



## Partnership Agreement

---

### I. General

The Pittsburgh Area Office of the Occupational Safety and Health Administration (OSHA) and Mascaro Construction Company, LP (Mascaro), have agreed to implement an OSHA Strategic Partnership (Partnership) during construction of the Heinz History Center Expansion (Project).

The overarching goal of this Partnership is to encourage joint co-operation between OSHA, Mascaro and trade contractors to foster a safe work environment for all project employees.

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

This Partnership will not relieve any participating contractors from, lessen their safety responsibilities, nor change any contractual obligations between Mascaro, 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 employees' ability to exercise rights under the Occupational Safety and Health ("OSH") Act and OSHA regulations. The 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 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, Pittsburgh Area Office (OSHA)
- Mascaro Construction Company, LP

The following organizations pledge to support the Partnership:

- Senator John Heinz History Center
  - Pittsburgh Regional Building Trades Council
  - Participating Trade Contractors
-

### III. Project Overview

Project construction will start in March 2026 with substantial completion in April 2028. It is expected that 30-35 trade contractors will employ approximately 250 craft persons at peak construction.

#### Project Description:

The new ninety thousand square foot expansion to the Senator John Heinz History Center consists of the installation of CMC ground improvements for spreading footing/grade beam foundations for erection of structural steel frame for a 7-story new building that ties into the existing History Center and adjacent Dietrich Building. Exterior façade is cold formed metal framing, sheathing, air barrier and brick veneer along with storefront and curtain wall. The multiple roofs are TPO roofing along with a paver roof deck on the fourth-floor roof. Interior spaces include a catering kitchen, orientation theater, expansion to the Great Hall, exhibit spaces, classrooms, bridal suite, employee breakroom and multiple restrooms. There are also minor renovations/improvements to adjacent spaces in the existing History Center. GMP for this scope of work totals 50 million dollars.

### 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 goals 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 Project.	a. Review the OSHA 300 data of all project trade contractors. b. Calculate the Project's Days Away From Work, Restricted, Or Job Transferred (DART) rate. c. 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.	a. The Partnership baseline DART rate is established at 4.0. b. Reduce the DART rate by 3 percent annually.
2. Control workplace hazards by assisting trade contractors with the implementation of an effective safety and health management system (SHMS).	a. Mascaro will conduct evaluations of each trade contractor's SHMS in accordance with Appendix C. b. Mascaro will conduct Safe Construction training for trade contractor supervision.	The Partners will meet quarterly to review: <ul style="list-style-type: none"> <li>a. The number of trade contractors that have completed Mascaro's safety evaluation and have pledged both support and cooperation to the Partnership.</li> <li>b. The number of trade contractor supervisors who have participated in Mascaro's Safe Construction training.</li> </ul>



## Partnership Agreement

Goal	Strategy	Measures/Products
<p>3. Conduct effective self-inspections and assist trade contractors with training resources and technical assistance in areas where workers might be exposed to hazards.</p>	<p>a. Mascaro will collect documentation from the participating contractor's self-inspections, including the number of hazards corrected, and safety training conducted by trade contractors for workers on the Project.</p>	<p>The Partners will meet quarterly to review:</p> <ul style="list-style-type: none"> <li>a. The number of self-inspections performed in the previous quarter, and the number of hazards identified and corrected.</li> <li>b. The number of training sessions conducted, and the number of training hours provided for workers and supervision.</li> </ul>
<p>4. Develop a working relationship with OSHA to maintain a continuing dialogue that supports various safety and health campaigns/initiatives.</p>	<ul style="list-style-type: none"> <li>a. Mascaro and all on-site participating trade contractors will hold an annual event to support the OSHA National Fall Prevention Safety Stand-Down until the Project is completed. Mascaro and all on-site participating trade contractors will display a stand-down poster (provided by OSHA – Pittsburgh Area Office) on the site.</li> <li>b. Mascaro and all on-site participating trade contractors will hold an annual event to support the NUCA Trench Safety Stand-Down until the Project is completed. Mascaro and all on-site participating trade contractors will display the stand-down poster (provided by OSHA – Pittsburgh Area Office) on the site.</li> <li>c. Mascaro and all on-site participating trade contractors will participate in the NIOSH/OSHA annual Heat Stress Prevention campaign until the Project is completed. Mascaro and all on-site participating trade contractors will use the OSHA/NIOSH Heat Safety Tool App and display Heat Stress Prevention posters (provided by OSHA - Pittsburgh Area Office) on the site.</li> <li>d. Mascaro and all on-site participating trade contractors will participate in the Region III Focus Four Campaign.</li> </ul>	<p>The Partners will meet quarterly to verify/review:</p> <ul style="list-style-type: none"> <li>a. The use of OSHA's "National Fall Safety Stand-Down" webpage to log their event, provide information about their stand-down activity and complete the survey.</li> <li>b. The use of NUCA's "National Trench Safety Stand-Down" webpage to log the event(s), provide information about their stand-down activity and complete the survey.</li> <li>c. The number of workers trained on the annual Heat Stress Prevention "Water, Rest, Shade" campaigns.</li> <li>d. The number of workers trained in each safety talk that is associated with the Region III Focus Four Campaign.</li> </ul>

