



A Partnership Agreement between – Barton Malow, AECOM HUNT, Alexander, and OSHA for the The Penn State University, Beaver Stadium Renovation Project

I. Purpose/Scope

The Harrisburg Area Office of the Occupational Safety and Health Administration (hereafter referred to as OSHA) and Barton Malow, AECOM HUNT, Alexander (BMAHA TV), a Tri-venture, have agreed to implement an OSHA Strategic Partnership (Partnership) during construction of The Penn State University, Beaver Stadium Renovation Project (PSU-BSR Project). Common objectives and goals of the Partnership include the following: reduce injuries and illnesses; continue to increase safety and health training; ensure effective health monitoring is conducted; and, increase the number of employers with safety and health management systems (SHMS).

The intent of this Partnership is to encourage cooperation between OSHA, BMAHA TV, and contractors to foster a safe work environment for all PSU-BSR Project workers.

The Partnership calls for the PSU-BSR Project to be managed consistent with OSHA's Recommended Practices for Safety and Health Programs in Construction, or its equivalent. OSHA will provide timely responses to requests for information and requests for clarification of OSHA standards and will assist as resources and/or OSHA Policy allow. To show their commitment to the Partnership, participating contractors will voluntarily sign a pledge (Appendix B).

This Partnership will not relieve any contractors from or lessen their safety responsibilities; nor change any contractual obligations between BMAHA TV, PSU-BSR Project Owner/Developer, or participating contractors; nor lessen any/all affirmative defenses, legal rights, or due process afforded with respect to OSHA enforcement action.

This Partnership will not in any way affect employees' ability to exercise rights under the Occupational Safety and Health ("OSH") Act. This Partnership is consistent with OSHA's long-range effort to develop a contractor/government partnership approach to safety management. It allows for better use of OSHA's resources and for innovation in safety management, and it encourages more participation in the safety process by each stakeholder.

II. Identification of Partners

The following organizations are considered Partners:

- Occupational Safety and Health Administration, Harrisburg Area Office (OSHA)
- Barton Malow, AECOM HUNT, and Alexander Tri-Venture (BMAHA TV)

III. The Penn State University, Beaver Stadium Renovation Project Overview

The Penn State University, Beaver Stadium Renovation Project is located at 1 Beaver Stadium, University Park, Pennsylvania 16802.

This is a Tri-Venture Project between Barton Malow, AECOM HUNT, and Alexander Building Construction (BMAHA TV). The Penn State University, Beaver Stadium Renovation Project (PSU-BSR) involves the West Side of the stadium. This approach would replace the current West Side of the stadium and provide improved access for broadcasting, greatly improved circulation, new restrooms, upgraded concession offerings, and new premium seating. The West Side replacement will include miscellaneous improvements of the North, East, and South sides of the stadium. The demolition scope consists of completely separating and removing the entire West sideline structure. Miscellaneous enabling and selective demolition projects may begin in Spring 2024 and continue throughout construction. The West sideline demolition and construction will immediately follow the 2024 football season. The main structural demolition of the West sideline is anticipated to be completed in two major phases following the 2024 and 2025 football seasons. The project will be substantially complete for the 2027 football season.

IV. Partnership Goals, Strategies, Measures

The primary objective of this Partnership is to create a working relationship that focuses on preventing work-related injuries and fatalities, controlling, or eliminating serious workplace hazards, and establishing a foundation for the development of an effective safety and health program. The safety and health program at the site will be administered through the implementation of the BMAHA TV Site Specific Health and Safety Program.

Partners will meet quarterly to review PSU-BSR Project injury and illness statistics and work together to resolve workplace safety and health issues. The Partnership goals, strategies, and measures employed to achieve these results will include the following:

