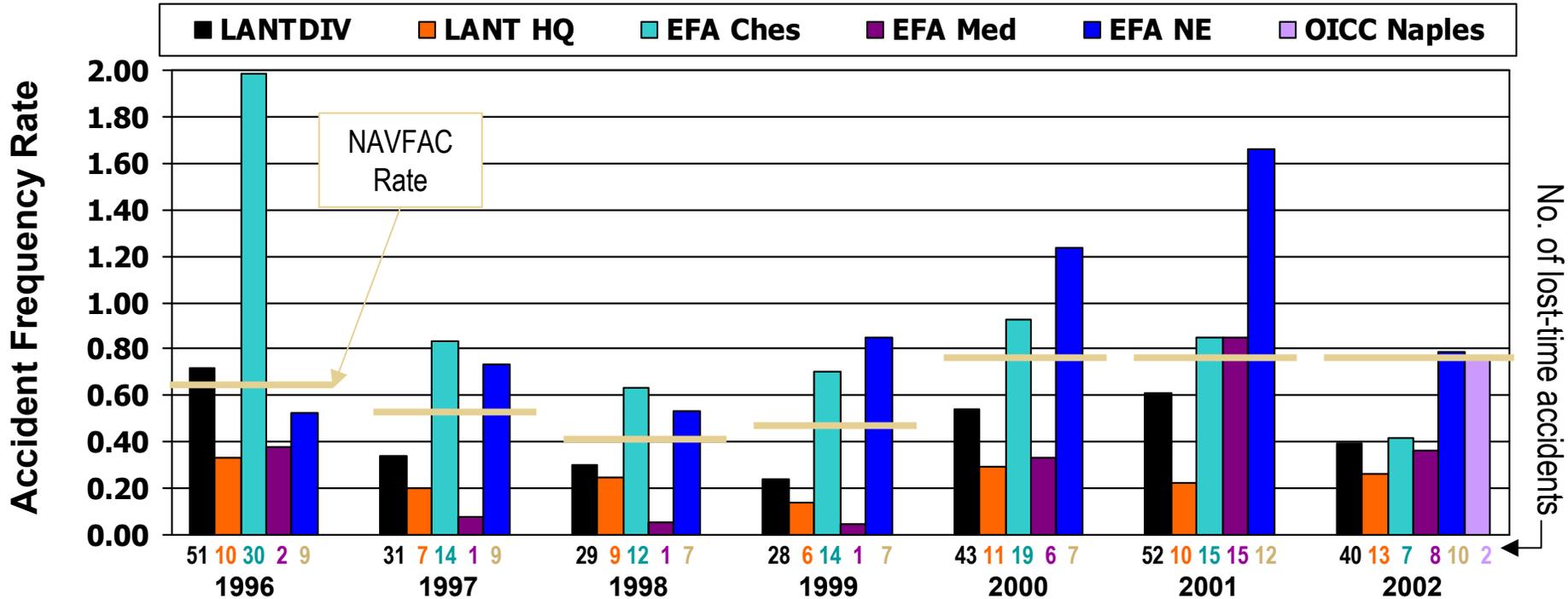
MID: Formal Notification

FINAL: Formal Notification



Contractor Safety

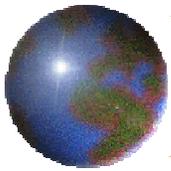
✓ Performance Indicator based on Contractor Man Hours and Total Accidents



Accident Frequency Rate is an industry developed safety performance indicator (Lost Time Accidents/Total Man Hours) x 200,000
 Example: HQLANT Rate for FY 2001 MIDYEAR = (4 lost-time accidents/4,276,818 man-hours x 200,000 = 0.18)

Man Hours	1996	1997	1998	1999	2000	2001	2002
HQ (Lant)	6,080,535	6,916,597	7,307,694	8,629,715	7,578,866	8,819,400	9,729,910
EFANE	3,023,393	3,343,805	3,778,837	3,990,159	4,103,208	3,539,485	2,505,460
EFAChes	1,052,766	2,664,304	3,623,893	4,292,205	3,580,944	3,536,984	3,327,320
EFA Med	3,405,793	2,446,522	2,630,500	1,647,366	1,134,690	1,444,980	4,325,920
OICC Naples							524,330

