

To each valued member of the DGS Public Works Design and Construction Community, I hope this notice finds you and your family healthy and excited about returning to work on DGS Public Works projects on Monday May 4th.

Today, and every day, safety constitutes a critical element of the Department's mission. Current COVID-19 conditions compel a renewed emphasis upon the importance of creating and maintaining a safe construction site for ourselves and others. Consequently, following applicable Department of Health and the Centers for Disease Control and Prevention (CDC) guidance, we have created the attached DGS Guidance to establish the minimum requirements that will be immediately implemented on all Public Works projects. Client Agencies may impose additional access requirements in order to return to work at their specific facility.

Pursuant to Article 10 of the General Conditions of the Construction Contract, each prime contractor will be responsible for implementing an Amended Site Safety Plan which includes the attached DGS Guidance for operating during the COVID-19 emergency .

Pursuant to Paragraph 2.9.101 of the Professional Agreement, all design firms (employees and consultants) are required to abide by each prime contractor's Amended Site Safety Plan and access requirements, DGS Guidance and any Client Agency site-specific access requirements for conducting on site work.

Please review the DGS Guidance. An authorized representative from each prime contractor and each design firm will be required to acknowledge reading and understanding the DGS Guidance document before anyone in that firm or their subcontractors, vendors or consultants can physically return to the site. We are creating a new process in e-Builder to accommodate the acknowledgement process. To provide a centralized source of information, we have created a COVID

folder in our e-Builder software, viewable to everyone with any assigned role in e-Builder.

The Department's Bureau of Construction personnel will not be responsible for enforcing compliance with the DGS Guidance or with the prime contractor's Amended Site Safety Plan; that responsibility remains with each prime contractor and their Pandemic Safety Officer, and the design professional with regard to themselves and their consultants.

Public Works looks forward to getting back to work. Remember, the mask you wear protects me and the mask I wear protects you.

Liz O'Reilly

Elizabeth O'Reilly
Deputy Secretary for Public Works

GUIDANCE FOR BUSINESSES IN THE CONSTRUCTION INDUSTRY PERMITTED TO OPERATE DURING THE COVID-19 DISASTER EMERGENCY

INTENT

The virus that causes Coronavirus 2019 Disease (“COVID-19”) is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to safeguard public health and safety. Previously, the Governor and Secretary of Health ordered most construction projects to cease unless they were supporting life-sustaining businesses or activities. Recognizing that the construction industry is vital to Pennsylvania’s economy, construction activities may resume in accordance with this guidance.

Businesses in the Commonwealth that have been permitted to maintain in-person operations during the disaster emergency, other than health care providers, must take several precautions to protect their employees, their employees’ families, and members of their communities. Businesses that are permitted to maintain in-person operations are those authorized under the [Governor’s and Secretary’s Non-Life Sustaining Business Closure Orders](#), an exemption from those orders, or subsequent applicable order from the Governor and Secretary. All businesses (especially those that were originally closed and later permitted to re-open a portion of their operations) must review these guidelines and commit to ensuring the health and safety of their employees and the public, including construction businesses currently conducting in-person operations and those now able to resume activities.

BUSINESSES SUBJECT TO THIS GUIDANCE

Beginning May 1, 2020, all businesses in the construction industry in the Commonwealth, including those in new construction, renovation, and repair, as well as land subdivision and design-related field activities, are [permitted to maintain in-person operations](#) pursuant to the Governor’s and Secretary of Health’s April 20, 2020 amendments to the Business Closure Orders so long as their activities strictly adhere to this guidance. Construction projects previously granted an exemption to continue in-person operations may continue operations but must adhere to this guidance.

Prior to May 1, all businesses in the construction industry should continue to follow existing Administration orders and guidance, and may continue to maintain in-person operations to the extent authorized by any existing exemptions.

POLICY

It is the policy of the Administration to ensure that all businesses in the construction industry subject to this guidance conduct operations in the manner best designed to prevent or mitigate the spread of COVID-19 and ensure the safety of the employers, employees and the public as a whole.