Goal	Strategy	Measures/Products
1. Reduce the total number of injury and illness cases, thereby providing a safer and healthier work environment for workers at the PSU-BSR.	<ul style="list-style-type: none"> a. Review the OSHA 300 data of all Project contractors on this project. b. Calculate the Project's Days Away from Work, Restricted, or Job Transferred (DART) rate. c. Compare this data with the baseline rates for the Partnership. d. Partners will meet quarterly to review injury and illness statistics and work together to resolve workplace safety and health issues and reduce injury and illnesses. 	<ul style="list-style-type: none"> a. This goal will be measured by the overall cumulative DART rate for this Project. b. Baseline will be based on the most recent DART rate for NAICS code 2362 nonresidential building construction. (BLS 0.9) c. Reduce the DART rate by 10% for the duration of the project.
2. Control workplace hazards by assisting contractors with the implementation of an effective safety and health management systems (SHMS).	<ul style="list-style-type: none"> a. Methods to evaluate the on-site contractor's performance in this area will include the implementation of comprehensive SHMS at the site and the increase in the number of contractors that establish effective SHMS. b. BMAHA TV will conduct evaluations of each contractor's SHMS in accordance with Appendix B. 	<p>The Partners will meet quarterly to review:</p> <ul style="list-style-type: none"> a. Compare the number of on-site contractors that develop and implement effective SHMS because of their participation in the Partnership, with the baseline for the Partnership. b. The number of trade contractors that have completed the BMAHA TV safety evaluation and have pledged both support and cooperation to the Partnership.
3. Conduct effective self-inspections, training, technical assistance, and consultation activities in areas where workers may be exposed to hazards.	<ul style="list-style-type: none"> a. BMAHA TV will use an established tracking tool to document all self-inspections, the number of hazards corrected, any industrial hygiene monitoring data (if conducted), and training conducted during the Project b. Per the safety manual, contractors will perform weekly safety inspections of their work areas. Documentation of the inspections will be submitted to and tracked by BMAHA TV. c. BMAHA TV will document all self-inspections, the number of hazards corrected, any industrial hygiene monitoring data (if conducted), and any additional safety training conducted by BMAHA TV or trade contractors for workers on this project. 	<p>The Partners will meet quarterly to review:</p> <ul style="list-style-type: none"> a. The number of self-inspections performed, the number of hazards identified and corrected b. The number of training sessions conducted by the Partners, training hours for workers and supervisors/managers. c. Identify trends that result from the inspections, hold awareness campaigns with subcontractors to communicate findings, and stand down with all subcontractors to review incidents identifying root causes and possible corrective actions.

Goal	Strategy	Measures/Products
<p>4. Develop a positive working relationship with on-site contractors to maintain a continuing dialogue that supports various OSHA safety and health campaigns/initiatives</p>	<p>BMAHA TV and all on-site contractors will participate in OSHA's Focus Four Campaign and annually will hold a national stand-down to prevent falls in construction event until the project is completed.</p> <ul style="list-style-type: none"> a. BMAHA TV and all on-site participating contractors will print and display OSHA's National safety stand-down poster in visible working locations and inside their on-site trailers. b. BMAHA TV will present, and all on-site contractors will participate in the weekly toolbox talks associated with Region III's Focus Four Campaign. c. Additional toolbox talks corresponding to other OSHA outreach initiatives such as Ladder Safety, Safe Digging, Heat Illness, Mental Health and Suicide Prevention, and Distracted Driving will be distributed by BMAHA TV to site contractors during the week that the topic is recognized nationally. 	<p>All data below will be provided to OSHA during the quarterly meetings.</p> <ul style="list-style-type: none"> a. BMAHA TV, along with their participating contractors will use OSHA's "Join the National Safety Stand-Down" webpage to sign-up for the event, provide information about their stand down activity and complete the survey. In addition, BMAHA TV, along with their on- site contractors will provide the Harrisburg Area Office the number of workers that participated. b. BMAHA TV will provide the Harrisburg Area Office with the number of workers trained in each week's toolbox talk that is associated with the Region III Focus Four Campaign. c. BMAHA TV will provide the Harrisburg Area Office with the number of workers trained in each week's toolbox talk that is associated with these additional outreach initiatives.

V. Statement of Agreement

OSHA agrees to:

1. Evaluate BMAHA TV's PSU-BSR Site Specific Safety Plan (Attachment 1) prior to and during the OSHA non-enforcement verification visits using Appendix C (or equivalent) and determine whether effective SHMS are in place.
2. Designate the Harrisburg Compliance Assistance Specialist (CAS) to serve as a resource and liaison person for the Partnership.
3. Meet with BMAHA TV quarterly to review PSU-BSR safety performance. Safety performance will be evaluated through review of contractors' OSHA 300 logs for the PSU-BSR and related accident reports.
4. Provide timely responses to requests for information and verbal clarification of OSHA standards, as resources permit. Some questions may be directed to OSHA's National Office for clarification.
5. Provide information on OSHA training resources.
6. Conduct a non-enforcement verification visit within 30 days of the Partnership signing, and quarterly thereafter.

