ANL-366L (February 23, 2015)

LOW RISK
WORK BY CONTRACTORS ON THE ARGONNE SITE
SUPPLEMENTAL CONDITIONS

1. APPROVAL TO PROCEED

This contract is designated as low risk. The contractor shall not commence work under this contract unless and until the contractor receives approval to proceed from the Project Specialist/Technical Representative.

2. INDEMNITY

A. The Contractor shall indemnify and hold UChicago Argonne, LLC, the University of Chicago, and the United States Government, and their officers, trustees, agents, servants, and employees, jointly and severally harmless against any loss or damage (including loss or damage from any personal injuries or death of persons, and loss of or damage to property), and any expense in connection therewith (including expenses of litigation, together with attorneys’ fees incident thereto) arising out of or connected with the performance of work under this contract by the Contractor, its subcontractors, and their agents, representatives, servants, and employees.

B. The Contractor shall immediately notify the Laboratory of any injury or death and of any loss of or damage to property of the Laboratory or the United States Government, and shall furnish the Laboratory with a statement concerning such injury, damage, or loss in such detail as the Laboratory may require.

3. INSURANCE

A. The Contractor shall have and maintain during the life of this contract the following insurance coverage, provided by an insurance carrier rated “A” or better by A.M. Best:

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<th>LINE OF COVERAGE</th>
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<td>EACH OCCURRENCE</td>
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<td>GENERAL LIABILITY</td>
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<td>☐ Claims Made</td>
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<td>☒ Occurrence</td>
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<td>General Aggregate Limit Applies Per:</td>
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<td>☒ Policy ☐ Project ☐ Log</td>
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<td>AUTOMOBILE LIABILITY</td>
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<td>WORKMAN’S COMPENSATION AND EMPLOYMENT LIABILITY</td>
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<td>☒ WC STATUTORY LIMITS</td>
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<td>☐ OTHER LIMITS</td>
<td>E.L. DISEASE EA EMPLOYEE</td>
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B. All policies, excluding Workman’s Compensation, shall provide by appropriate language that UChicago Argonne, LLC, the University of Chicago and the United States Government are additional insureds; that the insurance afforded by such policies is primary insurance; and, that all rights of the insurer for contribution from other insurers of UChicago Argonne, LLC, the University of Chicago and the United States Government are waived.

C. In the event that the work authorized by this contract has been designated as “High Risk” by the Laboratory, The Contractor agrees to deliver to the Laboratory before any work is performed hereunder, certificates of the insurance companies as to the particulars of the insurance coverage above referred to, and such certificates shall contain a provision that such insurance will not be canceled, changed or allowed to lapse in the policies except upon not less than ten (10) days prior notice thereof to the Laboratory.

4. ENVIRONMENT, SAFETY AND HEALTH

The contractor shall take all reasonable precautions in the performance of the work under this contract to protect the safety and health of Argonne, U.S. Department of Energy (DOE), and contractor employees, as well as members of the public, and protection of the environment. This includes compliance with all applicable environment, safety and health regulations and requirements, including
Reporting Requirements

All accidents and unauthorized releases to the environment occurring at the Laboratory site must be reported immediately by dialing 911 from a Laboratory telephone or pay phone, or 630-252-1911 from a cellular phone. The accident or unauthorized release must be reported immediately to the Project Specialist, Technical Representative or Project Manager. When this type of incident occurs or when the contractor is issued a Notice of Safety violation (PFS-530), the contractor shall complete an ANL-240, Incident Investigation and Analysis Report and ensure that the injured employee and all witnesses to the incident complete an ANL-239, Incident Description and submit these to the Project Specialist/Technical Representative or Project Manager within 24 hours. The types of emergencies that must be reported include but are not limited to: fire, explosion, personnel injury/illness, security incident, vehicle accident, utility failure, tornado sighting, possible contamination incident, toxic or flammable material spill or release.
B. Job Safety Analysis (JSA)

The JSA (activity hazard analysis, per 10 CFR 851 Appendix A, Section 1) is a detailed analysis of the steps taken to complete each phase of the job, a detailed analysis of the hazards of each of those tasks and the mitigation actions that will be taken to eliminate or minimize the exposure to those hazards. Further information on preparation of a JSA is available from the National Safety Council and other professional safety organizations.

