METHUEN–OBAYASHI
JOINT VENTURE

Cemetery Brook Drain Tunnel Project OSHA Strategic Partnership Agreement

This OSHA Strategic Partnership Agreement (OSP) is entered into by the United States Department of Labor – Occupational Safety and Health Administration (OSHA), Concord NH Area Office, and Methuen Construction – Obayashi, JV, for the Cemetery Brook Drain Tunnel Project in Manchester, New Hampshire.

1. Identification of Partners

Methuen Construction – Obayashi, JV (the "JV") and the Concord, NH Area Office of the Occupational Safety and Health Administration (OSHA) recognize the critical importance of ensuring a safe and healthful work environment for all personnel involved in the project. This OSHA Strategic Partnership Agreement (referred to as the
"OSP" or "the partnership") for the Cemetery Brook Drain Tunnel Project in Manchester, New Hampshire, is designed to support OSHA's mission of reducing occupational fatalities, serious injuries, and illnesses in the day-to-day project operations.

The signatories have developed this agreement through a collaborative effort, grounded in a shared commitment to safety excellence. By leveraging combined expertise and resources, the JV and OSHA seek to build a safety culture defined by proactive measures and open communication, encouraging each worker on the Cemetery Brook project to take responsibility for personal safety and contribute to the well-being of others around them.

The following entities are entering into this Strategic Partnership Agreement for the Cemetery Brook Drain Tunnel Project located in Manchester, New Hampshire:
U.S. Department of Labor / Occupational Safety and Health Administration/ Concord Area Office and the Methuen/Obayashi Joint Venture (JV).

2. Purpose and Scope

The purpose of this partnership is to provide a safe and healthy work environment for all personnel involved in the construction of the Cemetery Brook Drain Tunnel Project in Manchester, New Hampshire. Methuen Construction – Obayashi, JV (JV) is committed to prevent injuries, serious accidents, and fatalities by promoting strong safety leadership, applying best work practices, delivering comprehensive training, and ensuring compliance with applicable OSHA standards and tunneling-specific regulations.

The Cemetery Brook Drain Tunnel Project involves the construction of a gravity-fed stormwater conveyance tunnel using a slurry-based Mixshield Tunnel Boring Machine (TBM). The TBM will bore and simultaneously install segmented precast concrete rings under variable pressure conditions, utilizing a slurry-based spoil removal system. This scope introduces complex hazards including confined space operations, potential hazardous gas accumulation, high-pressure working environments, segmental ring installation, slurry system management, and mucking activities. This project also includes an outfall structure and seven drop shafts, to include excavating, blasting (where required) and concrete work. Methuen Construction – Obayashi, JV will implement tunnel and drop shaft specific controls, gas monitoring procedures, and emergency response protocols throughout the duration of the project.

The project is in an urban environment in Manchester, NH, and will be active beneath roadways, utilities, and residential zones. Daily manpower is expected to fluctuate between 20 and 40 workers, including TBM operators, tunnel teammates, electricians, mechanics, surveyors, safety personnel, and support crews. The partnership will ensure that every contractor and subcontractor on site is aligned with the safety goals of the project and participates fully in the implementation of this agreement. The Cemetery Brook Drain Tunnel Project is anticipated to reach final completion in 2028.

3. Goals, Strategies, and Performance Measures

The overall goal of this partnership is to establish a collaborative working relationship that prioritizes the prevention of work-related fatalities, mitigates serious hazards associated with tunneling operations, excavating, and builds a strong foundation for an effective safety and health management system. Specific objectives related to contractor compliance, participation in site audits, continuous safety program improvements, and evaluation of partnership performance and modifications are outlined in Section 4 of this agreement. Goals and responsibilities are defined for the Methuen Construction – Obayashi, JV, OSHA, and, if applicable, participating labor unions (see table on the following page).

