

CHAPTER 17 - SAFETY

The Contractor is responsible for providing a safety program that provides a safe workplace for its workers, other workers on the Project, Agency employees, Agency representatives, and the public. That program must fulfill the requirements of the Contract as well as all applicable laws and regulations concerning safety, health, and sanitation standards. See Contractor safety standard, [STD96002](#) for additional responsibility information. The Contractor may also be held responsible for the safety program and practices of each of its Subcontractors.

The primary responsibility for enforcing safety and health law rests with the Oregon Occupational Safety and Health Division (OR-OSHA). Its representatives will inspect work sites if they receive complaints of hazardous conditions.

17-1 DRUG TESTING PROGRAM

Subsection 00170.74 of the Contract and ORS 279C.505(2) require the Contractor to have in place, and maintain throughout the life of each Project, an employee drug testing program. The Contractor will also require its Subcontractors to have an employee drug testing program.

The Project Manager (PM) is not responsible for monitoring the Contractor's drug testing program. However, the Agency may audit, review, or request a copy of the Contractor's drug testing program. If the PM is aware of problems or incidents, they should notify the Contractor or other authorities.

17-2 PROJECT SAFETY

The PM oversees Contractor compliance with the Contract requirements, such as Temporary Traffic Control. The PM will require the Contractor to complete the ODOT Safety Questionnaire for Contracted Construction Projects and submit to the PM prior to the Pre-Construction Conference [See Exhibit 17(A)]. This form is available at the following website:

<http://www.oregon.gov/ODOT/HWY/CONSTRUCTION/HwyConstForms1.shtml>.

[Refer to [Chapter 11 – Before On-Site Work Can Begin](#), Section 11-2 Pre-construction Conference]

If the PM notes a safety violation, it should be brought to the attention of the Contractor's Superintendent. If the violation is corrected, this event should be noted in the Project diary or on the General Daily Progress Report, and no further action is required.

If the PM detects or is aware of a safety violation that presents an imminent danger, and the Contractor fails to take immediate corrective action, the PM should order that Work be suspended until the hazard is eliminated. Contact the ODOT Region Safety Manager for advice and guidance. This event should also be noted in the PM's diary or on the General Daily Progress Report.

All employees should be alert for potential danger at all times. Plan ahead so that you do not place yourself in dangerous situations. Look out for your safety, as well as that of other workers and the public. Everyone at the Project Site must comply with the safety requirements of the Contractor, including requirements for hard hats, safety glasses, etc.

Monitor traffic control, devices, and movement of traffic frequently to detect unsafe conditions or situations. Assure that the Contractor is properly maintaining traffic control and devices. If a deficiency is noted, bring it to the immediate attention of the Contractor. The PM should suspend the Contractor's operations if the Contractor does not correct unsafe conditions in a timely and proper manner.

The PM must address the issue of safety when completing the Prime Contractor Performance Evaluation. [*Refer to [Chapter 34 - Contractor Performance Evaluation](#)*]

17-3 ACCIDENT INVESTIGATION AND REPORTING

When a serious or fatal accident involving the traveling public or a pedestrian occurs within the limits of a construction Project, the PM or Inspector must investigate the accident to:

1. Ensure that the traffic control was and is operating adequately and properly. If the Inspector was not at the Project Site when the accident occurred, the Inspector should discuss the situation with the Contractor to ensure that traffic control was proper. If the traffic control needs to be modified, the PM or Inspector must ensure that it is done immediately by the Contractor.
2. Record information that will allow the Agency to adequately defend itself in the event of legal action or an insurance claim. If possible, take pictures and/or video of the accident site. Agency personnel may also be called to testify in private legal actions about conditions at the time of an accident.

The Inspector and or PM should record all information related to the accident in the General Daily Progress Report and/or the PM's Diary, including:

1. Date, time, and location of accident.
2. Description of vehicles, names of drivers, occupants, or pedestrians (if known).
3. Condition of roadway and traffic at time of accident.

4. Traffic control configuration at time of accident, including description of Contractor Work activities.
5. Location and description of traffic control devices in the vicinity of the accident or that may have contributed to the accident.
6. Any changes that are made to traffic control because of the accident must also be described.
7. Complete a [Report of Motor Vehicle Accident or Hazardous Material Incident Observed or Investigated by Employee, form 734-3589](#), when required or requested to do so by others.
8. Complete an investigation and [Report of Damage to Highway Structure, form 734-3373](#). Submit the form, along with any accident photos and police reports to the Claims Against Others (CAO) Coordinator. Any questions regarding this process should be directed to the CAO Coordinator at (503) 986-3040. [Refer to [Chapter 31 – Protection of Work / Responsibility for Damages](#)]

In addition, you may be required to provide:

1. A listing or diagram of temporary and permanent signs, with their legends, and their locations in the vicinity of the accident.
2. A listing or diagram of locations of other traffic control devices, including arrow boards, changeable message signs, lane transitions, etc.
3. A description of the condition of pavement markings in the vicinity of the accident.
4. Color photographs of the area around the accident site to depict the conditions at the time of the accident.
5. A copy of any accident report that the law enforcement officer may have completed.