The contractor must submit to the Project Specialist/Technical Representative and have approved, prior to starting work, a job safety analysis (ANL-209L) which details the specific hazards associated with each phase of the job as well as the mitigating actions the contractor shall take to reduce the risk of injury. It must identify foreseeable hazards and planned protective measures; address further hazards revealed by supplemental site information (e.g., site characterization data, as-built drawings) provided by Argonne; provide drawings and/or other documentation of protective measures for which applicable OSHA standards require preparation by a P.E. or other qualified professional; and, identify competent persons required for workplace inspections of the construction activity, where required by OSHA standards. Applicable Safety Data Sheets (SDSs) are to be included with the JSA. (A link to the JSA is provided at the end of this supplement.)

Note: A JSA is not required under the following circumstances:

- If the requisition is for Contract of Augmented Staff/Personnel (used as staff augmentation) who will complete a JHQ, complete all required training through the Training Management System (TMS), and work under existing Argonne experimental or nonexperimental work planning and controls, and/or radiological work permits.
- If the requisition is for training services or demonstration of products provided, and there is no use of hand tools.
- For the delivery of purchased items/materials if the contractor will not use material handling equipment for off-loading or handling of procured goods.
- For contracted transport of personnel such as chauffeur, bus, or shuttle services.

Each contractor employee shall sign the Job Safety Analysis form to indicate having reviewed the JSA. The JSA shall be kept at the job site and a copy of the signed JSA shall be given to the Project Specialist/Technical Representative.

The Job Safety Analysis must be revised to incorporate changes made during the work. The revisions must be approved by the Project Specialist/Technical Representative prior to the activity taking place. All employees affected by any revisions shall be notified and advised by the contractor. Changes in work scope that introduce new hazards may require the development of a JSA if one was not previously required.

Items that must be available and maintained at the job site include the JSA, (M)SDS, the DOE-designated Worker Protection poster (http://energy.gov/sites/prod/files/2014/04/f15/2012_Safety_Health_Job_poster.pdf), emergency phone numbers, workers compensation notice, all permits and all approved activity hazard analysis plans, and the Laboratory’s “DOE Differing Professional Opinion Process” poster (http://web.anl.gov/PRO/General%20Information/webforms/DPO-Poster.pdf).

C. ES&H Orientation and Site Access

All contractor personnel are to attend ES&H orientation before starting work at the site. The training consists of two parts, Contractor Safety Orientation (CSO) for service contracts provided by the Laboratory and job specific safety orientation conducted by the contractor. The computer based CSO orientation for service contracts lasts approximately thirty minutes. This orientation is required on an annual basis. Upon completion of the orientation, each employee will receive a wallet card that must be presented to Laboratory personnel upon request. Failure to show proof of orientation will result in re-attendance of CSO the next day that orientation is scheduled. Upon completion of the orientation, a gate pass will be issued to the contractor employee for the duration of their work or for a length of time to be decided by the Project Specialist/Technical Representative. This pass is required for site access and is to be used only by the employee whose name appears on the pass. Any misuse of the pass will result in a suspension from site access for a period of six (6) months.

All contractor personnel are to meet with their Argonne Project Specialist/Technical Representative before starting work at the site. The Project Specialist/Technical Representative will review the JSA (if required) and give the contractor employees a building orientation.

A gate pass will be issued to the contractor employee for the duration of their work or for a length of time to be decided by the Laboratory Project Specialist/Technical Representative. This pass is required for site access and is to be used only by the
employee whose name appears on the pass. Any misuse of the pass will result in a suspension from site access for a period of six (6) months.

D. Equipment and Tool Inspection

All tools and equipment brought on site by the contractor may be inspected by the Laboratory for compliance with OSHA and Laboratory requirements prior to use. Tools and equipment may also be randomly inspected throughout the duration of the contract. Items found out of compliance shall be immediately removed from service, tagged out of service and taken off site by the contractor by the end of that work shift.

E. Laboratory Site Rules

The following acts or conduct are prohibited at the Laboratory site, violations will result in disciplinary action.