Goals	Strategies	Measures
1) Maintain a project-wide Total Recordable Incident Rate (TRIR) below 2.6 and Days Away, Restricted or Transferred (DART) rate below 1.2 for the construction industry (BLS 2023).	**1a.** Implement engineering and administrative controls, and best practices for all tunneling hazards. **1b.** Deliver comprehensive site specific, tunnel-specific orientations for all teammates prior to entering the tunnel. Teammates working above ground will receive safety orientations before work begins.	**1aa.** Methuen Construction – Obayashi, JV collects and calculates TRIR and DART rates quarterly. **1bb.** Rates will be benchmarked against BLS data for NAICS 237990 and reported to OSHA Concord.
2) Promote cooperation between management, labor, and subcontractors to enhance open communication and worker engagement, creating a full participating safety culture with the goal of reducing risks and preventing hazards.	**2a.** Specific work plan development with all teammates performing the work. **2b.** Conduct and document in Procore, Daily Safe Start meetings prior to work. **2c.** Hold and document weekly safety talk meetings with active participation from crews and supervision. **2d.** Maintain an open-door policy to encourage hazard reporting. **2e.** Include craft representatives in weekly safety walks and site safety committee meetings. **2f.** Monthly review of Power BI to determine trends	**2aa.** Document work plans in Procore with signed teammates attended. **2bb.** Track attendance and participation logs for safety meetings. **2cc**. Record worker submits safety concerns and resolution actions. **2dd.** Maintain minutes of Safety Committee meetings with action items. **2ee.** Weekly safety walks, Improve its/observations Documented and tracked in Procore/Power BI. **2ff.** Full supervisory team, reviewing the trends, Near misses, Incidents, and team participation in required programs.
3) Identify and prevent the most common tunneling hazards and excavation hazards, including gas exposure, pressurized zones, confined spaces, and struck-by incidents, shoring and protective system to prevent cave-ins.	**3a.** Establish and enforce evacuation based on action level protocols for all hazardous atmospheres that may expose teammates to risk, in both above ground, below ground excavations and tunnel activities. **3b.** Monitor and ventilate confined spaces per Methuen/Obayashi policy and OSHA 1926 Subpart AA **3c**. Require pre-task reviews, utilizing work plans and safe start documentation for segmental ring installation, mucking, and pressurized operations, and above and below ground excavations. **3d.** Conduct daily, and as needed, tunnel inspections with a focus on gassy and high-risk zones. **3e** Conduct documented daily excavation inspections.	**3aa.** Use of Methuen/Obayashi confined space evaluation entry form and atmospheric testing prior to entering any confined space or excavation over 4ft. or entering of the tunnel. Evacuation procedures will be reviewed and posted at each drop-shaft location. **3bb.** Maintain gas logs, inspection reports, and ventilation records. **3cc**. Require and track completion of confined space and tunneling hazard training. **3dd.** Verify completion of task specific work plans, and Safe Start documentation prior to work. Documented tunnel inspections prior to entry. **3ee.** Daily above ground documented inspection of all trenches and excavations utilizing a daily excavation inspection checklist performed and documented by the Methuen/Obayashi competent person. Documented in Procore.

Goals	Strategies	Measures
4) All subcontractors have training on the recognition of the hazards working in and around construction sites. ensure all on site can recognize safe and unsafe behaviors, and promote a safety culture of active stop work, report, and eliminate risk. Ensure 100% of contractors and subcontractors develop and implement written site-specific safety and health programs.	**4a.** All subcontractors will submit their company's safety program, all safety training certifications, and submit a safety program review prior to a mandatory preconstruction meeting. **4b.** Obtain documentation of authorized letters of competent people onsite. **4c.** All workers onsite will be required to have OSHA 10 hour. All Foreman and Supervisors will be required to have OSHA 30 hour. **4d.** Obtain subcontractor OSHA 300 logs for the last 3yrs.	**4aa.** Subcontractor safety programs, training certifications, and site-specific safety plans including but limited to Fall protection/rescue, Confined space, excavation, LOTO, and tunnel training. **4bb.** Letters of subcontractor's competent person documented for easy reference. **4cc.** OSHA 10 on file by contractor on SharePoint **4dd.** OSHA 300 logs documented by contractor on SharePoint.

