



Welcome to the Subcontractors Academy!

Brought To You By:

City of Austin
Contract Management Department

In partnership with



Goals:

1. Ensure all interested subcontractors have access to information, resources and tools they need to be successful in their City contracts.
2. Provide subcontractors an opportunity to network with, and learn alongside, government contracting officials to gain a better understanding of the City processes, roles, and responsibilities associated with City government contracting.

Safety and Insurance Requirements for City of Austin Construction Projects

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March 23, 2015

Class Outline

- Rolling Owner Controlled Insurance Program (ROCIP)
 - Concept & Overview
 - Procedures
 - Claims Management

- City of Austin Safety Requirements
(applicable to all City of Austin construction projects)
 - Why is safety important?
 - Safety Requirements

- ROCIP Safety Requirements

- Questions/Answers



ROCIP Concept & Overview



ROCIP MISSION STATEMENT

We have a sense of urgency regarding the safety and health of our Contractors. This urgency will distance us from a reactionary and statutory based approach to a new progressive leadership style approach.

This approach will be the driving force behind our safety and health program.

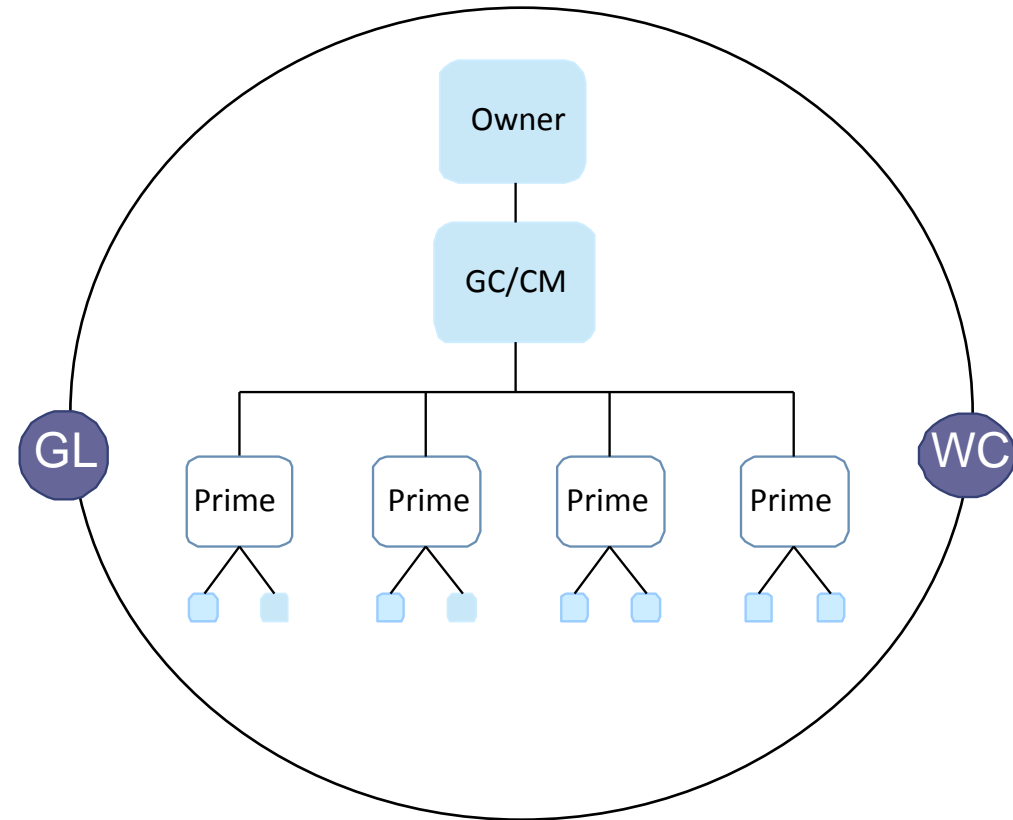
We will provide mechanisms for increased hazard awareness, employee involvement, local management ownership and more City Management visibility.

This will foster open and clear communication about workplace safety, allow us to more closely monitor conditions in the workplace and integrate safety and health into the normal flow of business, as well as improve hazard awareness of our contractors.