1. Possession of weapons, firearms, ammunition, explosives or any other apparatus or material hazardous to the public or property.
2. Possession or illegal use of controlled substances or intoxicants or being under their influence.
3. Indecent behavior of any type.
4. Stealing, misuse or destruction of Laboratory or Government property.
5. Violation of site traffic and parking regulations.
6. Using Laboratory facilities such as the Cafeteria and washrooms while wearing extremely dirty or contaminated clothes and shoes.

F. Laboratory Site Safety Requirements

The following requirements must be implemented on the job site and included in the contractor’s Job Safety Analysis as appropriate.

1. All contractors and sub-contractors performing work for the Laboratory, both on and off site, are responsible for complying with the “Employer Payment for Personal Protective Equipment –Final Rule” issued by OSHA. The Laboratory, by virtue of its position as a host employer is not responsible for the provision of nor payment for PPE required by or issued to workers other than direct Laboratory employees, temporary and permanent.
2. Employees shall wear safety glasses with rigid side shields as needed in the work area unless a higher level of eye protection is required for special hazards. All eye protection must meet the requirement of 29 CFR 1926.102. Safety glasses must be ANSI approved and be marked with the ANSI marking “Z87.1” designation.
3. All employees shall wear clothing suitable for the work and weather conditions.
4. Ground fault circuit interrupters must be provided for electric hand tools and portable generators. The assured equipment grounding program is not an acceptable alternative.
5. No alarms, safety devices, etc., will be disabled without Laboratory approval.
6. Vehicle operators must have an appropriate, valid driver’s license when operating vehicles on site.
7. Metal ladders are prohibited.
8. Hard hats shall be worn at all times in the work area as required. Hard hats shall meet the ANSI Z89.1 standard as defined by 29 CFR 1926.100 and bear the “Z89.1” designation. High voltage exposure work requires hard hats shall meet ANSI Z89.2 standards and bear the “Z89.2” designation.
9. All employees shall wear clothing suitable for the work and weather conditions. The minimum shall be short sleeve (1/4 length) shirt, long trousers, and sturdy, over-the-ankle work boots providing ankle protection. In addition, any work that presents a greater hazard to the feet or toes requires the use of steel toes or metatarsal guards.
10. Emergency egress routes must be kept clear at all times, including doors, corridors, work site, and staging areas.
11. The contractor is not authorized to dispose of any material on-site unless written approvals are obtained from the Laboratory. This includes but is not limited to the use of garbage and recycling dumpsters, the sinks in buildings, and discharges to the sewer systems.

G. Electrical Protection

The contractor is required to comply with the following additional electrical requirements.

- All new computer room electrical and data installations, from the feed to the termination at the equipment, must comply with the provisions of NEC Article 645, even if the room does not meet all of the special requirements in 645.4.
- Abandoned cables and associated equipment must be removed back to the power source. Cables designated for reuse must be properly terminated and labeled at both ends.
- Panel boards must be marked with a number and location
- Electrical equipment must be labeled as to feed source and load.
- Unlisted electrical utilization equipment brought on-site by a contractor must be inspected by a DEEI/Tech Rep. before use
- Temporary wiring must be installed so that it will not create hazards. Wires that run across floors must have bridges over them to prevent physical damage and minimize the tripping hazard.
- Extension cords must not be spliced, tapped into, or modified in any way
- All electrical utilization equipment that has been modified must be approved by a DEEI/Tech Rep. before being placed into service.
- Supervisors and employees must verify that electrical utilization equipment is NRTL-listed or approved by a DEEI/Tech Rep. prior to use.
- Rental electrical utilization equipment brought on-site must be inspected by a DEEI/Tech Rep. before use.

H. Reportable Emergency Events

All contractor and subcontractor accidents and unauthorized releases to the environment occurring at the Laboratory must be reported immediately by dialing 911 from a Laboratory telephone or pay phone, or 630-252-1911 from a cellular phone. The accident or unauthorized release must be reported immediately to the Project Specialist, Technical Representative or Project Manager. In addition, the contractor shall complete an ANL-240, Incident Investigation and Analysis Report and ensure that the injured employee and all witnesses to the incident complete an ANL-239, Incident Description and submit these to the Project Specialist, Technical Representative or Project Manager within 24 hours.