BMAHA TV agrees to:

1. Provide a Site Safety Manager to serve as a safety resource and liaison person for the Partnership and to assist contractors with safety issues/concerns.
2. Provide notice to all contractors that the PSU-BSR is subject to this Partnership, include the Partnership Fact Sheet (Appendix A) in the PSU-BSR New Employee Safety Orientation, and notify contractors of the on-site non-enforcement verification visits.
3. Develop and implement the PSU-BSR Site Specific Safety Plan (Attachment 1).
4. Evaluate each contractor's site-specific safety plan, prior to them commencing work on site.
5. Conduct preplanning meetings with contractors for high-risk activities.
6. Offer contractors safety and health information (i.e., toolbox safety meetings) specifically on the focused four construction hazards (which are Falls; Caught-In or Between; Struck-By; and, Electrocutions) and on the OSHA Fall Stand Down initiative.
7. Maintain PSU-BSR Safety Performance Report (required to accomplish Appendix D).
8. Require all active contractors to submit an updated OSHA 300 Log for the PSU-BSR.
9. Meet with OSHA quarterly to review the safety performance of BMAHA TV and contractors and provide feedback on accident/incident tracking and trending, provided by BMAHA TV corporate safety.
10. Coordinate safety related matters that pertain to site general conditions such as hazard communications, emergency response, confined space entry, installation and maintenance of building perimeter guardrail systems, and housekeeping.
11. Implement a six-foot fall protection policy with all contractors.

- All shared walking/working surfaces on site with changes of elevation of six feet or greater will be protected with an OSHA compliant guardrail system, or all —

contractors will be required to use personal fall arrest systems when exposed to a fall hazard of six feet or greater regardless of the scope of their work.

- Safety monitors and/or warning lines and more lenient fall protection requirement heights outlined by OSHA Subpart R (15 ft./30 ft.) and OSHA Subpart L (10 ft.) will not be recognized, unless approved by BMAHA TV.
- All contractors will be responsible for protecting against fall hazards including leading edges or floor openings that they create during their work.

12. Enforce the disciplinary policy in accordance with the requirements outlined in the project Safety Manual. Refer to the Disciplinary Requirements section of the Safety Manual for more details.
13. Conduct monthly Corporate Safety Audits and Meetings, weekly site inspections, accident/incident investigations, monitor contractor weekly toolbox talks as well as Daily Huddles or Pre-Task Plans, and other safety initiatives as required by BMAHA TV.
14. Provide a designated safety representative with authority to take corrective action, to perform the non-enforcement visit with the OSHA CAS.
15. Provide a list of the participating contractors to OSHA during each quarterly meeting.

VI. On-Site Non-Enforcement Verifications

To assist in measuring the success of this Partnership, an initial non-enforcement verification visit will be conducted after the signing of this agreement, and quarterly thereafter, as resources permit.

After the initial non-enforcement verification site visit, quarterly visits will be conducted by designated members of this Partnership as resources permit. These visits will review program elements such as meeting attendance, safety training, and non-enforcement verification assessments, which will focus on the most serious hazards that have been previously identified pursuant to the procedure herein. During any verification visit, all reported hazards are to be corrected in a timely manner. BMAHA TV acknowledges if during the onsite non-enforcement verification visit, the CAS identifies serious hazards that the employer fails to correct, the CAS will make a referral for an onsite enforcement inspection pursuant to the OSHA Field Operations Manual and OSHA policy.

OSHA will meet with BMAHA TV quarterly to review Partnership issues and to examine updated DART rates and the injury and illness experience of all contractors at this site, as resources permit. OSHA shall provide feedback on any noted incident trends and patterns.

VII. OSHA Inspections

This Partnership provides for the timely response to each allegation of a safety or health hazard brought to each contractor's attention by any person. Upon the determination that an allegation is valid, the responsible contractor shall promptly abate the hazard.

OSHA agrees that a copy of each non-formal complaint related to the work at the site and filed with OSHA will be forwarded to the PSU-BSR Project site office for action. In



accordance with applicable law, the identity of a complainant requesting confidentiality will not be revealed. BMAHA TV agrees to investigate these complaints regardless of the contractor involved and provide OSHA with a written response within five working days of receiving the non-formal complaint/referral.