The safety and health of our contractors and their employees is an investment and not a cost. Implementation of this program will result in the City of Austin being a “Paradigm Pioneer” in the health and safety arena in the State of Texas.

We will set a Standard of Excellence in Health and Safety for others to follow.

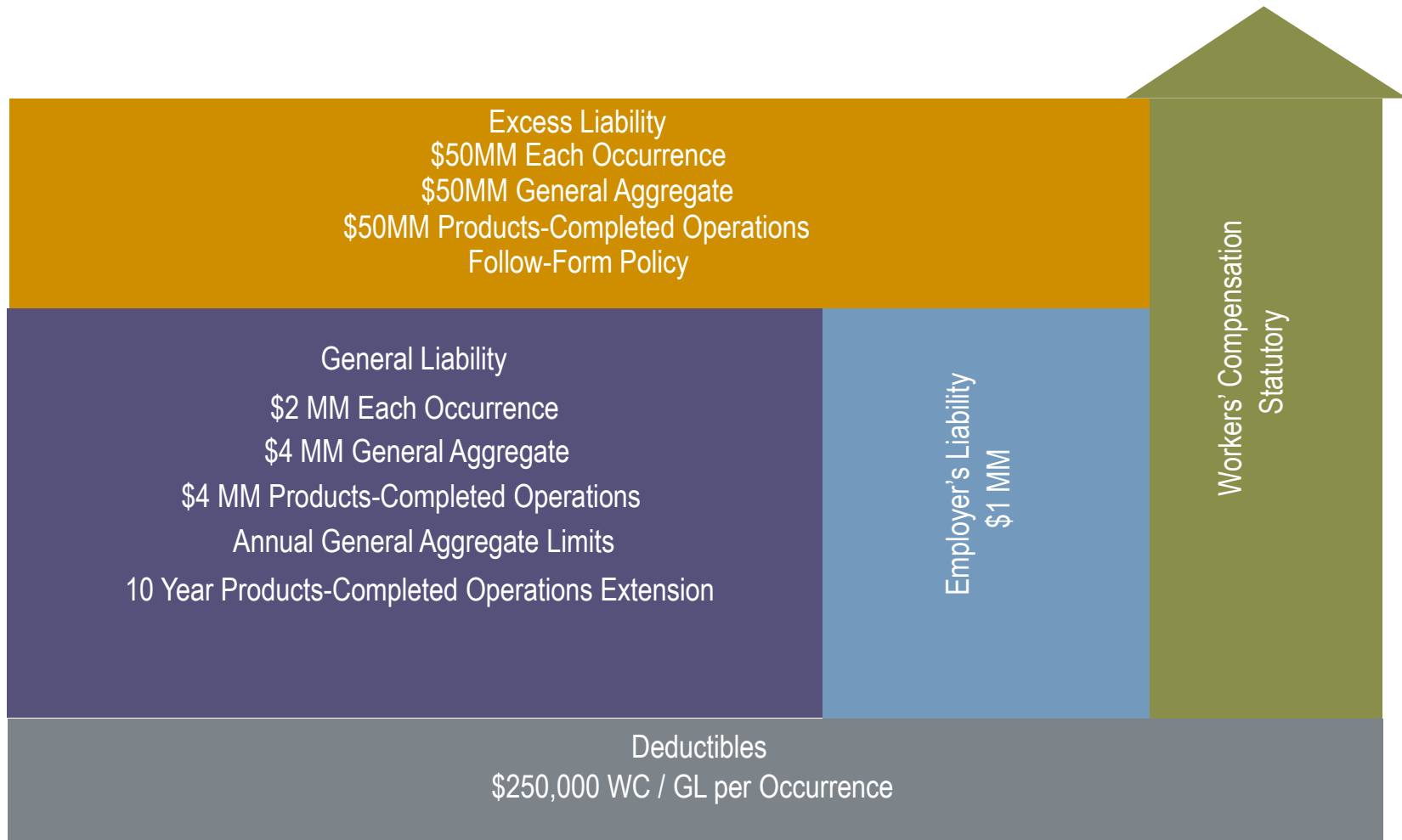
ROCIP Approach



- Single Insurance Program
- Consistent Coverage / Limits
- Minimize Cross Litigation
- Mitigates Horizontal Exhaustion
- Enable Small Contractors to Bid
- Ensures Insurance Compliance
- Cost Efficiencies



