



STRATEGIC OCCUPATIONAL SAFETY AND HEALTH PARTNERSHIP

Indiana Department of Labor

And

Weigand Construction Co., Inc.

General Contractor/Construction Manager

For

Fort Wayne Downtown Skyline Project

Ash Skyline Plaza and Skyline Garage

September 29, 2014



Partnership. The program shall meet the requirements of ANSI A10.33 (2004). The program will be reviewed annually to evaluate its effectiveness.

2. Upon signing of the Agreement, the IDOL shall conduct a review of the Construction Manager's safety program for the Project. That review shall determine how the General Contractor/Construction Manager will train and mentor contractors and subcontractors.
3. The General Contractor/Construction Manager shall act as a safety mentor for all contractors and sub-contractors working on site. It is understood that under this type of labor Agreement it could be difficult to exclude certain parties from participation. Under this scenario, the General Contractor/Construction Manager will assume mentoring and training roles sufficient to help the contractor meet the overall performance goals.
4. The General Contractor/Construction Manager shall from time to time include designated IDOL staff to accompany the General Contractor/Construction Manager Safety personnel on routine audits. It is understood these tours will be generally of a non-enforcement nature.
5. The General Contractor/Construction Manager, via its safety audit program, shall work to assure full compliance with all applicable Indiana Occupational Safety and Health Administration (IOSHA) regulations and directives.
6. The General Contractor/Construction Manager shall assure that all contractors have a designated competent person on site with a minimum of OSHA 10-hour training and all applicable training for the subcontractor's scope of work.
7. The trades listed below will provide a full-time on-site safety professional for the duration of their work as specified by the General Contractor/Construction Manager. The qualifications of the safety professional shall be (1) a Bachelor's degree in safety and two years experience or (2) a non-degreed person with a minimum of the OSHA 30-hour training and five years of construction safety experience. The safety professional shall report to and work with the General Contractor/Construction Manager Safety Manager. The safety professional shall complete daily safety audits of assigned work areas using the iAuditor system.
8. The General Contractor/Construction Manager shall require 100% fall protection for any activity at or above six (6) feet above grade with the exception of platform ladders.

B. OPEN AND TRANSPARENT WORKING RELATIONSHIP

1. The General Contractor/Construction Manager shall provide a monthly comprehensive occupational safety progress report to the IDOL. It is understood that these reports may require up to 30 days for data collection and processing. Thus the January report is not due until March 1. Any incident of significance shall be reported within 24 hours via the IOSHA hotline.
2. The Partnership shall include IDOL personnel in all safety meetings or program reviews. Non-attendance by the IDOL shall not be construed as waiving this privilege.

Documentation: Names documented on iAuditor inspection reports and attendance matrix.

6. **Goal:** Sub-contractor Safety/Management participation at scheduled monthly iAuditor audits.

Metric: Attendance.

Documentation: Names documented on iAuditor inspection reports and attendance matrix.

7. **Goal:** Monthly analysis of safety observation data for trend identification.

Metric: Data analysis and trending.

Documentation: Monthly report generated and distributed.

8. **Goal:** Apply root cause analysis to negative trends.

Metric: Root cause analysis for each negative trend.

Documentation: Monthly report generated and distributed.

9. **Goal:** Safety intervention meetings are held with stakeholders identified in root cause analysis.

Metric: Safety intervention meetings are held to close out open root cause analysis.

Documentation: Attendance and meeting minutes from safety intervention meeting.

10. **Goal:** Trades people are held accountable for safety through the 3-step process detailed in the project safety manual.

Metric: Safety violation notices are issued to trades people for all life threat observations.

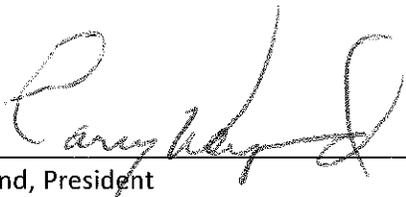
Documentation: Written safety violation notice, iAuditor life threat notification and employee orientation log.

III. PARTNERSHIP EVALUATION

The IDOL shall conduct an evaluation of the Partnership and all relevant data. The evaluation shall be done 10 months from the date of inception for the Agreement. The IDOL shall then determine, annually, if continuing in the Partnership is in the best interests of the State of Indiana and the IDOL. The evaluation shall be conducted in cooperation with the General Contractor/Construction Manager, and an annual report shall be filed by IDOL with federal OSHA on standard federal forms.

This review will be largely administrative in nature, but can include site tours and employee interviews as deemed appropriate by the IDOL. The IDOL will evaluate whether or not the Project experienced an annual TRC rate of less than 3.1 and a DART rate of less than 1.3, both of which are the 2012 Indiana construction industry averages.

If the IDOL finds the performance does not meet the parameters listed above, then the General Contractor/Construction Manager shall submit a 60 day action plan to the IDOL. The General Contractor/Construction Manager may seek the advice and consultation of INSafe in the development and execution of this action plan. Upon completion of the 60 day period, the IDOL shall again review the program and make a determination if continuation of the Agreement is in the best interests of all parties.

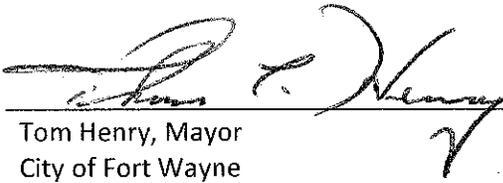
By: 
Larry Weigand, President
Weigand Construction Co., Inc.

Date: 9/29/14

By: 
Greg Musi, Safety Director
Weigand Construction Co., Inc.

Date: 9/29/14

CITY OF FORT WAYNE

By: 
Tom Henry, Mayor
City of Fort Wayne

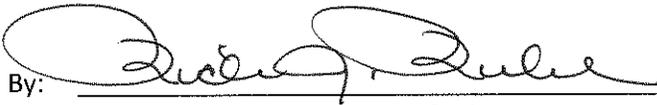
Date: 9/29/14

ASH BROKERAGE

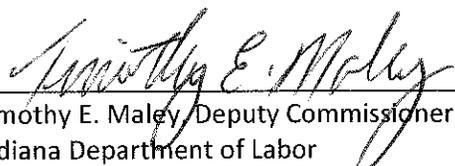
By: 
Tim Ash, Ash Skyline Plaza Owner
Ash Skyline Plaza

Date: 9/29/2014

INDIANA DEPARTMENT OF LABOR

By: 
Rick J. Ruble, Commissioner of Labor
Indiana Department of Labor

Date: 9/29/2014

By: 
Timothy E. Maley, Deputy Commissioner
Indiana Department of Labor

Date: 9/29/14

By: 
Michelle L. Ellison, Assistant Commissioner
Indiana Department of Labor

Date: 9/29/2014