OSHA personnel will continue to conduct investigations and inspections in any event or circumstance that may warrant the opening of an OSHA inspection, pursuant to the policy set forth in Field Operations Manual (FOM). These may include but are not limited to local or national emphasis programs, complaints, referrals, fatalities, catastrophes, or other accidents or significant events. OSHA will also investigate contractors whose employees are exposed to or are creating plain view hazards at the Project. These investigations will be conducted outside of this Partnership Agreement in accordance with established OSHA enforcement policy. Violations documented during such investigations may result in the issuance of citations and penalties. OSHA reserves the right to issue citations and penalties for violations including but not limited to regulatory violations for which mandatory penalties are established.

VIII. Incentives

OSHA's FOM details opportunities available during citation/case settlement for all employers who undergo onsite enforcement inspections. These opportunities are also available for participating contractors.

BMAHA TV and participating contractors will receive the following benefits from OSHA:

1. Special recognition, which may include but is not limited to, press releases issued by OSHA and recognition on OSHA's web page.
2. Informational materials such as safety and health publications and electronic educational resources.
3. Presence and participation of the CAS or other Harrisburg Area Office designee for related safety and health events held by a participating contractor for the site identified in this agreement, as resources permit.

IX. Safety and Health Management Systems

OSHA and BMAHA TV support the implementation of SHMS, including the four main elements of management commitment/employee involvement, hazard identification, hazard correction/control, and employee training. BMAHA TV commits to implementing a safety and health management system at the worksite as detailed in Appendix C.



X. Worker and Employer Rights – Employee Involvement

This Partnership does not preclude workers and/or employers from exercising any right provided under the OSH Act (or, for federal workers, 29 CFR 1960), nor does it abrogate any responsibility to comply with rules and regulations adopted pursuant to the OSH Act. This Partnership recognizes workers bring valuable skills and perspective to the implementation of an effective site safety and health system. Workers on site will be encouraged and given opportunities to be involved in the site safety and health system. Employee involvement will include, but is not limited to, participation in self-audits, site inspections, job hazard analysis, safety and health management system reviews, safety training and accident/near miss reporting. Employee involvement will be included in the Safety and Health Management System Evaluation (Appendix C).

XI. Annual Evaluation

Partners will jointly prepare an annual evaluation of the Partnership using Appendix D. The evaluation will review the success of the Partnership, lessons learned, and changes that will be made to meet the goals of the Partnership. Annual evaluations will be submitted by the Partners to OSHA's Philadelphia Regional Office no later than 30 days after the signing anniversary date each year.

XII. Termination

This Partnership will terminate upon completion of the PSU-BSR Project. If either Partner wishes to withdraw its participation prior to the established termination date, a written notice shall be given, stating the reason(s) and providing 30 days' notice to the other party(s).

XIII. Paperwork Reduction Act

OSHA Strategic Partnerships are part of OSHA's available voluntary cooperative programs. As per the Paperwork Reduction Act of 1995 (PRA OMB CONTROL NO. 1218-0244, expires August 31, 2025), the public reporting burden for this partnership's collection of information is estimated at 11 hours per participant, per year. If you have any comments regarding this collection of information, including suggestions for reducing the burden or revising the burden estimate, please direct them to:

Occupational Safety and Health Administration
Attention: Director, Office of Partnerships and Recognition
Directorate of Cooperative and State Programs
200 Constitution Avenue, NW - Room N3700
Washington, DC 20210



XIV. Signatures

Based on a mutual interest to protect construction workers, the below parties agree to the terms of the OSHA / BMAHA TV Partnership Agreement for the construction of The Penn State University, Beaver Stadium Renovations Project.

Signed _____ day of _____, 2024

Partners:

Signatory	Signatory
<hr/> Kevin T. Chambers Area Director, Harrisburg Area Office USDOL/OSHA	<hr/> Michael Sgriccia Project Executive Alexander Construction
<hr/> Scott Mull Senior Director Barton Mallow	<hr/> Patrick Wipperman Vice President AECOM HUNT



**Occupational Safety and Health Administration &
Barton Mallow, AECOM HUNT, Alexander Construction, Tri Venture - Appendix A
Partnership Agreement**

Pledge of Support

The Harrisburg Area Office, Region III, of the Occupational Safety and Health Administration (hereafter referred to as OSHA) and Barton Mallow, AECOM HUNT, Alexander Construction Tri Venture (BMAHA TV), have agreed to implement an OSHA Strategic Partnership (Partnership) during construction of The Penn State University, Beaver Stadium Renovation Project (PSU-BSR Project).