ROCIP Coverage



CIP Coverage



Who does ROCIP Cover:

- ✓ City of Austin
- ✓ All Enrolled Subcontractors of any tier with on-site labor

Who does ROCIP Not Cover:

- ✗ Off-site Activities or Labor
- ✗ Vendors, Suppliers, Fabricators
- ✗ Contract Haulers, Truckers, Material Dealers
- ✗ Hazardous Materials Subcontractors
- ✗ High Hazard, Demolition (Structural), Blasting



ROCIP Procedures



ROCIP Administration Phases

Pre-Construction

- Pre-Bid & Pre-Construction Meetings
- Development and Distribution of ROCIP Documentation
- MWrap Set-Up

Construction

- Ongoing Subcontractor Education
- Subcontractor Enrollment
- ROCIP COI Issuance
- Sub COI Review & Tracking (Auto only)
- Payroll & Work-Hour Tracking
- City & Subcontractor Inquiries
- Regular Status Reports
- Annual Stewardship Meetings

Post Construction

- Individual Subcontractor Closeout
 - Review for submission of Final Payroll
 - Termination Letter
- Project Closeout
- ROCIP Closeout



Certificates of Insurance

ACORD		CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY)	
				09/28/2011	
<p>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.</p> <p>IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).</p>					
PRODUCER		AON Risk Services Southwest, Inc. 2711 N. Haskell CityPlace 8 th Floor Dallas, TX 75204		CONTACT NAME: Betty Borden PHONE (A/C, No, Ext): 214-989-2625 FAX (A/C, No): 214-989-2289 E-MAIL ADDRESS: betty.borden@aon.com	
INSURED				INSURER(S) AFFORDING COVERAGE INSURER A: INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
COVERAGES		CERTIFICATE NUMBER:		REVISION NUMBER:	
<p>THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.</p>					
TYPE	TYPE OF INSURANCE	INSUR	POLICY NUMBER	DATE (MM/DD/YYYY)	LIMITS
GENERAL LIABILITY	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC				Per Claim/Occ \$ General Agg \$ Prod & Comp Opp Agg \$ Personal & Adm. Injury \$ Medical Expense \$ Fire Damage \$
AUTOMOBILE LIABILITY	<input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT \$ 500,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE
UMBRELLA LIAB	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> RETENTION \$				Per Claim/Occ \$ Aggregate \$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/MEMBER EXCLUDED? (Mandatory in WA) If yes, describe under DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES				EL Each Accident \$ EL Disease Policy Limit \$ EL Disease Each Accident \$
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES					
CERTIFICATE HOLDER		CANCELLATION			
City of Austin Contract Land & Management Dept P. O. Box 1088 Austin, TX 78767		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: Aon Risk Service Southwest, Inc.			

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- All Subcontractors (Enrolled or Excluded) submits COI showing required Off-site and Auto Liability coverages
- Mwrap tracks on a monthly basis based on expiration dates
- ROCIP Manual provides an example of acceptable language.
- Mwrap allows Tracking criteria to be established based on individual contract requirements



ROCIP Claims Management



Claims Management – Reporting a Claim

- Any of the following incidents require a notice:
 - Worker/Employee Injury (Workers' Compensation)
 - Third Party Bodily Injury/Property Damage (General Liability)
 - Automobile (Notice Only)
 - Pollution (Notice Only)
- All incidents are to be reported to the General Contractor Claim Contact
- General Contractor Claim Contact will notify the Insurance Carrier of incident and provide as much detail as possible at this time
- Within 24 hours of incident(s) all written reports are to be completed and provided to the General Contractor Claim Contact
- General Contractor Claim Contact will provide all follow-up reports to the City Safety Consultant and the Marsh Claims representative