All construction businesses authorized to conduct in-person operations in the Commonwealth must adhere to requirements of this guidance, as well as all applicable business and building safety orders issued by the Secretary of Health.

Local political units may elect to impose more stringent requirements than those contained in this guidance. In such instances, businesses must adhere to the more stringent requirements.

ALL CONSTRUCTION ACTIVITIES

All businesses and employees in the construction industry must do the following:

- Follow all applicable provisions of the [Order](#) of the Secretary of Health providing for business safety measures, issued April 15, 2020, including but not limited to provisions requiring that every person present at a work site wear masks/face coverings, and provisions requiring the establishment of protocols for execution upon discovery that the business has been exposed to a person who is a probable or confirmed case of COVID-19.
- Follow all applicable provisions of the [Order](#) of the Secretary of Health providing for building safety measures, issued April 5, 2020.
- Follow other applicable [Department of Health](#) (DOH) and Centers for Disease Control and Prevention (CDC) [guidance](#).
- Require social distancing (6-foot minimum distance between workers) unless the safety of the public or workers require deviation (e.g. drywalling, team lifting).
- Provide hand wash stations at appropriate locations on the site such as building entrances, break areas, food truck areas, offices, trailers, and job site egress areas.
- Implement cleaning or sanitizing protocols at all construction sites and projects. Identify and regularly clean and disinfect areas that are at high risk for transmission (requirements to clean common areas and regularly trafficked spaces periodically).
- Ensure all gatherings are limited to no more than 10 people, maintaining 6-foot social distancing, when required to meet, even when conducted outside.
- Use virtual meetings and disseminate information electronically to the extent feasible.
- Stagger shifts, breaks, work areas and/or stacking of trades where feasible to minimize workers on site.
- Limit tool sharing and sanitize tools if they must be shared.
- Employ jobsite screening based on CDC guidance to determine if employees should work. Prohibit from working any employees with any symptoms of COVID-19. Encourage sick employees to stay home.
- Prohibit unnecessary visitors to any project or work site, and limit supplier deliveries.
- Limit access to enclosed spaces to the extent feasible.
- Ensure workers are traveling to and from the job site separately. Wherever possible employees should not share a vehicle.
- Identify a “Pandemic Safety Officer” for each project or work site, or, if a large-scale construction project, then for each contractor at the site. The primary responsibility of the Pandemic Safety Officer will be to convey, implement, and enforce the social distancing and other requirements of this guidance for the protection of employees, suppliers, and other personnel at the site.

RESIDENTIAL CONSTRUCTION

The Uniform Construction Code (34 Pa. Code § 401.1) defines residential buildings as “detached one-family and two-family dwellings and townhouses which are not more than three stories above grade plane in height with a separate means of egress and their accessory structures.”

- All residential construction projects including new construction, renovation, and repair are authorized to conduct in-person operations; however, such projects may not permit more than four persons on the job site at any time inclusive of employees of both prime and subcontractors, but not inclusive of delivery persons, code inspectors, or similar persons who require temporary access to the site and are not directly engaged in the construction activity.

NON-RESIDENTIAL OR COMMERCIAL CONSTRUCTION

The Uniform Construction Code (34 Pa. Code § 401.1) defines “Commercial construction” as “a building, structure or facility that is not a residential building.” This definition includes multi-unit housing and student housing.

- All commercial construction projects including new construction, renovation, and repair are authorized to conduct in-person operations; however, enclosed projects or portions of enclosed projects, may not permit more than four persons on job sites of 2,000 square feet or less, and
- One additional person is allowed for each additional 500 square feet of enclosed area over 2,000 square feet. These numbers are inclusive of employees of both prime and subcontractors, but not inclusive of delivery persons, code inspectors, or similar persons who require temporary access to the site and are not directly engaged in the construction activity. Enclosed square footage shall include all areas under roof that are under active construction at the time.
- Commercial construction firms, including particularly those managing large-scale construction projects, should consider strongly establishing a written Safety Plan for each work location containing site specific details for the implementation of this guidance to be shared with all employees and implemented and enforced by the designated Pandemic Safety Officer.