---

### **V. Partnership Management and Operation**

Mascaro and OSHA will form a committee to monitor the implementation of this Partnership. It will consist of a representative from each of the Partners. The Compliance Assistance Specialist (CAS) will serve as OSHA's primary contact. The Committee will review trade contractor compliance and involvement in the Partnership, analyze job site audits, make Partnership improvements, and evaluate Partnership modifications, achievements, and successes.

#### ***Partnership Roles and Responsibilities***

##### ***OSHA agrees to:***

1. Evaluate Mascaro's Project Safety Plan prior to and during the OSHA enforcement verification inspections using Appendix C (or equivalent) and determine whether effective (safety and health management systems) SHMS are in place.
2. Designate an OSHA CAS to serve as a resource and liaison person for the Partnership.
3. Meet with Mascaro quarterly to review project safety performance. Safety performance will be evaluated through review of trade contractors' OSHA 300 logs for the Project and related accident reports.
4. Provide timely responses to requests for information and clarification of OSHA standards, as resources permit.
5. Provide information on OSHA training resources available.

##### ***Mascaro agrees to:***

1. Provide a designated Site Safety Manager to serve as a safety resource and liaison person for the Partnership and to assist trade contractors with safety issues/concerns.
2. Provide notice to all trade contractors that the Project is subject to this Partnership and include the Partnership Fact Sheet (Appendix A) in the Project New Worker Safety Orientation.
3. Develop and implement the Project Safety Plan.
4. Evaluate trade contractors' Safety and Health Management Systems (SHMS) utilizing Mascaro's Safety Evaluation.
5. Notify the OSHA Pittsburgh Area Office of trade contractors that have completed Mascaro's Safety Evaluation and have pledged both support and cooperation to the Partnership (Appendix B).
6. Offer trade contractors safety and health information (i.e., toolbox safety meetings) especially on the focused four construction hazards (which are Falls; Caught-In or Between; Struck-By and Electrocutions).
7. Maintain Project safety performance report. Require all active trade contractors to submit an updated OSHA 300 Log for the Project.
8. Meet with OSHA quarterly to review the safety performance of Mascaro and trade contractors and provide feedback on noted incident trends or patterns.
9. Coordinate safety related matters that pertain to site general conditions such as hazard communications, emergency response, installation and maintenance of building perimeter guardrail systems and housekeeping.

### **VI. On-Site Enforcement Verification Inspections**

To assist in measuring the success of this Partnership, an initial enforcement verification inspection will be conducted after the signing of this Partnership, and annually thereafter. The enforcement verifications may be conducted as a focused inspection if the site meets the criteria outlined in OSHA's current enforcement guidelines. In addition to traditional enforcement issues, the inspection will assess Mascaro's and participating trade contractors' progress in meeting the requirements of the Partnership.

### **VII. OSHA Inspections**

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

OSHA agrees that a copy of each non-formal complaint not resulting in an inspection, related to the Project and filed with OSHA will be forwarded to the Project office. In accordance with applicable law, the identity of a complainant requesting confidentiality will not be revealed. Mascaro 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 formal complaints, referrals, fatalities, catastrophes, or other accidents or significant events. OSHA will also investigate trade contractors whose employees are exposed to or are creating plain view hazards at the Project. 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 trade contractors.

Mascaro 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 designating Mascaro Construction Company, LP, as a Partner in the OSHA Strategic Partnership Program.
2. Informational materials such as safety and health publications and electronic educational resources.
3. Participating trade contractors will be provided special priority consideration for free, confidential On-Site Consultation services from the Pennsylvania OSHA Consultation Program. Small subcontractors may request a no-cost, confidential consultation visit by telephone at 1-800-382-1241 or on-line at <https://www.iup.edu/pa-oshaconsultation/request/>.

**IX. Worker and Employer Rights – Employee Involvement**

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 rules and regulations adopted pursuant to the OSH Act. This Partnership recognizes employees bring valuable skills and perspective to the implementation of an effective site safety and health management system. Employees on site will be encouraged and given opportunities to be involved in the site SHMS. Employee involvement will include, but is not limited to, participation in self-audits, site inspections, job hazard analysis, SHMS reviews, safety training and accident/near miss reporting. Employee involvement will be included in the SHMS Evaluation (Appendix C).

