



**PARTNERSHIP AGREEMENT**

**BETWEEN THE**

**OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION**  
**SPRINGFIELD AREA OFFICE**

**AND**

**Shawmut Design and Construction**

## **I. PARTNERS**

The partners to this agreement are:

- U.S. Department of Labor, Occupational Safety and Health Administration, Springfield, Area Office
- Shawmut Design and Construction

## **II. PURPOSE AND SCOPE**

Shawmut Design and Construction (Shawmut) and the United States Department of Labor, Occupational Safety and Health Administration (OSHA), Springfield Area Office (SAO); mutually recognize the importance of ensuring a safe and healthful work environment in the construction industry in the State of Massachusetts. To advance this mutual goal, the Partnership between Shawmut and the SAO has been established to formalize a cooperative effort between these entities, committed to encouraging companies to improve their safety and health performance voluntarily, providing methods to assist them in their efforts and recognizing companies with exemplary safety and health programs.

Shawmut will request and encourage subcontractors to participate in achieving the goals outlined within the Partnership from the time they start working onsite, through project completion. Project start date was January 2024 with a projected completion date of May 2026.

Shawmut Design & Construction was chosen by Amherst college to selectively demolish the exiting Merrill Science building with the intentions of utilizing the existing 1<sup>st</sup> and 2<sup>nd</sup> floor cast in place concrete to support a new architectural timber framed structure.

Amherst College Merrill Student Center \$205 million, 150,000 gsf new Student Center and Dining Commons to support a wide variety of student life activities and services including a small performance theater, a multi-purpose room, music rooms, maker space, meeting and event spaces, cultural resource centers, office suites, Grab 'N Go food service, and an array of support functions. The project will be located on the site of the former Merrill Science Center and the McGuire Life Sciences wing. Portions of the existing Merrill building structure will be incorporated into the new project structure. The reuse and selective demolition of the existing building and wing is included as part of this project. The Student Center will be the linchpin between the historic campus and the newer Greenway development of the east and south campus and will be informed by the college's Framework Plan. Similarly, the Student Center will be developed in conjunction with the college's Climate Action Plan and will support the realization of the associated sustainability and carbon neutrality goals.

### III. GOALS/STRATEGIES & PERFORMANCE MEASURES

GOALS	STRATEGIES	MEASURES
1. Developing a partnership that will encourage involvement of the general and sub-contractors in the improvement of safety and health performance	<p>a. Shawmut will require all the subcontractors to develop and implement written safety and health programs.</p> <p>b. Will require all sub-contractors onsite to work toward implementing a “zero tolerance” safety practice in order to help achieve the desired reduction of worksite incidents.</p> <p>c. Shawmut has a written site-specific health and safety plan for work to be conducted onsite. To easily articulate the requirements of the health and safety plan and the role of the OSHA Partnership, a site-specific orientation has been developed and implemented at the worksite concerning the high hazard tasks to be performed.</p> <p>d. Compile a summary of the number of inspections made by the Shawmut health and safety manager (or their designee) and any third party. The report will be broken down into the four major categories of construction-focused hazards (falls, electrical, struck by, and crushed by hazards), and will show the number of items within the categories that were corrected.</p> <p>e. Requires subcontractors to conduct a daily job briefing and review with their crew prior to starting work.</p>	<p>i. Shawmut will verify by reviewing the number of subcontractors that implemented written safety and health programs and recognize those with exemplary programs.</p> <p>ii. Will conduct a periodic review of the subcontractor’s injury/illness statistics for the Project.</p> <p>iii. The orientation is led by Shawmut Lead Superintendent or Project Safety Engineer and is given to all workers that arrive onsite (general contractor and subcontractor employees). Shawmut will adjust the orientation to include specific information resulting in lessons learned in changing site conditions.</p> <p>iv. The health and safety manager will periodically sit in on daily briefings and discuss with foremen strong points and areas that may be improved on.</p>

