



PARTNERSHIP AGREEMENT

BETWEEN THE

**OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION
HARTFORD AREA OFFICE**

**STATE OF CONNECTICUT
DEPARTMENT OF LABOR
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH**

AUSTIN COMMERCIAL BUILDING CORPORATION

AND

KBE BUILDING CORPORATION

I. PARTNERS

The partners to this agreement are:

- U.S. Department of Labor, Occupational Safety and Health Administration, Hartford Area Office (Hartford Area Office);
- State of Connecticut, Department of Labor, Division of Occupational Safety and Health (Connecticut OSHA);
- Austin Commercial Building Corporation;
- KBE Building Corporation

II. PURPOSE AND SCOPE

Austin Commercial Building Corporation; KBE Building Corporation; the United States Department of Labor, Occupational Safety and Health Administration (OSHA), Hartford Area Office; and the State of Connecticut, Department of Labor, Division of Occupational Safety and Health, mutually recognize the importance of ensuring a safe and healthful work environment in the construction industry in the State of Connecticut. To advance this mutual goal, the Partnership between Austin Commercial Building Corporation, KBE Building Corporation, Hartford Area Office, Connecticut OSHA, has been established to formalize a cooperative effort between these entities, committed to encouraging companies to improve their safety and health performance voluntarily, providing methods to assist them in their efforts and recognizing companies with exemplary safety and health programs.

The Bradley International Airport CONRAC Ground Transportation Project located At 1 Schoephoester Road in Windsor Locks, CT is a Design Build new construction of 1.5 million square feet of ground transportation facility consisting of the following buildings: 40,700 sf Customer Service Building (CSB), 946,800 sf Ready Return Garage, and 405,000 sf Quick Turnaround Area (QTA). The garage structures are 4 stories with a lower level to provide building services. The complex is located on the west side of the existing airport garage and will require the existing garage exit plaza to be relocated to the east side of parking garage before foundations for the Ready Return Garage can begin. The site is located on Bradley Airport property and will require FAA permits and approval for use of equipment that exceeds height limitations near the airport. The Customer Service Building (CSB) will be conventional construction with relocation of existing utilities and installation of new utilities, concrete foundation, steel structure with concrete slab on deck, light gage framed walls with metal panel and Stucco finishes. Interior work includes elevators and escalators for pedestrian movement and tenant improvements/fit-outs for the predominant car rental companies. A pedestrian bridge will cross the airport. The QTA building will have car wash systems and fueling systems on each of three (3) levels to allow the car rental companies to service their vehicles.

This project is valued at \$185,240,800.00. The duration of the project is approximately 30 months and will be substantially complete February 2022.

III. GOALS/STRATEGIES & PERFORMANCE MEASURES

GOALS	STRATEGIES	MEASURES
<p>1. Developing a contractor/government partnership that will encourage involvement of the general and sub-contractors in the improvement of safety and health performance.</p>	<p>a. Austin Commercial Building Corp. will require all the subcontractors to develop and implement written safety and health programs.</p> <p>b. Austin Commercial Building Corp. will require all sub-contractors onsite to work toward implementing a “zero tolerance” safety practice in order to help achieve the desired reduction of worksite incidents.</p> <p>c. Austin Commercial Building Corp. will have a written site specific health and safety plan for work to be conducted onsite. To articulate the requirements of the health and safety plan and the role of the OSHA Partnership, a site specific orientation has been developed and implemented at the worksite where high hazard tasks are performed.</p> <p>d. Austin Commercial Building Corp. will compile a summary of the number of inspections made by Austin’s Health and Safety Manager (or their</p>	<p>i. Austin Commercial Building Corp. will verify by reviewing the number of subcontractors that implemented written safety and health programs and recognize those with exemplary programs.</p> <p>ii. Austin Commercial Building Corp. will conduct a periodic review of each subcontractor’s injury/illness statistics for the Project.</p> <p>iii. Austin Commercial Building Corp. will facilitate the site safety orientation led by Austin’s onsite Health and Safety Manager and is given to all workers that arrive onsite (general contractor and subcontractor employees). Austin Commercial Building Corp. will adjust the orientation to include specific information resulting in lessons learned in changing site conditions.</p> <p>iv. Health and Safety Manager will periodically sit in on daily briefings and discuss with foremen pertinent and important safety and health talking points/topics and areas that may be improved on.</p>