**X. Safety and Health Management Systems**

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

**XI. Annual Evaluation**

The 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 45 days after the signing anniversary date each year.

**XII. Termination**

This Partnership will terminate four years from the date of the signing or upon completion of the Project. If either Partner wishes to withdraw its participation prior to the established termination date, the Agreement will terminate upon receiving a written notice of the intent to withdraw from either signatory.

**XIII. Paperwork Reduction Act**

**OMB Control Number: 1218-0239 Expires 08-31-2027** Public reporting burden for this collection of information is estimated to average 5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Directorate of Cooperative and State Program U.S. Department of Labor, 200 Constitution Ave., Suite N3700 NW, Washington, DC 20210-4537 and reference the OMB Control Number 1218-0239



# Partnership Agreement

## XIV. Signatures

United States Department of Labor  
Occupational Safety & Health  
Administration

Based on a mutual interest to protect construction workers, the below parties agree to the terms of the Partnership for construction of the Heinz History Center Expansion.

Signed XX day of Mo. / Yr.

Partners:

\_\_\_\_\_  
Christopher Robinson  
Area Director  
OSHA, Pittsburgh Area Office

\_\_\_\_\_  
John Mascaro, Jr.  
President and Chief Executive Officer  
Mascaro Construction Company, LP

\_\_\_\_\_  
Michael Mascaro  
Executive Vice President  
Mascaro Construction Company, LP

In Support of:

\_\_\_\_\_  
Gregory A. Bernarding  
Business Manager  
Pittsburgh Regional Building Trades Council



---

### PARTNERSHIP FACT SHEET – APPENDIX A

The Pittsburgh Area Office of the Occupational Safety and Health Administration (OSHA) and Mascaro Construction Company, LP (Mascaro) have agreed to implement an OSHA Strategic Partnership (Partnership) during construction of the Heinz History Center Expansion (Project).

The overarching goal of this Partnership is to encourage joint co-operation between OSHA, Mascaro, and trade contractors to foster a safe work environment for all project employees.

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

This Partnership will not relieve any trade contractors from, lessen their safety responsibilities, nor change any contractual obligations between Mascaro, 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 employees' ability to exercise rights under the Occupational Safety and Health ("OSH") Act and OSHA regulations. The 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 resources and for innovation in safety management, and it encourages more participation in the safety process by each stakeholder.



---

### PLEDGE – APPENDIX B

The Pittsburgh Area Office of the Occupational Safety and Health Administration (OSHA) and Mascaro Construction Company, LP (Mascaro), have agreed to implement an OSHA Strategic Partnership (Partnership) during construction of Heinz History Center Expansion (Project).

The overarching goal of this Partnership is to encourage joint co-operation between OSHA, Mascaro, and trade contractors to foster a safe work environment for all project employees.

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

This Partnership will not relieve any trade contractors from, lessen their safety responsibilities, nor change any contractual obligations between Mascaro, 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 employees' ability to exercise rights under the Occupational Safety and Health ("OSH") Act and OSHA regulations. The 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 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 / Mascaro Partnership by following Mascaro's Project Safety Plan.**

\_\_\_\_\_  
Authorized Representative (print / type)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title (print / type)

\_\_\_\_\_  
Company / Organization (print / type)



---

---

### SAFETY AND HEALTH MANAGEMENT SYSTEM EVALUATION – APPENDIX C

1. Mascaro and trade contractors have implemented a comprehensive written Project Safety Plan.
2. Mascaro will have copies of trade contractors' safety and health plans, hazard communication plans, and fall protection plans (where applicable) or Mascaro requires trade contractors to follow its safety plan.
3. Mascaro and trade contractors will each have a full-time or designated 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 either the OSHA 10-Hour or 30-Hour Construction Safety Outreach Course, as specified in the Project Safety Plan.
4. Mascaro and trade contractors will have trained field supervisory personnel onsite and will provide additional training for competent persons in such areas as scaffolding, excavation, fall protection, crane operations, etc. dictated by the type and scope of the work the trade contractor will perform onsite).
5. Mascaro will have a safety and health management system orientation for all new workers, including hazard recognition specific to the work site.
6. Mascaro and trade contractors will ensure employee involvement in the Partnership. Examples including, but not limited to, participation in self-audits, site inspections, job hazard analysis, safety and health management system reviews, safety training and accident/near-miss investigations.
7. Mascaro and trade contractors will conduct and document weekly employee safety meetings.
8. Mascaro will conduct and document self-audits.
9. Mascaro and trade contractors will follow a six-foot fall protection policy.
10. Mascaro and trade contractors will have a written enforcement program prior to starting work.