City of Austin Safety Requirements



ROAD CLOSED
TO
THRU TRAFFIC



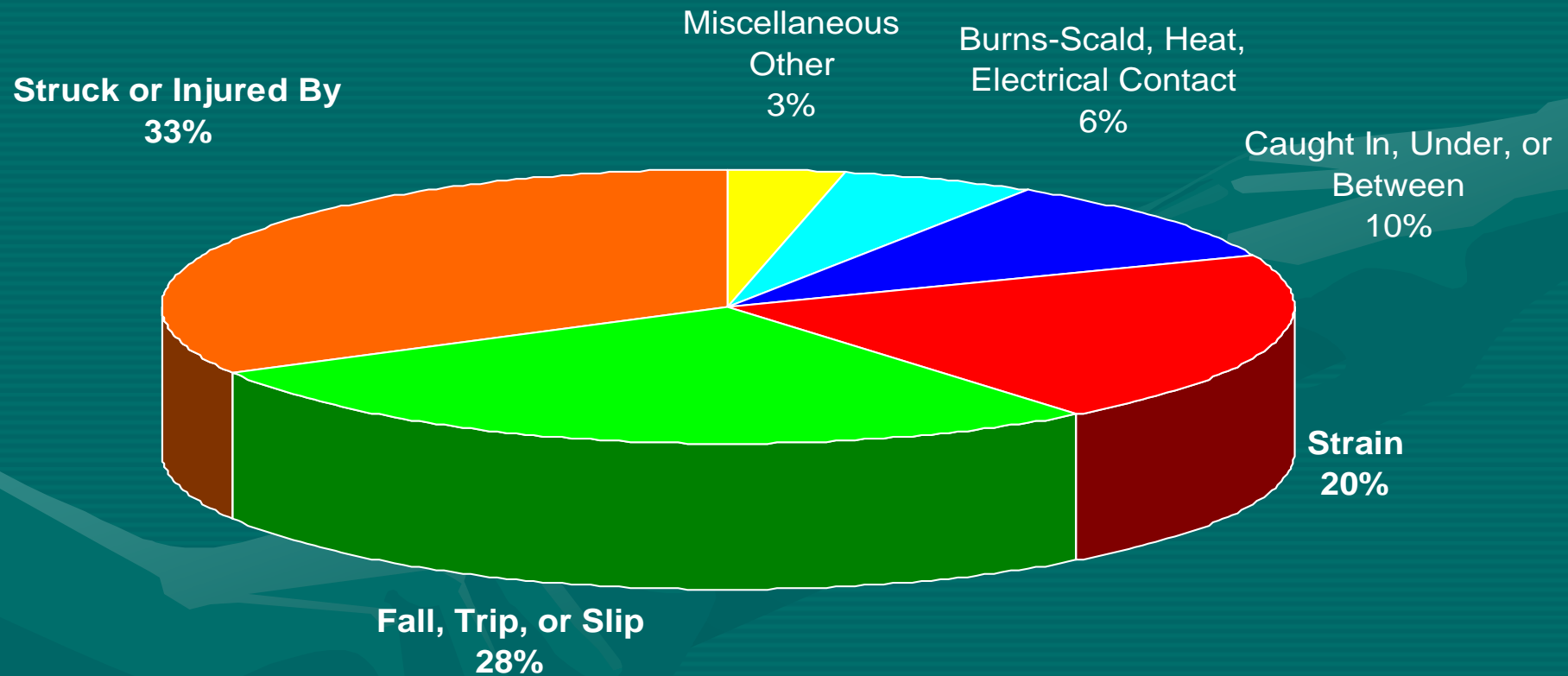
DETOUR

Why is safety important?



Where is the biggest risk?