I. Disciplinary Program

The contractor is required to develop and implement a disciplinary program to control poor performance, misconduct, negligence and safety violations by both its employees and that of any of its subcontractors. If it is determined that the contractor has not implemented such a program, the Laboratory will take disciplinary actions up to and including termination of the contract. If Laboratory disciplinary action results in suspension of contractor employee(s) the contractor shall make no claim for an extension of time or for compensation for damages by reason of, or in connection with, this disciplinary action.

A contractor’s safety performance will be an important factor for future consideration for bid lists and selection criteria. This will include a review by the Laboratory of the contractor’s performance, misconduct, negligence, and safety violations by both its employees and that of any of its subcontractors. If it is determined by the Laboratory that the contractor has shown negligence in enforcing safety compliance on the Laboratory site, the contractor may be removed from the active bid list of contractors and may not be allowed to bid work or work as a subcontractor on the Laboratory site for a period of time as determined by the Laboratory. Once disqualified, the contractor must request reinstatement after a one year period. The contractor’s request must be in writing and include a completed “Argonne National Laboratory Contractor Safety Information Questionnaire,” ESH-218.
J. **Drug Free Workplace**

It is the Laboratory’s policy to maintain a drug free workplace. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on the Laboratory site. Also, contractor employees are prohibited from consuming alcohol at the Laboratory while conducting work under this contract. Contractor and subcontractor employees who violate this policy will be subject to disciplinary action, including discharge.

The contractor and all lower tier subcontractors shall abide by the Drug Free Workplace Act of 1988. Anyone performing work under this contract will 1) abide by the terms of this policy; and 2) notify their employer of any drug statute convictions for a violation occurring in the workplace no later than five (5) days after such convictions. The contractor will notify the Laboratory within ten (10) days following receipt of the information from an affected employee. Failure to provide such notification shall be reason for immediate discipline up to and including barring the employee site access.

5. **OZONE-DEPLETING SUBSTANCES**

A. **Definitions.**

"**Class I substance,**” as used in this clause, means any substance designated as Class I by the Environmental Protection Agency (EPA) (40 CFR Part 82), including but not limited to chlorofluorocarbons, halons, carbon tetrachloride, and methyl chloroform.

"**Class II substance,**” as used in this clause, means any substance designated as class II by EPA (40 CFR Part 82), including but not limited to hydrochlorofluorocarbons.

B. As required by 42 U.S.C. 7671j(b), (c), and (d) and 40 CFR Part 82, Subpart E, the Contractor shall label products which contain a class I or class II ozone-depleting substance or are manufactured with a process that uses class I or class II ozone-depleting substances, as follows:

"**WARNING: Contains (or manufactured with, if applicable) __________ * __________, a substance(s) which harm(s) public health and environment by destroying ozone in the upper atmosphere.”**

*The Contractor shall insert the name of the substance(s).*

6. **REFRIGERATION EQUIPMENT AND AIR CONDITIONERS**

The Contractor shall comply with the applicable requirements of Sections 608 and 609 of the Clean Air Act (42 U.S.C. 7671g and 7671h) as each or both apply to this contract.

7. **PERSONAL IDENTITY VERIFICATION OF CONTRACTOR PERSONNEL (JAN 2011)**


b. The Contractor shall account for all forms of Government-provided identification issued to the Contractor employees in connection with performance under this contract. The Contractor shall return such identification to the issuing agency at the earliest of any of the following, unless otherwise determined by the Government;

1. When no longer needed for contract performance.
2. Upon completion of the Contractor employee’s employment.
3. Upon contract completion or termination.

c. The Laboratory Procurement Official may delay final payment under a contract if the Contractor fails to comply with these requirements.

d. The Contractor shall insert the substance of clause, including this paragraph (d), in all subcontracts when the subcontractor’s employees are required to have routine physical access to a Federally-controlled facility and/or routine access to a Federally-controlled information system. It shall be the responsibility of the prime Contractor to return such identification to the issuing agency in accordance with the terms set forth in paragraph (b) of this section, unless otherwise approved in writing by the Laboratory Procurement Official.
Low Risk Job Safety Analysis

To fill out this form, click on link below