GOALS	STRATEGIES	MEASURES
	<p>designee) and any third party. The report will be broken down into the six major categories of construction-focused hazards (falls, electrical, struck by and crushed by hazards, noise and silica), and will show the number of items within the six (6) categories that were corrected.</p> <p>e. Austin Commercial Building Corp. will require all foremen along with subcontractors to conduct a daily job briefing and review with their crew prior to starting work.</p> <p>f. Austin Commercial Building Corp. will utilize Connecticut OSHA consultants to perform an initial hazard survey as well as conducting periodic safety and health surveys.</p> <p>g. Austin Commercial Building Corp. will utilize Connecticut OSHA consultants to perform training for Austin Commercial Building Corp. and subcontractors on topics as the project progresses.</p>	
<p>2. Identifying opportunities for enhancing safety and health practices related to the</p>	<p>a. Austin Commercial Building Corp. will facilitate ongoing training on the safe operations of material handling equipment to all</p>	<p>i. Austin Commercial Building Corp. will document the number of employees that have been trained and licensed on the material</p>

GOALS	STRATEGIES	MEASURES
<p>operation and maintenance of material handling equipment involved in the Project.</p>	<p>employees involved in the operation.</p> <p>b. Austin Commercial Building Corp. will ensure toolbox discussions are held on a weekly basis. The discussion topic will change each week. During the discussion, site specific topics are mentioned on work either occurring currently or upcoming events the crews should be aware of.</p>	<p>handling equipment.</p> <p>ii. Austin Commercial Building Corp. will request from all workers their training documentation, qualifications, and/or certifications. The worker and his/her qualifications will be inserted into a tracking spreadsheet by trade and company.</p>
<p>3. Reduce workforce fatalities, serious injuries and illnesses and provide a safe work environment for employees at the Project.</p>	<p>a. Austin Commercial Building Corp. will establish a system to collect and analyze injury and illness trends (including near-miss incidents) by all contractors performing work at the Project. This data will be used as a tool for continual safety and health program improvement.</p> <p>b. Austin Commercial Building Corp. safety representatives will track all man hours onsite for both Austin Commercial Building Corp. personnel and subcontractors to accurately maintain a current Total Case Incident Rate (TCIR) and Days Away Restricted Time (DART) rate.</p>	<p>i. Austin Commercial Building Corp. will maintain the necessary OSHA 300 injury and illness data for the Project.</p> <p>ii. Austin Commercial Building Corp. will maintain a monthly incident/accident tracking log.</p> <p>iii. Austin Commercial Building Corp. after each significant incident, will schedule an incident review to get all members of the crew to discuss what occurred. The purpose of the meeting is to find out the contributing factors/root causes, and discuss what corrective actions need to be established.</p> <p>iv. Austin Commercial Building Corp. will compare the Project to the U.S. Bureau of Labor Statistics (BLS) national trends and use these rates as a tool for continual health and safety program development.</p>

GOALS	STRATEGIES	MEASURES
<p>4. Ensure, where feasible, all serious hazards are eliminated or controlled through controls, safe processes and/or procedures, and personal protective equipment (PPE).</p>	<p>a. Austin Commercial Building Corp. will confirm health-related issues arising during the course of the construction work are adequately addressed by Austin Commercial Building Corp. and its subcontractors. All health-related issues will be discussed monthly during the Partnership meetings.</p> <p>b. Austin Commercial Building Corp., with Connecticut OSHA, will provide hearing conservation, silica, and any other health related hazard training to all employees and its subcontractors.</p> <p>c. Austin Commercial Building Corp., with Connecticut OSHA, will implement an effective industrial hygiene monitoring program to control hazards such as but not limited to silica, noise and other airborne contaminants which may be present during various parts of the Project. This will include personal monitoring, employee training, implementation of engineering controls where feasible, and the use of respiratory and dermal protection when necessary. Austin Commercial Building Corp. will provide training to all site contractors in the requirements of the new</p>	<p>i. Austin Commercial Building Corp. will track the number of employees trained on Fall Protection and the use of Fall Protection systems as they relate to the Project.</p> <p>ii. Austin Commercial Building Corp. will track the number of tool box talks regarding conditions on the worksite for the duration of the Project will be tracked.</p> <p>iii. Austin Commercial Building Corp. will ensure that all subcontractors conduct safety meetings to inform workers of all serious hazards and the controls, procedures, safe processes and/or PPE necessary to protect against them.</p> <p>iv. Austin Commercial Building Corp. will ensure that all subcontractors are in compliance with all fall protection requirements when working on elevated work levels six (6') feet or more above lower level including training of all affected employees on the safe and correct use of fall protection systems.</p>

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	silica standard (29 CFR 1926.1153 including Table 1).	