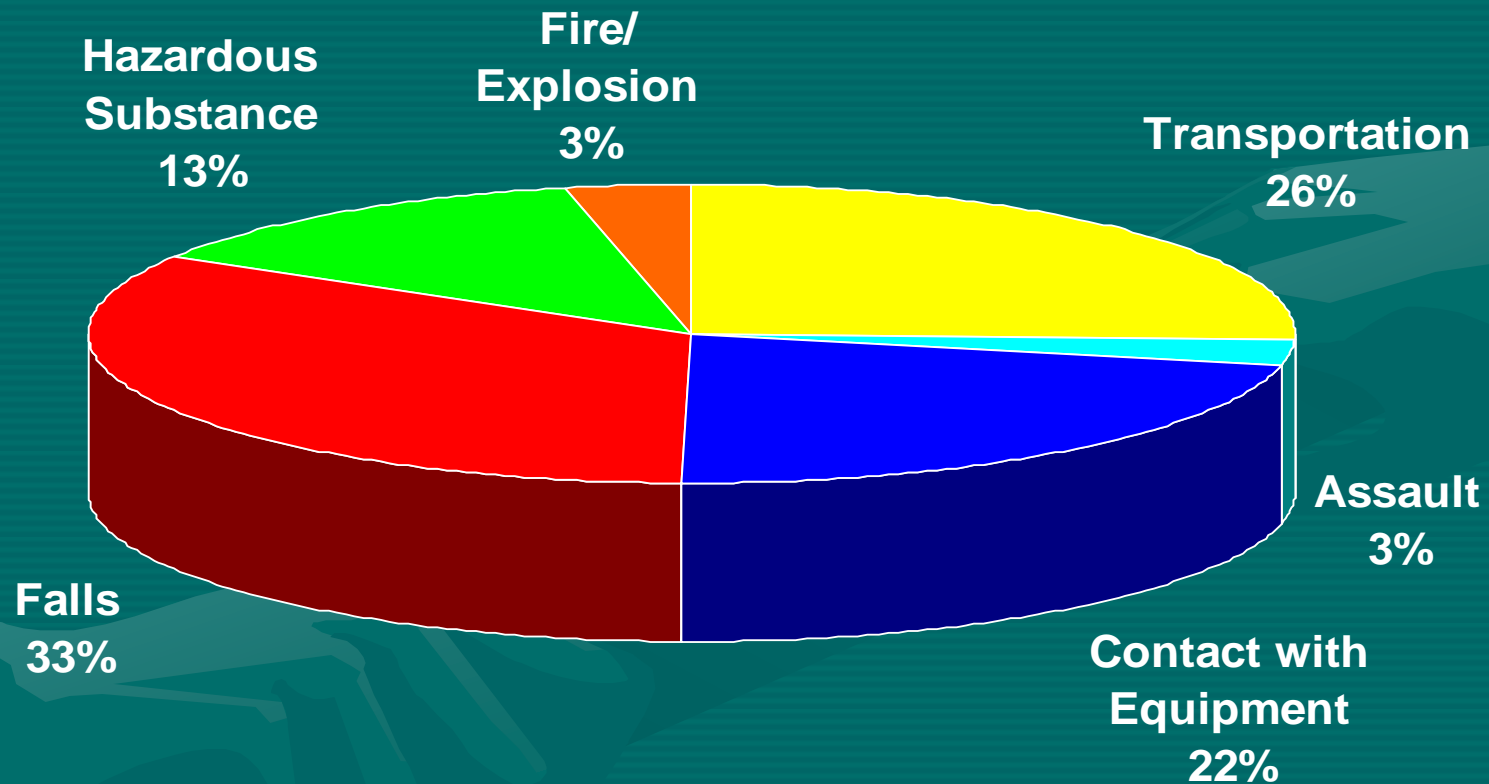
Claim Cost Analysis



81% Strains, Slip/ Falls & Struck Injuries

Where is the biggest risk?

Construction Fatalities



55% Falls & Contact with Machinery

City of Austin Safety Requirements

- COA General Conditions / Section 00700
- 6.11.1 CONTRACTOR shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the Work.

29 CFR Part 1926 Safety and Health Regulations for Construction:

- 1926.16(b) By contracting for full performance of a contract subject to section 107 of the Act, the prime contractor assumes all obligations prescribed as employer obligations under the standards contained in this part, whether or not he subcontracts any part of the work.
- 1926.16(c) To the extent that a subcontractor of any tier agrees to perform any part of the contract, he also assumes responsibility for complying with the standards in this part with respect to that part. Thus, the prime contractor assumes the entire responsibility under the contract and the subcontractor assumes responsibility with respect to his portion of the work. With respect to subcontracted work, the prime contractor and any subcontractor or subcontractors shall be deemed to have joint responsibility.
- 1926.16(d) Where joint responsibility exists, both the prime contractor and his subcontractor or subcontractors, regardless of tier, shall be considered subject to the enforcement provisions of the Act.



General Conditions / 00700

Cont:

- CONTRACTOR shall take all necessary precautions for the safety of :
 - 1. all persons on the Work site;
 - 2. all the Work and materials and equipment;
 - 3. other property at the site or adjacent thereto,

General Conditions / 00700

Cont:

- It shall be the duty and responsibility of CONTRACTOR and all of its subcontractors to be familiar with and comply with the Occupational Safety and Health Act of 1970, as amended (“OSHA”) and to enforce and comply with all provisions of this Act.