If Agency personnel are at the accident site, they may need to:

1. Assist in providing first aid if properly trained and/or getting medical help, if needed.
2. Assist in arranging for traffic control unless law enforcement officers have taken over traffic control.

In summary, the PM must ensure, when an accident occurs within a construction Project, that:

1. Traffic control is modified or improved, if needed, to improve traffic movement; and
2. Adequate information is recorded to allow the Agency to defend itself, or present information when requested, in legal action. This information is also public information. Upon request, the Agency must produce it in a Public Records Request. The PM should contact the Contract Administration Engineer (CAE) for questions or concerns regarding Agency liability of such a request.

OREGON DEPARTMENT OF TRANSPORTATION
CONSTRUCTION MANUAL



ODOT Safety Questionnaire
for Contracted Construction Projects

Project Name (Section) _____ Contract No. _____

Project Manager _____ Phone Number _____

Address _____ City _____ Zip _____

Contractor _____

Pre-Construction Meeting Date _____ Pre-Construction Meeting Location _____ Pre-Construction Meeting Time _____

Contractor Instructions

Please complete this questionnaire and return it to the ODOT Project Manager at the address listed above at least **one week** prior to the scheduled pre-construction meeting.

Safety Representative

Please list the contractor's safety representative for the project.

Name _____ Title _____

Work Phone Number _____ Cell Number _____ Emergency Phone Number _____

Traffic Control

Please bring a copy of the traffic control plan to the pre-construction meeting for review and discussion. Where a project has phases that alter the traffic flow as construction progresses, revised or additional traffic control plans need to be provided to the project manager 30 days prior to implementation of the new phase.

Some highway control projects may require the contractor to have a Certified Traffic Control Supervisor (TCS). To the contract specifications require a TCS for this project?

Yes No

Name _____ TCS Certification Number (if required) _____ Expiration Date _____

Work Phone Number _____ Cell Number _____ Emergency Phone Number _____

Safety Committee Meetings

If you plan to have on-site safety committee meetings, please provide the following:

Meeting Date _____ Meeting Location _____ Meeting Time _____

Emergency Response

Are 911 emergency responses available in the project area? Yes No

If not, what are the phone numbers for the following emergency services. (These numbers need to be posted next to the telephone at the project site.)

Hospital _____ Ambulance _____ Police Dept. _____ Fire Dept. _____

**OREGON DEPARTMENT OF TRANSPORTATION
CONSTRUCTION MANUAL**

Hazardous Materials & Conditions

Will there be any hazardous materials used on this project? Yes No

If yes, attach a list of the hazardous materials to this questionnaire.

The following checked hazardous activities or conditions have been identified as being part of this contract. At the Pre-Construction Meeting, be ready to discuss the processes being prepared for this project to address these conditions. Discussions should include: mitigation techniques, worker and visitor safeguards, required Competent Persons, written safety plans and discussions of previous similar projects. The ODOT Project Manager may ask the ODOT Region/Division Safety Manager to provide technical advice and counsel at the Pre-Construction Meeting regarding any of the following identified activities or conditions.

- | | |
|--|--|
| <input type="checkbox"/> Complex traffic control or night work | <input type="checkbox"/> Hazardous Materials that may require a specific safety plans such as: |
| <input type="checkbox"/> Trenching required shoring or other protection system | <input type="checkbox"/> Asbestos |
| <input type="checkbox"/> Permit required confined spaces | <input type="checkbox"/> Lead paint or other lead-containing products |
| <input type="checkbox"/> Tunneling (underground work activities) | <input type="checkbox"/> Silica |
| <input type="checkbox"/> Other potential high risk condition _____ | <input type="checkbox"/> Large scale painting and blasting or grinding operations |
| <input type="checkbox"/> Other potential high risk condition _____ | <input type="checkbox"/> Excavation of known hazmat site |

Back-Up Alarms or Signal Persons

Will trucks and heavy equipment have back-up alarms? Yes No

If no, signal persons will be required where trucks and heavy equipment are backing up.

Competent Persons

Will this project have excavations subject to OR-OSHA trenching and shoring regulations? Yes No

If yes, list the on-site Competent Person.

Name

Visitor Job Site Safety Equipment

ODOT employees and ODOT's visitors will comply with the contractor's personal protective equipment requirements while on the project. Please describe what protection is required and when (hard hats, eye protection, ear protection, foot protection, high visibility clothing, etc.):

Signatures

Submitted by Contractor Representative

Name

Title

Sign

Date

Submitted by ODOT Representative

Name

Title

Sign

Date