



Policy Title: Directive 1C-14 COVID-19 Procedures for Consultants and Contractors

Responsible Office: Design & Construction

Last Revised Date: April 9, 2020

Summary:

The intent of this Directive provides guidance to the State University Construction Fund (Fund)'s Consultants and Contractors working on Fund Projects during the COVID-19 outbreak. Executive Order 202.6 (<https://esd.ny.gov/guidance-executive-order-2026>) included construction as an essential industry that must continue to operate in New York State and the Fund is continuing its operations.

- a) For current New York State guidance, see the New York State Governor's Office website: <https://www.governor.ny.gov/>
- b) For current Fund guidance, refer to the Fund's website at <https://sucf.suny.edu/>.
- c) For current construction industry guidance, refer to the Associated General Contractors of New York State website at <https://www.agcnys.org/coronavirus/> and the Building Trades Employers Association website <https://www.bteany.com/covid19/>. Inform the Fund of any guidance that would impact Fund project work.

Overview:

The Fund directs its Consultants and Contractors to adopt best practices in conducting work on behalf of the Fund, the State University of New York (SUNY) and the State of New York to mitigate the spread of COVID - 19. You and your agents, subcontractors, subconsultants and employees are required to comply with current Executive Orders, which can be found at <https://coronavirus.health.ny.gov/new-york-state-pause>, current New York State Department of Health (DOH) guidance on limiting the spread of COVID-19, which can be found at <https://www.health.ny.gov/diseases/communicable/coronavirus/>, and to stay up to date on DOH requirements and directives. The Fund is the point of contact through which questions regarding work on Projects must be made and information should be provided to Fund staff as set forth in this directive. The Fund will work with SUNY Campuses to address any concerns raised regarding continuation of work and possible restrictions on use of Campus facilities and such information will be provided to affected entities as it becomes available.

Contractor Health & Safety Program & Project Specific Safety & Health Plans

Notify the Fund and update the Project specific Safety Procedures Manual as appropriate to address the spread of COVID-19 to incorporate current Occupational Safety and Health Administration (OSHA) requirements and recommendations posted to the OSHA website at <https://www.osha.gov/SLTC/covid-19/standards.html> and to incorporate DOH guidance and ensure that such procedures are enforced on project sites.

- a) Immediately notify the Consultant and the Fund of any work-related exposures and health risks presented by agents, workers and/or employees of the Contractor and/or subcontractors as set forth below.
- b) If a Contractor has received notification that an employee at a worksite has tested positive for COVID-19, then:
- c) Notify the NYS Department of Health (DOH) and the local health department with jurisdiction over the work location and comply with all DOH requirements and take all recommended, required and necessary steps requested by DOH
- d) As recommended by DOH, provide extra cleaning on high touch areas such as tools, equipment, handles, doorknobs, elevator buttons, bathroom stall doors, faucets, handrails, swipe areas, keypads etc. consistent with guidance issued by the NYS Department of Health.

Guidance to Contractors on projects and jobsites that remain active and open:

Fund projects and jobsites will remain active and open unless otherwise directed by the Fund or the Governor's office.

- a) Work will proceed in accordance with the requirements of the Construction Agreement and the contract drawings and specifications, supplemental information and other current project specific requirements. The Consultant will provide the duties defined in Section 2.01 of the Construction Agreement.
- b) Maintain personal attention to the work in accordance with Section 2.06 of the Agreement.
- c) If the Project Manager, superintendent, Fire Prevention Program Superintendent, and/or other supervisory staff are absent from the site of the work, comply with Section 2.06(2) of the Construction Agreement and conduct work with proper supervision by supervisory employees designated by the Contractor and approved by the Consultant and the Fund.
- d) If personal attention cannot be maintained due to quarantine, notify the Consultant and the Fund of the actions you will take to maintain safety at the site and proper installation of the work, such as reducing work force, suspending some or all operations, and/or securing the site of the work.
- e) Continue to monitor the inspections and testing required by NYS Building Code, drawings specifications, and other Project specific requirements. Inform the Consultant of any changes to the testing and inspection schedule and notify the Consultant and the Fund when the work is ready for testing and inspection.
- f) Campuses may seek to modify access to Campus project sites and buildings, including modifying policies and procedures for access, forbidding access to spaces outside the contract limit lines, modifying access paths to the work site(s), shut down of the site, etc., All such request made to Contractors shall be forwarded to the Fund and any directions to Contractors shall be made through the Fund and the Consultant who retain the sole authority to direct the Contractor.

Guidance to Contractors on projects and jobsites that may be suspending or closing.