General Conditions / 00700

Cont:

- Before commencing any excavation which will exceed a depth of five feet (5') the CONTRACTOR shall provide the Owner with detailed plans.
- Said plans and specifications shall include a certification from a Texas licensed professional engineer indicating full compliance with the OSHA provisions cited above.

Depending on their trade and work, requirements may flow down to subcontractors as well. For example, say the subs' work includes installation of a pipeline at a depth of 8 ft.



General Conditions / 00700

Cont:

- **6.11.3 Safety Representative:** CONTRACTOR shall designate in writing a qualified and experienced safety representative at the site whose duties and responsibilities shall include safety training; identifying hazards eliminating unsafe work practices;
- Develop, maintain, and supervise the implementation of safe work practices appropriate for the Project.

General Conditions / 00700

Cont:

- The Safety Representative shall exercise due diligence in the execution of all Project related safety duties. The Safety Representative shall report directly to a company executive, not an on site project manager.

General Conditions / 00700

Cont:

- The Safety Representative shall present certification of completion of the OSHA 30-hour Construction Industry Training
- The Safety Representative shall verify that all construction workers on the job site, whether employed by the CONTRACTOR or subcontractors, have completed the OSHA 10-hour Construction Industry Training

General Conditions / 00700

Cont:

- The Safety Representative must receive a certificate of training completion before allowing a worker on site and shall have all such certificates available for inspection by the OWNER.

Training

The Texas Department of Insurance offers FREE OSHA-10 Construction Course

- Training Calendar:
- <http://www.tdi.texas.gov/wc/events/index.html>
- Next Class in Austin :
- March 25 thru March 26
- 9:00 am-3:30 pm
-
- Contact for Training:
- **Allyssa B. Lee**, Marketing Specialist
- Texas Department of Insurance
- Division of Workers' Compensation Workplace Safety
- PH: 512-804-4610
- E-mail: safetytraining@tdi.texas.gov

General Conditions / 00700

Cont:

- The Safety Representative shall ensure that workers, including designated competent persons, have completed all applicable OSHA specific training.
- Training topics applicable to the scope of the current Project may include;
 - scaffolds,
 - fall protection,
 - excavations,
 - electrical safety,
 - tools

General Conditions / 00700

Cont:

- The Safety Representative shall post notice on the site of the Work stating that all workers shall have completed OSHA Construction Industry Training.
- In addition, the safety representative is responsible for establishing EAP, HazCom, etc.

General Conditions / 00700

Cont:

- In the event there is an accident involving injury or damage CONTRACTOR shall provide verbal notification within one (1) hour and written notification within twenty-four (24) hours of the event...

General Conditions / 00700

Cont:

- **6.11.6 Rest Breaks** Except as provided in subsection 6.11.6.2 below, an employee performing construction activity at a construction site is entitled to a rest break of not less than ten (10) minutes for every four (4) hours worked.
- No employee may be required to work more than 3.5 hours without a rest break. A rest break means a break from work within working hours, excluding meal breaks, during which an employee may not work. A rest break shall be scheduled as near as possible to the midpoint of the work period.

Ordinance is applicable to
both GC and Subs



General Conditions / 00700

Cont:

- If the Contractor fails to carry out the Work in accordance with the Contract Documents so that a safety violation has occurred, the Owner may order the Contractor to stop the Work or any portion thereof, until the cause for such order has been eliminated.

ROCIP REQUIREMENTS

- Safety manual is part of the contract documents
- Full time safety representative on site at all times
- Approval of safety representative by CSM
- Disciplinary Program
- Site audits from COA

ROCIP Safety Program

Contractor Responsibility

Section 3- Safety Responsibilities

Inspections

Corrections

Weekly safety meetings

Ensure employees and subcontractors are following the safety guidelines

Contact Info

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Questions? Comments?



For additional
Information:

<http://austintexas.gov/department/contract-management>

Save the Date...

Next Class:

Monday April 27, 2015

9 – 10 am

**One Texas Center
Suite 1045**