Performance Metrics



Construction Industry – Latest Safety Rate Metric –



Below NAVFAC Average



Above NAVFAC Average



No Data

Construction Industry



RATE FY 00 = 8.30

CII Members



RATE FY 01 = 1.02

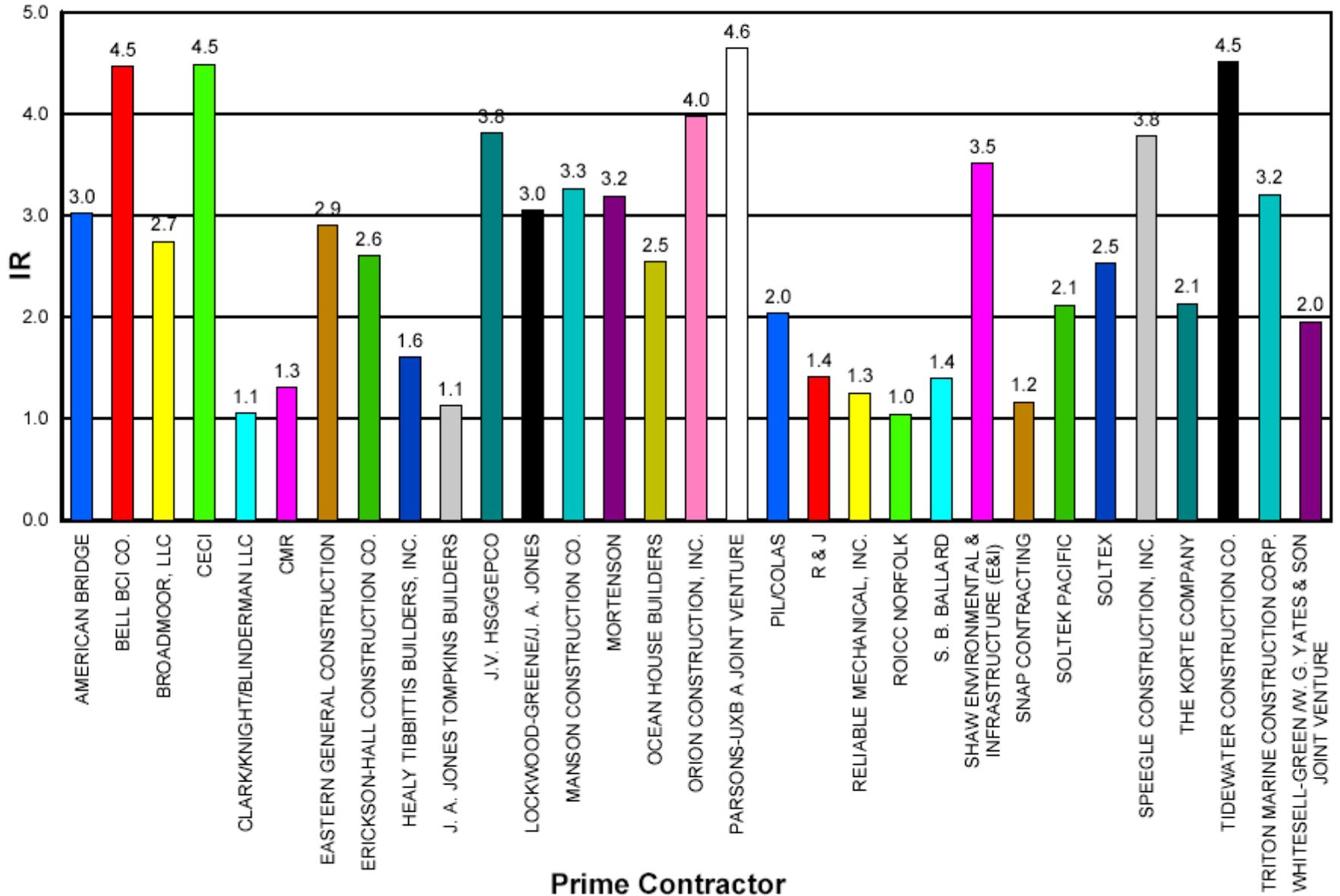
USACE

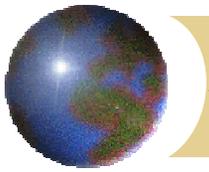


RATE FY 02 = 0.48

INCIDENCE RATE BY PRIME CONTRACTOR (FY02)

