

3.2.2.3-68 Safety and Health (July 2004)

(a) The Contractor shall assure that no person employed on this contract works in surroundings or under conditions that are unsanitary, hazardous, or dangerous to their health or safety. In fulfilling these requirements, the Contractor shall comply with:

(1) Department of Labor Safety and Health Standards for Construction under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.).

(2) Occupational Safety and Health Act of 1970, (Public Law 91-598) and applicable rules and regulations as may have been delegated to the States.

(3) Supplemental TSA safety and health requirements stated below or elsewhere in the contract.

(b) If there are conflicts between any of the requirements referenced in this contract, the more stringent requirement will prevail.

(c) The Contracting Officer's Representative will promptly notify the Contracting Officer (CO) of the Contractor's deficiencies in meeting the requirements of this clause. The CO will take action appropriate to the deficiencies that been identified, such as the following:

(1) The CO may notify the Contractor of the deficiencies and establish a date for the Contractor compliance with this clause;

(2) The CO may notify the Contractor in writing to stop work pending elimination of the deficiencies;

(3) In emergency situations the CO may notify the Contractor orally to stop work with written confirmation following promptly; or

(4) The CO may pursue other remedies provided by the contract, such as those of the termination clauses of the contract. When satisfactory corrective action has been taken, the contractor shall request permission to resume work from the CO. No time extension or additional costs, resulting from the directive to stop work shall be allowed. Failure of the CO to provide notice of noncompliance or to stop work shall not relieve the Contractor of its responsibility for the safe performance of the work.

(d) The Contractor shall furnish hard hats and other required safety equipment, except that which has been specified to be furnished by TSA. Hard hats meeting the requirements of Occupational Safety and Health Administration (OSHA) shall be worn by all persons on all construction projects unless a more serious hazardous condition is created by such use.

(End of clause)

PRESCRIPTION

May be used in RFI/RFPs and contracts for construction or services that involve changes to real property.