The goals, strategies, and performance measures above will be implemented to meet the following objectives of this Partnership:

- a. Reducing the number of at-risk conditions and behaviors that have the potential to result in worker fatalities, injuries and illnesses.
- b. Reducing the number of injuries affecting participant subcontractor employees, emphasizing those resulting from the six primary construction hazards, abating hazards (conditional and behavioral) identified from weekly safety and health inspections, and having no repeat occurrences of such issues upon re-inspection.
- c. Reducing the TCIR and DART rate to 20% below the current national average for North American Industry Classification System (NAICS) Code 236, Construction of Buildings, based upon the Bureau of Labor Statistics (BLS) data available for the most current year. The 2014 Bureau of Labor Statistics (BLS) TCIR and DART rates for NAICS Code 236 are 3.3 and 1.9, respectively.

IV. ANNUAL EVALUATION

The partners will prepare a joint annual evaluation of the Partnership. The evaluation will review the success of the Partnership, lessons learned, and changes that will be made to meet the goals of the Partnership. The annual performance evaluation report format from Appendix C of the OSHA Strategic Partnership Program for Worker Safety and Health (OSPP), Directive CSP 03-02-003, will be used. Performance measures listed in the goals and objectives section of this agreement will be collected and analyzed to determine the Partnership's progress toward meeting its goals.

V. OSPP INCENTIVES

The following are benefits for Austin Commercial Building Corp. and its subcontractors when and only when they are working at the Project:

- a. Outreach, information, training and technical assistance by Hartford Area

Office and Connecticut OSHA.

Special recognition, which may include but is not limited to, press releases issued by OSHA and recognition on OSHA's web page designating AustinCommercial Building Corp. as a participant in the OSHA Strategic Partnership Program.

VI. VERIFICATION PROCEDURES

In accordance with OSHA's Clarification of Verification Exemption Policy for OSHA Strategic Partnership Program Construction Participants dated June 1, 2006, Austin Commercial Building Corp. and all construction subcontractors will receive annual verification inspections. The onsite enforcement verification inspections are conducted to determine participants' compliance with terms of this agreement. The first inspection will be conducted no later than sixty (60) days after Partnership participants formally enter into this agreement. Citations and penalties may be issued, when appropriate, as a result of these inspections. During this period Austin Commercial Building Corp. shall develop and implement the safety and health management systems required under this agreement.

VII. OSPP MANAGEMENT AND OPERATION

A Partnership Management Team (PMT) with members from Austin Commercial Building Corp. Hartford Area Office, Connecticut OSHA and the Connecticut Building Trades will oversee and coordinate this Partnership. The team will determine Partnership procedures, which will include measures to be used and data to be collected, hold conference calls and meet monthly to evaluate the effectiveness of the Partnership. Austin Commercial Building Corp. and Hartford Area Office are responsible for collecting baseline and annual performance data upon which the OSPP will be measured. Austin Commercial Building Corp. aggregate injury and illness incidence rates (total case rates) and fatality rates will be compared with the most current BLS published data to determine whether goals have been met.

Austin Commercial Building Corp. will establish the following:

Project-Specific OSHA Safety and Health Program Management Guidelines – Austin Commercial Building Corp. shall develop a project-specific safety and health plan to be used as a benchmark for subcontractor programs to meet or exceed. This plan shall incorporate the following minimum elements:

Management Leadership

Austin Commercial Building Corp. shall assign a qualified safety and health representative to administer its safety and health program. This person will have, at a minimum, completed the OSHA 30-Hour Construction Outreach course.

Worker Participation

Weekly foremen's meetings – Austin Commercial Building Corp. with the Building Trades shall hold a weekly meeting with all subcontractor foremen that shall include discussions of project safety and health issues and review job hazard analyses for upcoming activities. Additionally, representatives of all active subcontractors will meet to discuss participant performance and progress toward Partnership goals. The Hartford Area Office, Connecticut OSHA may attend also.

