

PDC Briefing

Defense Safety Oversight Council (DSOC) Initiative

Best Practices for Optimizing DoD Contractor Safety and Occupational Health Program Performance

Douglas Craddock, CTC Initiative Lead

March 16, 2012

Background/Objective

Background:

- Thousands of US workers die or are disabled each year in workplace mishaps.
- DoD contractors involved in demolition/construction contracts must comply with the Army Corps of Engineers, EM 385-1-1 in accordance with the FAR Accident Prevention Clause 52.236-13.
- Similar safety and health requirements are not mandatory for most other non-construction related DoD contracts.
- OSHA continues to cite DoD and their contractors for serious and willful violations of safety regulations.
- All Contractors are required to comply with Federal or State OSHA Standards.

Objective:

- Develop a safety and health “best practices guide” to be used by Contracting Officer Representatives (COR), safety professionals, and acquisition personnel.
 - Guide could be added to the Contracting Office Technical Representative (COTR) training curriculum.

Working Group



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Deliverables

Deliverable	Delivery Schedule
Monthly Reports	5th of each month
Kick off Meeting	25 Dec 2011
Implementation Plan	25 Jan 2012
Draft guidebook; iterative reviews and updates based on feedback from stakeholders	Initial table of contents and outline to be provided at the Mar 2012 DoD Safety PDC
Final contractor Safety and Health Guidebook	30 Aug 2012
Final report and Briefing*	Draft 15 Sept 2012; Final 15 days after receipt of comments

Implementation Activities

- Review Current Instructions, Directives, and Defense Acquisition Guide (DAG)
- Review Available Contractor Mishap Data
- Review Existing Guidelines for Contractor Safety
- Determine Plan of Action, Requirements and Guidebook Transition
 - Guide to be available electronically
- Develop Draft Guidebook for Review and Approval
- Finalize, Distribute and Collect Feedback on Guidebook
- Final Report, Recommendations, and Briefing

Review Current Instructions, Directives, & DAG (examples)

- FAR Clause 52.223-3, Hazardous Material Identification and Material Safety Data
- FAR Clause 52.236, Permits and Responsibilities
- FAR Clause 52.236-13, Accident Prevention
- AFFARS Clause 5352.223-9001, Health & Safety on Government Installations
- DoDD 5000.1, The Defense Acquisition System
- DoDI 6055.1, DoD Safety and Occupational Health Program
- Defense Acquisition Guide (DAG)
- Air Force Instruction 91-202, The US Air Force Mishap Prevention Program
- Army Regulation AR 385-10, The Army Safety Program
- OPNAVINST 5100.23G, Navy Safety and Occupational Health Program Manual
- USACE EM 385-1-1, Safety and Health Requirements Manual
- UFGS 01 35 26, Governmental Safety Requirements
- UFGS 01 45 00.10 20, Quality Control for Minor Construction

Review Mishap Data for Contractor Injuries, Lost-Time and Fatalities

- DoD-wide (e.g., Force Risk Reduction (FR2) tool)
- VPP CX (Voluntary Protection Program Center of Excellence)
- Contractor mishap data maintained by Commands (NAVFAC, USACE, others)
- Contractor Mishap data available from Service Safety Centers
- US Dept of Labor (OSHA/BLS)

Review Existing Guidelines for Contractor Safety

- OSHA Instruction CSP 03-01-003, “Voluntary Protection Program (VPP) Policies and Procedures Manual”, April 18, 2008
- Air Force “Contracting VPP Support Guide”, May 2009
- Air Force AETC Pamphlet 91-202, 19 Nov 1999, “Contract Safety”, Certified Current June 16, 2008
- Defense Contract Management Agency, “Contract Safety Requirements”, November 2009
- DoD VPP CX Presentation, “Interaction with Contractors”
- DoD “Guidebook for the Acquisition of Services”, July 20, 2011
- DoD Safety PDC, “Contractor Oversight Course”, Briefings FY08-12

BEST PRACTICES FOR OPTIMIZING DOD CONTRACTOR SAFETY AND OCCUPATIONAL HEALTH PROGRAM PERFORMANCE

(Version 1.0)



**A GUIDE FOR CONTRACTING, LEGAL AND SAFETY AND
OCCUPATIONAL HEALTH PROFESSIONALS**

DRAFT

_____, 2012

Department of Defense

Preface (excerpts)

Since this is a guide, the information presented within is not mandatory to follow, but Acquisition Personnel, Safety Professionals as well as other Management Officials are encouraged to apply the fundamental concepts presented here to all contracting efforts.