GOALS	STRATEGIES	MEASURES
2. Identifying opportunities for enhancing safety and health practices related to the operation and maintenance of material handling equipment involved in the Project.	a. Require subcontractors to facilitate ongoing training on the safe operations of material handling equipment to all employees involved in the operation. b. Toolbox discussions are held on a weekly basis. The discussion topic will change each week. During the discussion, site specific topics are mentioned on work either occurring currently or upcoming events the crews should be aware of.	i. Document the number of employees that have been trained and licensed on the material handling equipment. ii. All workers are asked to present their training documentation, qualifications, and/or certifications. The worker and his/her qualifications are inserted into a project binder by trade and company.
3. Reduce workforce fatalities, serious injuries and illnesses and provide a safe work environment for employees at the Project.	a. Shawmut will establish a system to collect and analyze injury and illness trends (including near-miss incidents) by all contractors performing work at the Project. This data will be used as a tool for continual safety and health program improvement. b. All worker hours will be tracked onsite by safety representatives for both Shawmut personnel and subcontractors to accurately maintain a current Total Case Incident Rate (TCIR) and Days Away Restricted Time (DART) rate.	i. OSHA's 300 injury and illness data. ii. Shawmut incident/accident monthly tracking log. iii. After each significant incident that occurs, an incident review is scheduled to get all members of the crew to discuss what occurred. The purpose of the meeting is to find out the contributing factors/root causes and discuss what corrective actions need to be established. iv. Shawmut & the CAS will compare the Project to the U.S. Bureau of Labor Statistics (BLS) national trends and use these rates as a tool for continual health and safety program development.

GOALS	STRATEGIES	MEASURES
4. Ensure, where feasible all serious hazards are eliminated or controlled through controls, safe processes and/or procedures, and personal protective equipment (PPE).	a. Confirm health-related issues arising during the course of the construction work are adequately addressed by Shawmut and its subcontractors. All health-related issues will be discussed monthly during the partnership meetings.	<p>i. The number of employees trained on fall protection systems including PFAS, supported scaffolding, mobile scaffolding and ladders, as they relate to the Project.</p> <p>ii. The number of tool box talks regarding conditions on the worksite for the duration of the project will be tracked.</p> <p>iii. Ensure that all subcontractors conduct safety meetings to inform workers of all serious hazards and the controls, procedures, safe processes and/or PPE necessary to protect against them.</p> <p>iv. Ensure that all subcontractors are in compliance with fall protection requirements including supported scaffolding, mobile scaffolding, PFAS, and ladders.</p>
5. Conduct Quarterly training onsite with workers	b. Annual training will aid in keeping workers onsite up to date on current safety standards and practices.	v. Shawmut safety will organize onsite safety training. This will be conducted to help workers stay current on OSHA, ANSI, and Shawmut Safety Policies.
6. Require subcontractor Foreman, Competent persons to complete weekly site safety inspections.	c. Shawmut safety will review safety inspection outlines to help contractors to conduct weekly inspections. Multiple contractor inspections will provide closer attention to safety onsite and will help to further engage subcontractors.	vi. Sub-contractor Foreman/competent persons will use the safety software "Hammertech" to record safety inspections. Once complete they will be submitted for record.
7. On site Safety Committee	d. The onsite safety committee will be comprised of workers with the intention of adding another layer attention to safety in the field. Workers will serve on the committee for a period and then new workers will be selected over time. Workers will be selected by Shawmut safety manager and sub-contractors.	vii. Develop a committee of workers to help maintain attention to daily safety onsite. Shawmut safety manager will hold weekly meetings to discuss safety with the safety committee to include upcoming high hazard work, changes on the jobsite or potential safety trainings needed by workers and or ne.