In anticipation of possible suspension of project work or closure of project sites, all Contractors are directed to develop an emergency plan to secure the Project work and site in accordance with General Requirements Section 01 35 13 part 7 as modified to reflect the impacts due to COVID-19 and provide such plan to the Fund and Consultant as soon as possible, as follows:

The plan shall describe:

- a) How emerging conditions will be monitored;
- b) Which conditions will require the implementation of emergency preparations;
- c) What emergency preparations and implementation time are needed for: provisions for public safety; evacuation of workers; securing the site of the work, equipment, containment areas, unstable work, materials, chemicals, and/or other site conditions; compliance with the requirements of Code Rule 56 and other applicable rules and regulations; and securing temporary protective facilities and other steps that could be reasonable anticipated to secure the site of the work;
- d) When such emergency preparations will be implemented;
- e) Who will implement the preparations;
- f) Who will check the completed preparations to confirm they meet the intent of the plan;
- g) Who will communicate the plans to local emergency responders;
- h) How the site will be monitored during the shutdown for security, fire safety, public safety and other conditions required by applicable laws, rules and regulations;
- i) Who will be on standby to return to the site when permitted by the authority having jurisdiction; and
- j) Who will determine if the conditions at the site of the work may have changed.

All plans must be reviewed regularly and kept up to date and provided to the Fund and the Consultant. Contractors must Implement the emergency plan when directed to do so by the Fund and the Consultant. Contractors that are unable to continue project work, must inform the Fund and the Consultant as soon as possible of the decision to suspend work and confirm the implementation of the plan accordingly.

Guidance to Consultants, Testing Agencies, Construction Managers and Site Representatives on projects and jobsites that remain active and open.

Explore whether you can establish policies and practices, such as virtual meetings, telecommuting, flexible work hours and other practices that can maintain operations while following guidance on COVID-19.

- a) Provide personal services in accordance with the requirements of your Fund Agreement, Program Directives, instructions from the Fund, and other current project specific requirements. Perform duties and provide services required of the Consultant in each of the Construction Contract(s) for projects.
- b) Provide inspection, testing and other field administration services as required to progress the work.
- c) If field administrative and testing staff are directed to quarantine and cannot visit the site of the work, notify the Fund in a timely manner and submit the names of alternative employees for approval by the Fund.
- d) If attention of field administrative and testing staff cannot be maintained due to an officewide exposure resulting in quarantine of all available staff, notify the Fund of the actions you recommend to replace your staff as required to maintain the proper inspection, testing and other field administration services as required to progress the work.

Guidance to Consultants on projects and jobsites that have been suspended or closed.

Coordinate with the Fund on the next steps to be taken in the project in accordance with Article, Section L of the Consultant Agreement.

Information, Training & Health & Safety Guidance

Best practices and guidance related to COVID-19 and public health: See the following weblinks for associated information and publications:.

- a) Centers for Disease Control and Prevention Webpages:
<https://www.cdc.gov/coronavirus/2019-ncov/about/prevention-treatment.html>
<https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- b) New York State Department of Health: <https://coronavirus.health.ny.gov/home>
- c) Department of Labor OSHA Guidance on Preparing Workplaces for COVID-19:
<https://www.osha.gov/Publications/OSHA3990.pdf>
- d) OSHA Issues New COVID-19 Preparedness Guidance for Employers:
<https://www.idsupra.com/legalnews/osha-issues-new-covid-19-preparedness-30844/>
<https://www.osha.gov/SLTC/covid-19/>
- e) OSHA reminds employers COVID-19 is a recordable illness:
- f) <https://www.businessinsurance.com/article/20200311/NEWS06/912333495/OSHA-reminds-employersCOVID-19-is-a-recordable-illness-coronavirus>
- g) OSHA Issues Guidance to Employers on Preventing Worker Exposure to Coronavirus:
<https://www.crowell.com/NewsEvents/AlertsNewsletters/all/OSHA-Issues-Guidance-to-Employers-on-Preventing-Worker-Exposure-to-Coronavirus-COVID-19>
- h) Interim Guidance for Cleaning and Disinfection for Non-Healthcare Settings Where Individuals Under Movement Restriction for COVID-19 are Staying:

https://coronavirus.health.ny.gov/system/files/documents/2020/03/cleaning_guidance_non-healthcare_settings.pdf

- i) The Associated General Contractors of New York State Resources for COVID-19:
<https://www.agcnys.org/coronavirus/>

Attachments

COVID-19 CONTRACTOR GUIDANCE FOR CONSTRUCTION JOBSITES

COVID-19 Weekly Project Safety Checklist

COVID-19 CONTRACTOR GUIDANCE FOR CONSTRUCTION JOBSITES

In response to the public health emergency for the COVID-19, Governor Andrew Cuomo has declared a State disaster emergency and temporarily suspended or modified laws that would prevent, hinder, or delay action necessary to cope with the disaster or emergency. The Governor has also issued directives to allow for the expansion of certain services including those relating to emergency procurement, and to facilitate the continued work of essential businesses subject to compliance with mandatory directives for safety best practices and social distancing. The purpose of this guidance is to set forth the recommended best practices and social distancing requirements for contractors performing work at State University of New York construction sites in the context of the COVID-19 health crisis.