4. Safety and Health Management System (SHMS)

Methuen Construction – Obayashi, JV will implement a comprehensive Safety and Health Management System (SHMS) in alignment with OSHA's Recommended Practices for Safety and Health Programs in Construction. This SHMS will serve as the foundation for all site safety operations and will be implemented at the initiation of the project and maintained throughout the duration of the Partnership.

A. Management Leadership

- Assign dedicated safety professionals on site: Safety Manager and Safety Technician(s).
- Demonstrate visible safety leadership through participation in the daily Safe Start meeting prior to the beginning of shift, daily walkthroughs, regular audits, and active involvement in safety planning.
- Set clear safety expectations for all project stakeholders.
- All members of management will document at least one Improve it (Safety Observation) weekly.
- At least one documented weekly safety inspection from a member of the management team other than the Safety Manger and Safety Technician.
- Follow the Methuen/Obayashi accountability program when unsafe behaviors and/or conditions are observed.

B. Accountability Program

- The intent of this safety accountability program is to ensure that Methuen Construction/Obayashi is providing a safe, healthful workplace and culture for all our Teammates, subcontractors, owners, and visitors to our project sites.
- Individuals who do not treat safety as a core value or who, through their actions or inactions, place themselves or their fellow Teammates at risk of injury, will be held strictly accountable. Accountability will be consistently enforced with immediate disciplinary action up to and including termination.

C. Worker Participation

- Require all workers to complete the above ground site-specific orientations and tunnel specific orientation (when required) prior to worksite access.
- Empower workers with stop work authority and encourage open communication of hazards.
- Facilitate worker involvement in weekly inspections, safety meetings, and Safety Committee discussions.
- Provide a formal system for anonymous or direct hazard reporting.

D. Hazard Identification and Assessment

- Develop comprehensive work plans for all major tasks, updated regularly as site conditions evolve. Safe Starts and work plans are used to identify hazards associated with each step of a job task and identify and implement measures to prevent injury and illness.
- Perform Daily, weekly and monthly audits focusing on construction hazards and tunneling hazards, such as gas exposure, pressure changes, and equipment use. Above ground civil activities while performing excavation of the drop shafts, will also be using constant atmospheric monitoring, inspection of shoring and other engineered protective systems that may be needed.
- Weekly documented Improve it program promoting both positive improvements made by workers onsite and areas of improvements noted, reinforcing an

inclusive, full participation safety culture.

- Track and trend Improve Its, audits, near misses, and incidents for pattern recognition and mitigation planning.

E. Hazard Prevention and Control

- Apply engineering and administrative controls before relying on PPE.
- Require the use of gas monitors, PPE, fall protection, lockout/tagout (LOTO), and ground fault circuit interrupters (GFCIs) where applicable.
- Immediately address identified hazards and document all corrective actions in inspection logs.

F. Training

- All site supervisors will hold all required training certifications/qualifications to safely perform their jobs for the hazards they may encounter. All site leadership will also hold current First Aid, AED, and CPR certifications.
- Training topics will include gas monitoring, confined space, excavating, pressurized operations, emergency response, trenching/excavation, rigging/signal training, and TBM awareness (where applicable).
- Retraining will be provided as site conditions change or if deficiencies are observed.
- All subcontractors will be required to submit formal safety submittals which will include their training records for all employees that will be working on the project site.

G. Program Evaluation and Improvement

- The SHMS will be reviewed quarterly and annually for effectiveness and updated as needed.

- Corrective actions, Improve Its, audits, incident trends, and feedback will be used to identify systemic issues and continuous improvement opportunities.

H. Communication and Coordination

- Weekly coordination meetings will review upcoming work, hazards, and risk controls.
- All contractors and subcontractors will be required to attend safety briefings and integrate their activities into the SHMS.
- All contractors must provide equivalent levels of protection and hazard awareness to their workforce.
- Hazards created by one employer will be communicated clearly to others sharing the worksite.

5. Partnership Management and Oversight

A Partnership Oversight Committee will be established to monitor the implementation and effectiveness of this agreement. This committee will consist of representatives from Methuen Construction – Obayashi, JV, OSHA Concord Area Office.