Hazard Identification and Assessment

Weekly worksite audits of areas where employees are working will be conducted.

Austin Commercial Building Corp. shall conduct a comprehensive assessment of project work and require its subcontractors to develop JHAs to eliminate or reduce hazards to which their employees are potentially exposed.

Hazard Prevention and Control

100% fall protection when fall exposure is at 6 feet or greater.

Mandatory use of Ground Fault Circuit Interrupters (GFCI) throughout the Project.

All cranes, hoists, and personnel lifts (scissor/aerial) will be inspected prior to use.

All cranes will have a current annual inspection conducted by a third party acceptable to Austin Commercial Building Corp.

Use of appropriate PPE, including the use of ANSI- approved safety glasses at all times.

Education and Training

Conduct site-specific safety and health training.

Program Evaluation

Recordkeeping – Austin Commercial Building Corp. shall maintain a project OSHA 300 Log (or equivalent), per the requirements of 29 CFR 1904.

Coordination and communication on Multiemployer Worksites/Subcontractors:

- a. Weekly Task-Specific Instructions – All subcontractors shall provide workers with instructions on the integration of safety and health requirements with current work tasks for the week. All subcontractors shall allow an OSHA representative to attend any of these meetings, when requested by OSHA.

- b. Weekly Safety and Health Inspections – All subcontractors shall conduct weekly inspections of their work areas to identify conditional and behavioral deficiencies, as defined by the Project safety and health plan and OSHA standards. Deficiencies will be documented, and corrected or reported to Austin Commercial Building Corp. for corrective action.
- c. Recordkeeping – All subcontractors shall report and record workplace injuries and illnesses as required by 29 CFR 1904 and shall report recordable incidents to Austin Commercial Building Corp. for recording on the Project OSHA 300 Log.
- d. Job Hazard Analysis – All subcontractors shall conduct a JHA for each high hazard task to be performed, and review the appropriate JHA with affected employees at regular intervals.

Hartford Area Office and Connecticut OSHA's Role:

- a. Provide initial and continued review and evaluation of Austin Commercial Building Corp.'s compliance with the Partnership Agreement.
- b. Provide initial review of Austin Commercial Building Corp.'s Project Safety and Health Plan.
- c. Make recommendations where deficiencies or opportunities for improvement exist.
- d. Provide feedback on incident trends and patterns as needed.
- e. Assist Austin Commercial Building Corp. will ensure that effective training is available and delivered, as needed.
- f. Participate in training as resources permit.
- g. Periodically attend site safety and health meetings.
- h. Provide initial site surveys and perform environmental monitoring when appropriate.
- i. Provide clarification of OSHA standards for Austin Commercial Building Corp and subcontractors.
- j. Provide input on compliance strategies.

Subcontractor Buildings Trades:

- a. Weekly Safety and Health Inspections – Representative of the trades on the worksite shall participate in weekly inspections of their work areas to identify conditional and behavioral deficiencies, as defined by the Project safety and health plan and OSHA standards. Deficiencies will be documented and corrected or reported to Austin Commercial Building Corp. for corrective action.

b. Job Hazard Analysis – Representatives of the trades on the worksite shall participate in the development of JHAs for each high hazard task to be performed, and review the appropriate JHA with affected employees at regular intervals.

VIII. EMPLOYEE AND EMPLOYER RIGHTS AND RESPONSIBILITIES

This Partnership does not preclude employees and/or employers from exercising any right provided under the OSH Act (or, for federal employees, 29 CFR 1960), nor does it abrogate any responsibility to comply with the Act.

IX. TERMS OF OSPP

This agreement will terminate at the conclusion of the work being performed at the Project. However, if the Austin Commercial Building Corp., KBE Building Corp., Hartford Area Office, Connecticut OSHA wishes to withdraw their participation prior to the established expiration dates, the Partnership will be considered null and void upon receipt of a written notice of the intent to withdraw.

X. SIGNATORIES

Signed this ____ day of ____ 2020

Dale Varney, Area Director
Hartford Area Office
U.S. Department of Labor/OSHA

Kenneth Tucker, Director
State of Connecticut
Department of Occupational Safety
and Health

Kelly Locke
Preconstruction Director
National Aviation Division
Austin Commercial Building
Corporation

Mike Kolakowski
KBE Building Corporation
President/CEO