(IR >=1 & <5)



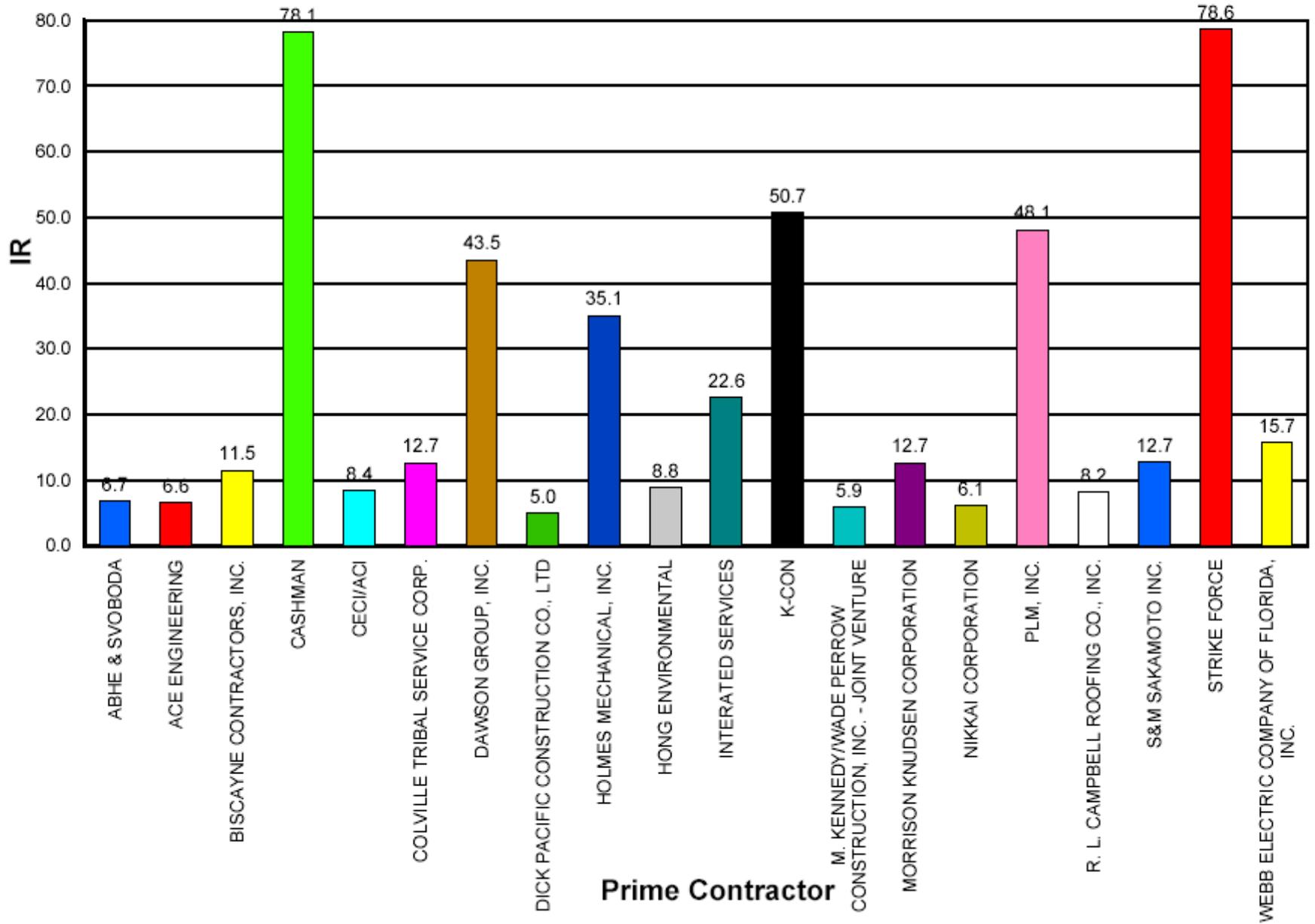


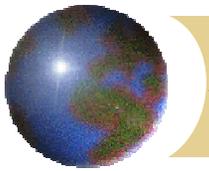
IR > 1 < 5:

31 contractors fall in this range with 5,430,624 man-hours and 74 mishaps. This is 12.8% of the overall NAVFAC total man-hours and 54% of the mishaps.