The objective of this Partnership is to encourage joint cooperation between OSHA, BMAHA TV, and contractors to foster a safe work environment for all PSU-BSR Project workers.

The agreement between BMAHA TV and OSHA calls for the PSU-BSR Project to be managed consistent with OSHA's Recommended Practices for Safety and Health Programs in Construction, or its equivalent.

OSHA will provide timely responses to requests for information, requests for clarification of OSHA standards and other assistance as resources and/or OSHA Policy allow. To show their commitment to the Partnership, participating contractors will voluntarily sign this pledge.

This Partnership will not relieve any contractors from or lessen their safety responsibilities nor change any contractual obligations between BMAHA TV, PSU-BSR Project Owner/Developer, or trade contractor, nor does it lessen any/all affirmative defenses, legal rights or due process afforded with respect to OSHA enforcement action.

This Partnership will not in any way affect workers' ability to exercise rights under the OSH Act.

This agreement is consistent with OSHA's long-range effort to develop a contractor/government partnership approach to safety management. It allows for better use of OSHA resources and for innovation in safety management, and it encourages more participation in the safety process by each stakeholder.

Based on mutual interest to protect construction workers, the below party pledges both support and cooperation to the OSHA / BMAHA TV Partnership Agreement by following the BMAHA TV PSU-SBR Project Safety Plan.

Authorized Representative (print / type)

Signature

Title (print / type)

Company / Organization (print / type)

SAFETY AND HEALTH MANAGEMENT SYSTEM EVALUATION - APPENDIX B

1. BMAHA TV and contractors have or will have implemented a comprehensive written PSU-BSR Project Safety Plan.
2. BMAHA TV maintains or will maintain copies of contractors' safety and health plans, hazard communication plans, and fall protection plans (where applicable). BMAHA TV requires contractors to follow its safety plan and will not accept any plans or practices that are less stringent.
3. BMAHA TV will have a full-time safety representative at the site to conduct and document safety inspections of work, and who through training and experience, can recognize hazards, and has authority to take prompt corrective action. Minimum training required for a site safety representative is the 30-Hour Construction Safety Outreach Course, as specified in the PSU-BSR Project Safety Plan.
4. BMAHA TV and contractors have or will have trained field supervisory personnel and have provided additional training for competent persons in such areas as scaffolding, excavation, fall protection, crane operations, etc. (Additional training will be dictated by the type and scope of the work the contractor conducts).
5. BMAHA TV has or will provide a safety and health management system orientation for all new workers to the site. All contractors are to conduct orientation including hazard recognition specific to their work.
6. BMAHA TV and contractors will have employee involvement in the Partnership. Examples include, but will not be limited to, participation in site inspections, job hazard analysis, accident/incident/near-miss investigations and site safety stand downs.
7. BMAHA TV and contractors will follow a six-foot fall protection policy, which means a hard barricade or personal fall arrest equipment. This requirement applies to structural steel erection, roofing work, as well as working from scaffolds.
8. BMAHA TV will conduct monthly Corporate Safety Audits and Meetings, weekly site inspections, accident/incident investigations, and will monitor contractor weekly toolbox talks, Daily Huddles, and Pre-Task Plans.
9. BMAHA TV and contractors will have a written enforcement program. BMAHA TV's written enforcement program is a progressive discipline system. The program progresses from verbal warnings to written warnings with enforcement. Incidental Employee Misconduct is a "Three Strikes, You're Out Rule". The written enforcement notices will require either complete re-training or dismissal from the job site at BMAHA TV's discretion. BMAHA TV reserves the right for immediate dismissal without warnings for anything that it deems a blatant disregard of safety rules and regulations. Contractors are subjected to the same enforcement program and policy.
10. Enforce a Zero Tolerance Policy whereby workers engaged in violation of the above-described fall protection policy, NFPA 70 E, applicable confined space regulations, or excavation regulations as described in BMAHA TV's safety policy will be removed from the site for 3-days with retraining required prior to returning to the jobsite. A second infraction of the same or other enumerated standards in this paragraph shall require the worker to be permanently removed from the site.