Contractor Responsibilities

Under your contract with the Fund,

- Contractors and their subcontractors are required at all times to guard the safety and health of all persons on and in the vicinity of the work site
- Contractors and their subcontractors are required to comply with all applicable rules, regulations, codes, and bulletins of the New York State Department of Labor and the standards imposed under the Federal Occupational Safety and Health Act of 1970, as amended (“OSHA”)
- Contractors and their subcontractors are also required to comply with all Fund safety requirements
- Contractors and their subcontractors must comply with all City or State of New York safety requirements for projects within the City or State of New York constructed in accordance with the applicable building code, and contractors are required to provide written safety plans for the site showing how all safety requirements of applicable law will be implemented for the duration of the contract.

Contractors and their subcontractors must also adhere to the following practices to help prevent exposure and spread of COVID-19. The following recommendations are based on what is currently known about COVID-19. Contractors and their subcontractors are advised to stay current and immediately implement the most up to date practices to protect the safety and health of your employees, clients, and the general public.

General Responsibilities:

- Contractors and their subcontractors should educate their employees on the symptoms of COVID-19, which include cough, fever, trouble breathing, and pneumonia. Contractors and their subcontractors must instruct any employee who feels they may have any of the

above symptoms to refrain from reporting to the jobsite and immediately contact their health care provider and the local health department in the county in which they reside. Contact information for local health departments can be found at www.health.ny.gov.

- If the employee begins to exhibit these symptoms while in the workplace, steps should be taken to remove the individual from the workplace. Using safe social distancing practices, provide the employee with a surgical mask and instruct them to put it on, self-transport themselves home, and to contact their health care provider and inform the local health department. The Contractor must notify the contracting agency/authority.
- Personnel should be advised to self-quarantine in accordance with the requirements of the New York State and local health department. Contracting agencies/authorities reserve the right to require any employee of the Contractor, and their subcontractors exhibiting symptoms, to be removed from the jobsite
- If an employee is confirmed to have COVID-19 infection, contractors and their subcontractors should inform fellow employees, who have been in contact with this employee, of their possible exposure to COVID-19 in the workplace while maintaining confidentiality as required by applicable New York State and federal law. The fellow employees should then self-monitor for symptoms (i.e., cough, fever, trouble breathing, and pneumonia) and self-quarantine in accordance with the requirements of the New York State and local health department
- If an employee tests positive for COVID-19, Contractors and their subcontractors should direct the employee to self-quarantine and remain quarantined for 14 days, following the guidance of New York State and local health department
 - Contractors and their subcontractors may permit such employee to return to the jobsite when this employee produces a negative COVID-19 test or receives medical clearance to return to work
- If an employee tests negative for COVID-19, contractors and their subcontractors may direct the employee to return to work after recovery from their illness. Any direct contacts on pre-cautionary quarantine may return to the jobsite and resume their work activities.

Social Distancing:

- Do not host large group meetings or congregate in large groups. When meetings are necessary, maintain a distance of 6-feet between people.
- Perform any tool box or other training maintaining the distance of 6-feet between people.
- Perform meetings online or via conference call whenever possible
- Only essential personnel should be permitted on the jobsite
- Discourage handshaking and other contact greetings
- Progress contract work with the necessary social distancing in accordance with applicable guidance

General Jobsite Practices

- Procedures and supplies should be in place to encourage proper hand and respiratory hygiene.
 - Hand hygiene:

Signage with handwashing procedures should be posted in prominent locations promoting hand hygiene