INCIDENCE RATE BY PRIME CONTRACTOR (FY02)

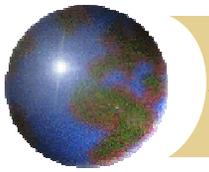
(IR >=5)





IR > 5:

20 contractors fall into this range with 992,955 man-hours and 38 mishaps. This is 2% of the overall NAVFAC total man-hours but equals 28% of the mishaps.



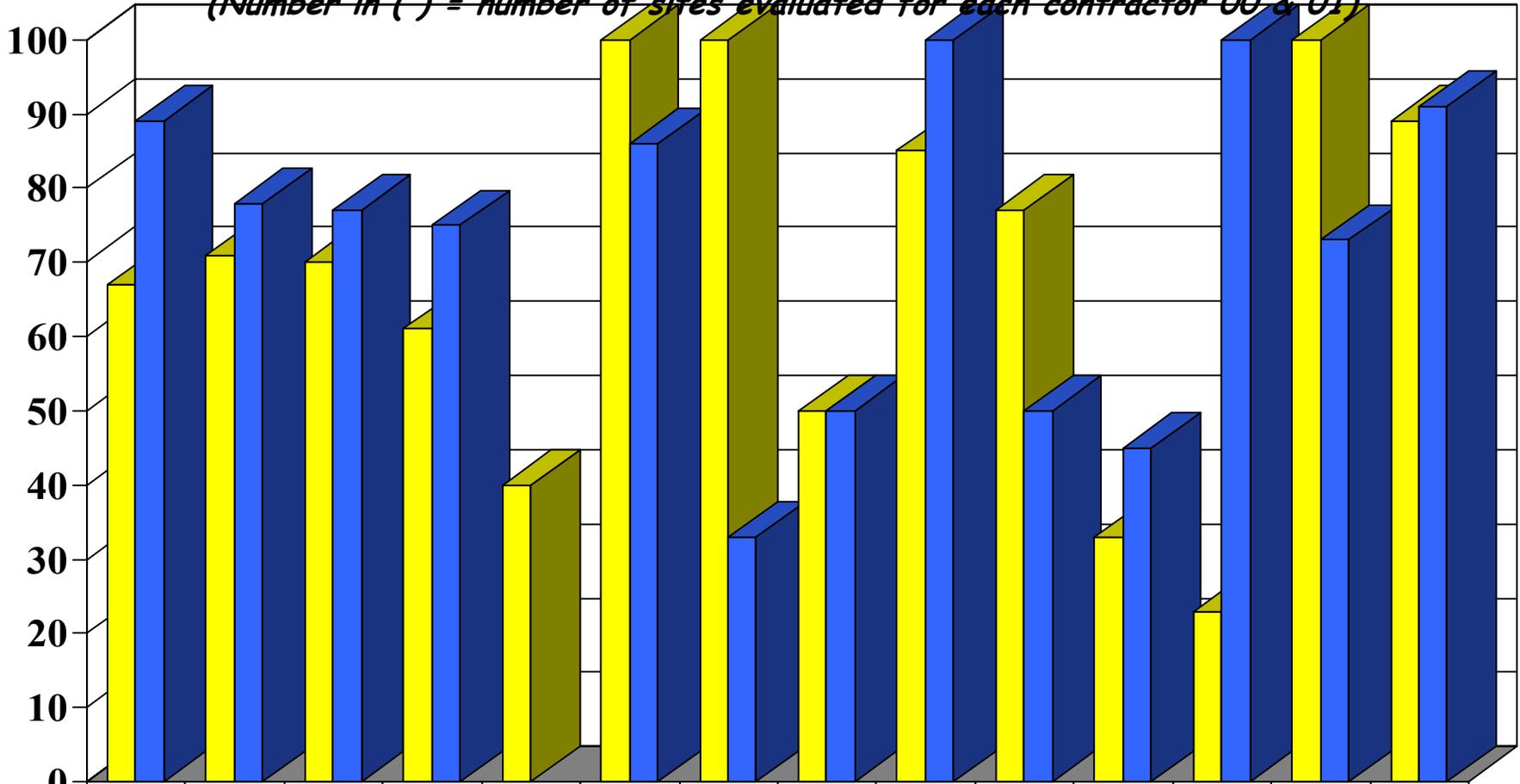
Contractors with IR < 1 produced 35,877,477 man-hours and had 25 mishaps. This represents 85% of the overall NAVFAC total man-hours and 18% of the mishaps.