The goals, strategies, and performance measures above will be implemented to meet the following objectives of this Partnership:

- a. Reducing the number of at-risk conditions and behaviors that have the potential to result in worker fatalities, injuries, and illness.
- b. Reducing the number of injuries affecting participant subcontractor employees, emphasizing those resulting from the four primary construction hazards, abating hazards (conditional and behavioral) identified from weekly safety and health inspections, and having no repeat occurrences of such issues upon re-inspection.
- c. Reducing the TRIR rate to 20% below the current national average for NAICS Code 23, Construction, BLS data available for 2022. The 2022 TRIR, according to the BLS, is 2.5, and for Commercial and Institutional Building Construction is 1.8 .

#### **IV. ANNUAL EVALUATION**

The partners will prepare a joint annual evaluation of the Partnership. The evaluation will review the success of the Partnership, lessons learned, and changes that will be made to meet the goals of the Partnership. The annual performance evaluation report format from Appendix C of the OSHA Strategic Partnership Program for Worker Safety and Health (OSPP), Directive CSP 03-02-003, will be used. Performance measures listed in the goals and objectives section of this agreement will be collected and analyzed to determine the Partnership's progress toward meeting its goals.

#### **V. OSP INCENTIVES**

The following are benefits for Shawmut and its subcontractors when and only when they are working at the Project:

- a. Outreach, information, training, and technical assistance by the SAO.
- b. Special recognition, which may include but is not limited to, press releases issued by OSHA and recognition on OSHA's web page designating Shawmut as a participant in the OSHA Strategic Partnership Program.

#### **VI. VERIFICATION PROCEDURES**

In accordance with OSHA's Clarification of Verification Exemption Policy for OSHA Strategic Partnership Program Construction Participants dated June 1, 2006, Shawmut and all construction subcontractors will receive annual verification inspections. The onsite enforcement verification inspections are conducted to determine participants'

compliance with terms of this agreement. The first inspection typically will be conducted within 60 days of execution. Citations and penalties may be issued, when appropriate, as a result of these inspections. During this period Shawmut shall develop and implement the safety and health management systems required under this agreement.

## **VII. OSP MANAGEMENT AND OPERATION**

A Partnership Management Team (PMT) with members from Shawmut and OSHA will oversee and coordinate this Partnership. The team will determine Partnership procedures, which will include measures to be used and data to be collected, hold conference calls and meet monthly to evaluate the effectiveness of the Partnership. Shawmut and SAO are responsible for collecting baseline and annual performance data upon which the OSPP will be measured. Shawmut aggregate injury and illness incidence rates (total case rates) and fatality rates will be compared with the most current BLS published data to determine whether goals have been met.

### **Shawmut will establish the following:**

1. A site orientation training plan delivered to all sub-contractors and their employees prior to being allowed to access and work at site.
2. Project-Specific OSHA Safety and Health Program Management Guidelines – Shawmut shall develop a project-specific safety and health plan to be used as a benchmark for contractor programs to meet or exceed. This plan shall incorporate the following minimum elements:

#### **Management Leadership**

Shawmut shall assign a qualified safety and health representative to administer its safety and health program. This person will have, at a minimum, completed the OSHA 30-Hour Construction course.

#### **Worker Participation**

Weekly foremen's meetings Shawmut shall hold a weekly meeting with all subcontractor foremen that shall include discussions of project safety and health issues and review job hazard analyses for upcoming activities. Additionally, representatives of all active subcontractors will meet to discuss participant performance and progress toward Partnership goals. The Springfield Area Office and their representatives are welcome to attend these meetings.

#### **Hazard Identification and Assessment**

Weekly worksite audits of areas where employees are working will be conducted.

Job Hazard Analysis – Shawmut shall conduct a comprehensive assessment of Project work and require its subcontractors to develop job hazard analyses (JHAs) to eliminate or reduce hazards to which their employees are potentially exposed.

## **Hazard Prevention and Control**

Mandatory use of Ground Fault Circuit Interrupters (GFCI) throughout the Project.

All cranes, hoists, and personnel lifts (scissor/aerial) will be inspected prior to use.

All cranes will have a current annual inspection conducted by a third party acceptable to Shawmut.