This guide is intended to provide guidance and best practices for integrating safety into the contracting process and should be used in conjunction with related directives, instructions, policy memoranda, or regulations issued to implement mandatory requirements.

Many of the concepts and best practices herein reflect requirements and lessons learned from implementation of the OSHA Voluntary Protection Program (VPP) at DoD installations and commands.

Table of Contents (Draft)

1.0 Introduction-Contractor Safety Management Process Overview

- 1.1 Introduction
- 1.2 References
- 1.3 Definitions and Terms
- 1.4 Types of Contracts
- 1.5 Contracting Safety Process
- 1.6 Contracts for Services

2.0 Responsibilities

- 2.1 Contractor
- 2.2 Contracting Officer and/or Contracting Officer's Representative (COR)
- 2.3 Installation or Activity safety and health personnel
- 2.4 Installation or Activity leadership
- 2.5 Multi-employer worksites
- 2.6 Contractor Employees

3.0 Contractor Selection

- 3.1 Key Elements and Desired Outcomes
- 3.2 Process
- 3.3 Safety Criteria for Contract Solicitations and Requirements Documents
- 3.4 Evaluation of Safety Criteria

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3.5 OSHA Voluntary Protection Program (VPP)

3.6 Contracts not involving RFPs or IFPs

3.7 Determining if Contractors are Responsible (FAR Subpart 9.1)

4.0 Contract Preparation

4.1 Key Elements and Desired Outcomes

4.2 DoD, Air Force, Army, Navy, and Local Instructions

4.3 Construction/Demolition

4.4 High Hazard Work

4.5 Hazardous Materials

4.6 Facility Services

4.7 Air Force Service and Commercial Contracts

4.8 Army Service Contracts

4.9 Weight Handling Equipment (Navy only)

4.10 Contracts covered by the Construction Safety Act

4.11 Additional Safety Considerations in Contract Solicitations and Requirements