This supports the belief that hiring contractors with an IR of < 1 results in a safer job site.

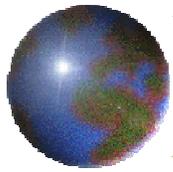


HQ LANT Contractor Average "OVERALL" Site Rating Comparison Chart

(Number in () = number of sites evaluated for each contractor 00 & 01)

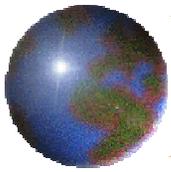


	Virtexco (3)(4)	CBC Ent (4)(6)	Tidewater CC (3)(3)	W.B. Meredith (3)(2)	TA Sheets (1)	J.C. Driskill (1)(1)	Harkins (1)(1)	Marine Contract (1)(1)	Hampton Roads (2)(1)	MEB Builders (3)(1)	Hunt (1)(2)	Snap (3)(1)	Atlanticco (1)(2)	C.L. Price (6)(4)
FY 00	67	71	70	61	40	100	100	50	85	77	33	23	100	89
FY 01	89	78	77	75	-	86	33	50	100	50	45	100	73	91



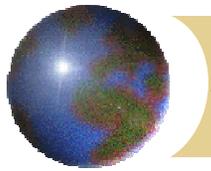
KEYS TO SUCCESS:

- > Project Pre planning*
- > Indoctrination / Training*
- > Consequences*
- > Follow up*



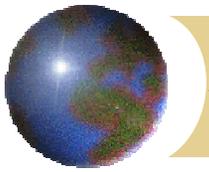
PROJECT PRE PLANNING

*INITIATIVES FOR FY 03 TO
HELP GET US TO THE NEXT
LEVEL*



Pre Planning con't

*Pre Qualify all bidders for minimum
safety criteria*

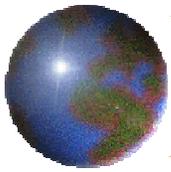


Pre Planning con't

In order to qualify as a bidder for a project the Prime contractor must be able to provide documentation of the following:

- $IR < 1$*
- $EMR < 1.0$*

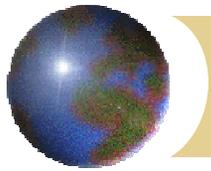
The Prime will also be required to certify that these same rates are applied to their subcontractors



Pre Planning con't

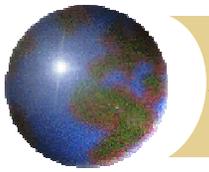
New EM 385-1-1

- > Requires review of AHA at each phase of inspection before work may begin*
- > Requires safety sign for posting APP, AHA, Safety deficiency tracking log, & date of last workday injury.*



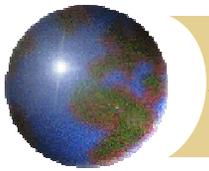
Pre Planning con't

AHA has added requirement to identify the assigned competent person by the contractor for each particular work phase (i.e. confined space entry, excavations, fall protection, scaffold)



Indoctrination and Training

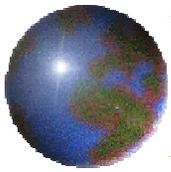




Indoctrination / Training con't

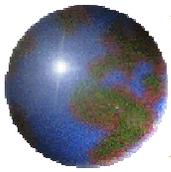
< Contractor Safety Outreach >

*One day (8-hour) EM 385-1-1 and
01525 safety indoctrination class
for contractor site managers
including CQC and Superintendent
personnel*



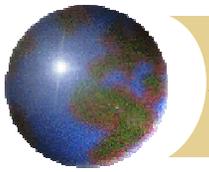
Indoctrination / Training con't

- > Require by using 01525 specification*
- > EM 385-1-1 provided to attendees*
- > Facilitated by ABC/AGC similar to existing CQC class*
- > Certification good for three years*



Follow up and feedback

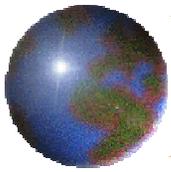




Follow up and Feedback con't

Contractor evaluations:

- > Include Mid and Final*
- > See section 19 for safety*



Follow up and Feedback con't

Use metrics to help identify poor performing contractors and communicate concern in writing with expectations for improvement