Use of appropriate PPE, including the use of ANSI- approved safety glasses at all times, when using power tools.

## **Education and Training**

Each Employer and Shawmut will commit to ensuring each worker is trained in the following:

Training on respective fall protection equipment and its applicable use

Training on the Focus 4

Conduct site-specific safety and health training.

Participation in OSHA's Safe & Sound Campaign

Participation in OSHA's Safety Stand Down

Shawmut will encourage small employers and employers that score medium or high risk on the Shawmut prequalification, to utilize the Massachusetts Department of Labor Standards, Free OSHA State Consultation Service. Shawmut will promote the service to every employer on site.

## **Program Evaluation**

Recordkeeping – Shawmut shall maintain a Project OSHA 300 Log (or equivalent), per the requirements of 29 CFR 1904.

## **Coordination and communication on Multiemployer Worksites/Subcontractors:**

- a. Weekly Task-Specific Instructions – All subcontractors shall provide workers with instructions on the integration of safety and health requirements with current work tasks for the week. All subcontractors shall allow the Springfield Office Compliance Assistance Specialist to attend any of these meetings, when requested by OSHA.
- b. Weekly Safety and Health Inspections – All subcontractors shall conduct weekly inspections of their work areas to identify conditional and behavioral deficiencies, as defined by the project safety and health plan and OSHA standards. Deficiencies will be documented and corrected or reported to Shawmut for corrective action.
- c. Recordkeeping – All subcontractors shall record workplace injuries and illnesses as required by 29 CFR 1904 and shall report recordable incidents to Shawmut for



recording on the Project OSHA 300 Log.

- d. JHA – All subcontractors shall conduct a JHA for each high hazard task to be performed and review the appropriate JHA with affected employees at regular intervals.

**OSHA's Role:**

- a. Provide initial and continued review and evaluation of Shawmut compliance with the Partnership Agreement.
- b. Provide initial review of Shawmut Project Safety and Health Plan.
- c. Make recommendations where deficiencies or opportunities for improvement exist.
- d. Provide feedback on incident trends and patterns as needed.
- e. Assist Shawmut with ensuring that effective training is available and delivered, as needed.
- f. Participate in training as resources permit.
- g. Periodically attend site safety and health meetings.
- h. Provide initial site surveys and perform environmental monitoring when appropriate.
- i. Provide clarification of OSHA standards for Shawmut and subcontractors.
- j. Provide input on compliance strategies.
- k. Encourage small businesses to participate in the Massachusetts State OSHA Consultation Program

**Subcontractor Buildings Trades:**

- a. Weekly Safety and Health Inspections – Representative of the trades on the worksite shall participate in weekly inspections of their work areas to identify conditional and behavioral deficiencies, as defined by the Project safety and health plan and OSHA standards. Deficiencies will be documented and corrected or reported to Shawmut for corrective action.
- b. Job Hazard Analysis – Representatives of the trades on the worksite shall participate in the development of JHAs for each high hazard task to be performed and review the appropriate JHA with affected employees at regular intervals.

**VIII. EMPLOYEE AND EMPLOYER RIGHTS AND RESPONSIBILITIES**

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 the Act.

## **IX. TERMS OF OSP**

This agreement will terminate at the conclusion of the work being performed at the Project. However, if OSHA or Shawmut wishes to withdraw their participation prior to the established expiration dates, the Partnership will be considered null and void upon receipt of a written notice of the intent to withdraw.

## **X. SIGNATORIES**

Signed this 18th day of April 2024

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Mary Hoye  
Area Director  
Springfield Area Office

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Nathan Lusignan  
Onsite Safety Manager  
Shawmut Design and Construction

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Mark Kuenzel  
Safety Manager  
Universal Electric

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Brian Gingras  
Safety Manager  
BG Mechanical

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Tony Capasso  
Principal  
Capasso Enterprises

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John Rodegher  
Project Manager  
North East Contractors

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