

5611005 Coating Existing Structural Steel – Protection of the Environment, Public, and Workers
COMMENTS FROM INTERNAL/INDUSTRY REVIEW

Bob Burleson

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Comment: (3-30-11) In regards to 5611005, I think it is a waste of time to submit paperwork at the pre construction conference that simply states the obvious. Bob Graham. I'll second that. Keith Waugh

Response: This provision has been added to address concerns expressed by FHWA, with agreement of the Department, that worker safety is especially critical and frequently compromised by Painting Contractors that remove and handle hazardous waste and that expose workers to other toxic chemicals during daily work on a project. The inclusion of the provision is the Department's way of formally making the Contractor aware of how critical compliance to safety requirements is to the Department and FHWA for these types of projects. Specification 7-1.5 covers this in a generic fashion which the Department feels is inadequate considering the importance of worker safety for this high toxic exposure type work.

Previte, John

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Comments: (4-8-11) These added words may lead some to believe that all other regulations are much less important than these. (since an officer-signed certification is not required for other regulations)

Response: Acknowledged

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Comments: (4-8-11) This proposed specification contains an unnecessary replication of our Subarticle 7-1.5, which applies to all contracts. 7-1.5 already includes all of 29 CFR 1926, so there's no reason to point out, or reemphasize, specific subsections. DOT spends many hours educating those who are interested in specification writing about the negatives associated when either practice (reemphasizing or replication) occurs or is attempted. The specifications are written to the contractor and he knows his responsibilities. Only qualified contractors are allowed to submit bids. The verbiage requiring the contractor signing of any certificate acknowledging applicable scope of work is another unnecessary replication of effort. The execution of the actual construction contract contains the same intent. It is an unneeded burden to place on all parties. Please don't hesitate to contact me should you have any questions.

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Comments: (5-6-11) D4 has the following comments: I'm not sure why this is added paperwork is necessary. The contractor is responsible for the safety of their workers and the contract is clear on what provisions they are to follow. We don't ask them to certify that they will comply with other provisions of the contract.

Response: This provision has been added to address concerns expressed by FHWA, with agreement of the Department, that worker safety is especially critical and frequently compromised by Painting Contractors that remove and handle hazardous waste and that expose workers to other toxic chemicals during daily work on a project. The inclusion of the provision is the Department's way of formally making the Contractor aware of how critical compliance to safety requirements is to the Department and FHWA for these types of projects. Specification 7-1.5 covers this in a generic fashion which the Department feels is inadequate considering the importance of worker safety for this high toxic exposure type work.