The committee will meet monthly (or as needed) to:

- Review contractor safety performance and compliance.
- Analyze leading indicators, incident, and near miss data.
- Monitor training metrics and workforce participation.
- Initiate improvements or modifications to the Partnership.
- Ensure that all signatories are aligned on key safety and health objectives.

6. Roles and Responsibilities

A. Methuen Construction – Obayashi, JV (JV)

As the primary contractor, Methuen Construction – Obayashi, JV will lead the implementation and management of this OSHA Strategic Partnership.

JV Responsibilities:

- Develop and maintain a project specific Safety and Health Management System (SHMS)
- Ensure all contractors and subcontractors comply with OSPP requirements
- Maintain a qualified safety team
- Provide site-specific orientation to all workers
- Provide tunnel-specific orientation for workers who will enter the tunnel
- Lead coordination meetings and track safety metrics
- Conduct regular audits
- Investigate incidents and maintain transparency with OSHA
- Serve as primary contact for OSHA Partnership matters

B. OSHA – Concord Area Office

OSHA will act as a partner, advisor, and oversight body for the Partnership.

OSHA Responsibilities:

- Attend meetings, inspections, and site visits as resources allow
- Review and provide feedback on the Safety and Health Plan
- Provide regulatory clarification and technical guidance
- Monitor incident data and gas exceedances
- Conduct verification inspections
- Participate in annual evaluation reporting
- Participate in trainings when available

C. Subcontractors and Tier Subcontractors

All subcontractors must participate in the Partnership and meet safety expectations.

Subcontractor Responsibilities:

- Submit safety plans aligned with the JV's SHMS
- Ensure all workers complete site-specific orientation and the tunnel-specific orientation when required.
- Participate in Daily Activity Plans (DAPs), Safe Start meetings, toolbox talks, and other safety meetings

- Submit formal safety submittals outlining the following:
    - EMR for the previous three years
    - RIR and LTR for the previous three years
    - OSHA logs for the previous three years
    - Training records for all employees working on the project site
    - Copies of Safety Data Sheets for the chemicals that will be mobilized to the project site
    - OSHA history (any citations issued in the past)
    - Corrective action plans when applicable based on Methuen/Obayashi's requirements
- Maintain required training for hazards their employees may encounter and maintain certifications for hazardous work if required
- Conduct and submit weekly inspections
- Report all near misses and incidents immediately
- Follow gas protocols

D. Labor Unions (if applicable)

If labor unions are involved, their safety representatives may join the Partnership. Labor Unions may be needed and will be from mainly these Union Organizations with a possibility of others if needed.

- Operators from Local 98
- Laborers Local 668

Labor Responsibilities:

- Designate union safety representatives
- Collaborate on hazard mitigation and training
- Encourage member participation in inspections and reporting
- Provide or support hazard-specific safety training

E. All Workers

Every worker shares responsibility for site safety.

Worker Responsibilities:

- Complete tunnel orientation
- Participate in safety briefings and report hazards
- Use required PPE and follow safety protocols
- Exercise stop-work authority if needed

7. Incentives, Evaluation, and Termination

A. OSHA Incentives

- Access to OSHA compliance assistance
- Verification visits
- Public recognition by OSHA
- Potential citation reductions for good faith compliance

B. Partnership Evaluation

The Partnership will be evaluated annually using Appendix C of OSHA Directive CSP 03-02-003.

Evaluation Criteria:

- TRIR and DART metrics
- Number of gas exceedances and corrective actions
- Training completions and near-miss reporting
- Participation in inspections and meetings

C. Termination and Modification

- Any party may withdraw with 30 days written notice
- OSHA may terminate immediately for serious noncompliance
- Agreement may be modified by written consent of all parties

8. Signatories

This Partnership Agreement is entered into voluntarily by the undersigned parties and will remain in effect until the completion of the Cemetery Brook Drain Tunnel Project or until terminated by one or more parties in accordance with Section 5C above.

Signed this _____day of 2025.

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