5.0 Post Award Safety Orientation and Conferences

5.1 Key Elements and Desired Outcomes

5.2 Contractor Orientation

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5.3 Pre Work Meeting

5.4 Safety and Health Plan

5.5 VPP Site Requirements

6.0 Contract Safety Administration

6.1 Key Elements and Desired Outcomes

6.2 Activity Hazard Analysis

6.3 Routine Contract Safety Surveillance

6.4 Mishap Investigation and Reporting

6.5 Inspections by Federal or State OSHA Officials

6.6 Other Records and Reports

6.7 Hazard Identification and Correction

6.8 Contractor Noncompliance

7.0 Post Contract Evaluation of Safety Performance

7.1 Key Elements and Objectives

7.2 Contractor Performance Assessment Reporting System (CPARS)

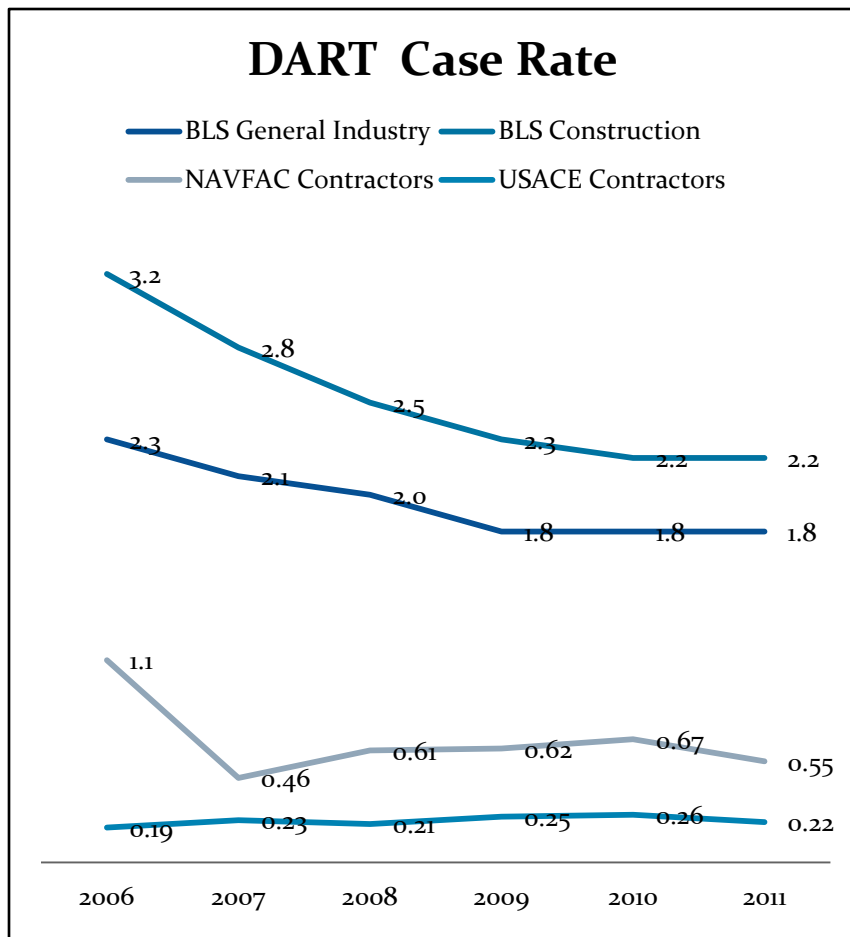
7.3 Certificate of Service

Table of Contents (Draft)

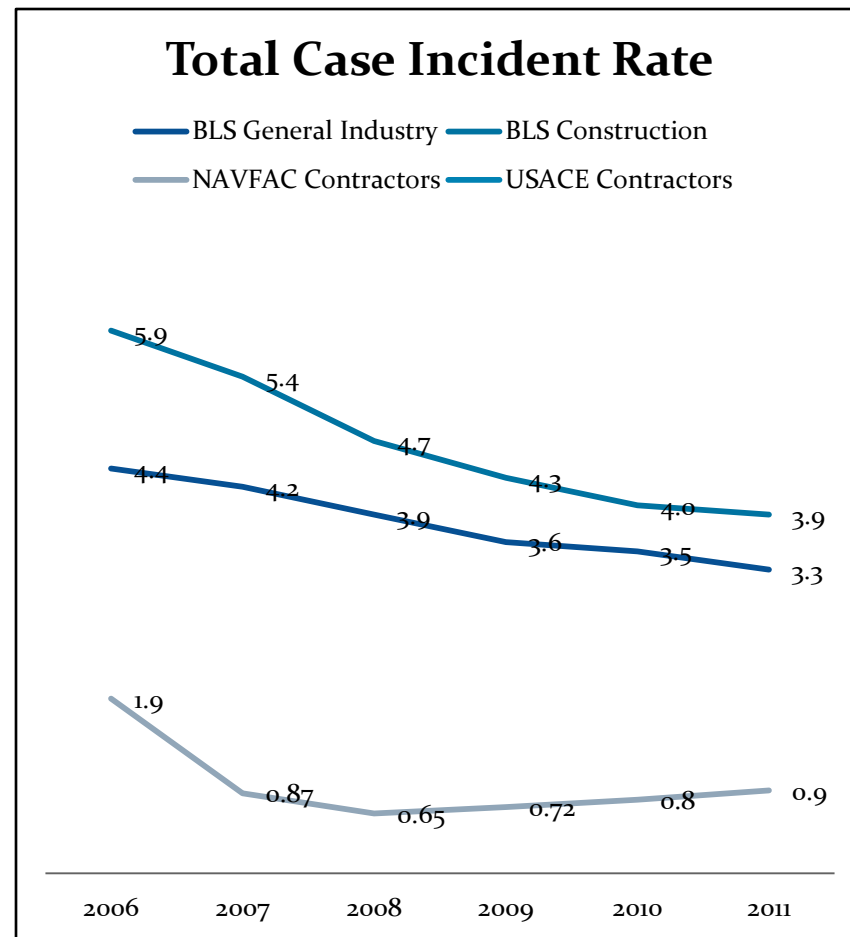
Appendix

- A Applicable References
- B Acronyms
- C Definitions
- D Types of Contracts (FAR Part 16)
- E-1 VPP Requirements for Service Contracts (sample)
- E-2 Navy Contract Announcement Addressing Installation VPP Requirements (sample)
- E-3 Quality Assurance Surveillance Plan (sample)
- E-4 Information to be included in Contract Specifications
- F Basis of Evaluation and the Solicitation Submission Requirements (sample)
- G Frequently Asked Questions

Does Emphasis on Contractor Safety make a Difference?



USACE data is LWDR for FY2006-2011



USACE did not record TCIR-converted to DART & TCIR for FY2012

Invitation to Attendees

- All of you are invited to participate in the review and validation process to ensure the guidebook will meet the needs of the target audience
- Your feedback will be critical to ensuring a value-added end product
- If you would like to participate please give me your POC information at the end of this session or contact me via email
 - craddocd@ctc.com

Questions??