 - Regular handwashing with soap and water for at least 20 seconds should be done:
 - Before and after eating
 - After sneezing, coughing, or nose blowing
 - After using the restroom
 - Before handling food
 - After touching or cleaning surfaces that may be contaminated
 - After using shared equipment and supplies; and also
 - Whenever a contractor or subcontractor believes it is necessary
 - If soap and water are not available, use an alcohol-based hand sanitizer that contains at least 60% alcohol
 - Respiratory Hygiene:
 - Covering coughs and sneezes with tissues or the corner of elbow
 - Disposing of soiled tissues immediately after use
 - Where possible, have disposable masks available to cover an employee's mouth and nose if they develop symptoms on the job to protect others from exposure.
- Practice routine environmental cleaning and disinfecting of all frequently touched surfaces on the jobsite. This includes work stations, project trailers and offices, portable toilets, countertops, handles, doorknobs, gang boxes, tools and equipment. See OSHA Guidance on Preparing Workplaces for COVID-19. www.osha.gov/Publications/OSHA3990.pdf
- Appropriate cleaning agents and directions should be utilized to perform all cleaning. Ensure all workers are trained on the hazards of cleaning chemicals used in the workplace and comply with all OSHA requirements regarding same in accordance with the Hazard Communication (Global Harmonization) Standard. Information about <https://coronavirus.health.ny.gov/home>
- Do not use a common water bottle
- If using a common water cooler clean dispenser knob after use
- Do not share tools
- Utilize personal protection equipment (PPE) for the job being performed
- Sanitize reusable PPE per manufacturer's recommendation prior to each use
- Do not share PPE
- Ensure used PPE and other trash is disposed of properly

- Utilize disposable gloves where appropriate and instruct workers to wash hands after removing gloves
- Disinfect reusable supplies and equipment
- Don't stack trades, if possible
- Stagger work schedules to minimize the number of people on a job site at any one time.
- Keep one contractor or subcontractor in an area at a time. Indicate an area is occupied with workers with a sign or flag indicating which contractor or subcontractor is in the area at that time. Remove the sign or flag after completion of work in that area to let others know they may then enter into that area to perform their work. The next contractor or subcontractor will then post their sign or flag to notify others that the area is occupied.
- Minimize the number of workers in an area as much as possible by using indicators of an occupied area (signs or flags) scheduling work activities to stagger those required to be in any one time to a minimal number of workers.
- Minimize entryways into a work area so that employees will be able to observe flagging practices described above. Do not reduce the number of emergency exits.
- Avoid cleaning techniques, such as pressurized air or water sprays that may result in generation of bioaerosols

The Fund may request an updated written safety plan for the site to address practices to help prevent exposure and spread of COVID-19 at the jobsite pursuant to New York State, OSHA recommendations and Centers for Disease Control requirements, which include:

- Assessment of potential worker exposure hazards, taking into account the specific recommendations and controls for the four levels of worker exposure risk identified in OSHA's Guidance on Preparing Workplaces for COVID-19 (i.e., very high, high, medium, and lower)
- Evaluation of exposure to risk;
- Selecting, implementing, and ensuring the use of controls (i.e., social distancing appropriate personal protective equipment, hygiene, and cleaning supplies);
- Minimizing the number of workers in an area as much as possible by using indicators of an occupied area (signs or flags) and scheduling work activities to stagger those required to be in any one area to a minimal number of workers.
- Minimize entryways into a work area so that employees will be able to observe flagging practices described above. Do not reduce the number of emergency exits; and
- Additional criteria consistent with health and safety practices at the work site.

Project Closure:

- Where work is suspended on a project, contractors are directed to follow any additional project shut-down protocols as provided by the Fund.

For additional resources:

OSHA COVID-19 Resources

OSHA Guidance on Preparing Workplaces for COVID-19

DOL COVID-19 Resources

Interim Guidance for Business and Employers

Centers for Disease Control -- <https://www.cdc.gov/coronavirus/2019-ncov/index.html>



COVID-19 Weekly Project Safety Checklist

Project Name & Number: _____

Y / N

- | | | |
|--|--------------------------|--------------------------|
| 1. Are the COVID-19 requirements of Contractor's Safety Procedures Manual being monitored and enforced? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Are Toolbox Meetings per Section 01 35 23 educating all workers about COVID-19 safety measures? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Are COVID-19 Safety Posters & Exposure Protocols posted appropriately at the field office and worksites? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Is OSHA and NYS DOL recordkeeping current for COVID-19 related issues? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Are workers being monitored and reported for COVID-19 symptoms? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Are workers being monitored and managed to maintain social distancing? | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Are crew sizes, shifts and stacking limited to the minimum required to accomplish the task? | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Are contact and touch surfaces on tools, equipment and other hand touch surfaces being routinely cleaned? | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Is appropriate PPE being utilized? | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Are appropriate sanitation and personal hygiene facilities on-site? | <input type="checkbox"/> | <input type="checkbox"/> |

Contractor Superintendent Name: _____

Signature: _____

Date: _____