PUBLIC CONSTRUCTION

Elected political subdivisions (or “local political units” as described in the Governor’s guidance), and other public entities should continue to use best judgment in exercising their authority to conduct critical construction projects. All construction decisions should appropriately balance public health and safety while ensuring the continued safety of critical infrastructure. When possible, local political units and public entities should postpone non-essential projects and only proceed with essential projects when they can implement appropriate social distancing and cleaning/disinfecting protocols and should adhere to this guidance on all construction projects.

Local political units and public entities should officially communicate to contractors whether their specific project will be resumed. Notwithstanding any general authorization to resume construction activities, contractors should not resume work on public construction projects until directed to do so by the applicable governmental unit.

Certain commonwealth agencies and independent commissions have already issued guidance for critical or essential projects that are continuing. Those specific agency or commission directives should be followed unless there is a direct conflict with these guidelines, in which case these guidelines control. Contractors working on public construction projects must follow construction restart or resumption plans established by that agency or commission.

INSPECTIONS AND APPRAISALS

Beginning May 1, 2020, in-person inspection and appraisals related to construction financing loans, and UCC building code plan review and inspection services may be conducted as necessary for all construction projects authorized under this guidance.

QUESTIONS AND FURTHER GUIDANCE

Businesses that have questions about whether this guidance applies to them may email the Department of Labor and Industry at RA-LIBOIS-BUILDINGS@pa.gov.

Answers to frequently asked questions involving application of the Employee Safety Order is available [here](#).

Businesses in the construction industry may wish to refer to PennDOT's COVID-19 Guidance for Restarting Construction Projects which provided a process for restarting construction projects that were suspended in response to COVID-19 mitigation. The guidance is available [here](#).

Help is available for people who are struggling with their mental or emotional health or feeling anxious or overly stressed contact the Crisis Text Line by texting PA to 741-741.

ENFORCEMENT

Enforcement actions against violators of the Governor's and Secretary of Health's Orders Closing Businesses That Are Not Life Sustaining commenced on March 23, 2020 and is ongoing.

Law enforcement officers should refer to Enforcement Guidance available online [here](#).

ADDITIONAL INFORMATION

For the most up-to-date, reliable information, please continue to refer to the Commonwealth of Pennsylvania's website for Responding to COVID-19 in Pennsylvania:
<https://www.pa.gov/guides/responding-to-covid-19/>.

In addition to the above
Guidance for Businesses in the Construction Industry,
every Prime Contractor on a DGS Public Works project site
will also acknowledge the following
Supplemental Guidance for DGS Public Works Projects:

1. Zero Tolerance

- DGS Public Works has a ZERO TOLERANCE for a Prime Contractor's non-compliance with the Governor's Office Guidance above and this Supplemental Guidance for DGS Public Works Projects, collectively "DGS Guidance".
- By May 3, 2020, each Prime Contractor shall provide the DGS APC assigned to their project the name of their designated site-specific Pandemic Safety Officer (who may also be the Safety Officer).
- The Pandemic Safety Officer shall be responsible for observing employees and using best efforts to ensure their employees and all their subcontractors and suppliers comply with this DGS Guidance. At the start of each shift, the Pandemic Safety Officer must confirm that all employees reporting to the site are healthy and not experiencing any symptoms listed below.
- If any employee exhibits any of the identified symptoms, the Pandemic Safety Officer must act in accordance with the Prime Contractor's Amended Site Safety Plan, which should include removing an observed sick employee from the project site immediately.

COVID-19 Typical Symptoms:

*Fever *Cough *Sore Throat * Shortness of Breath

*Early symptoms such as chills, body aches, sore throat, headache, diarrhea, nausea/vomiting, and runny nose.

2. Amended Site Safety Plan

- By May 3, 2020, each Prime Contractor's Pandemic Safety Officer shall upload the Amended Site Safety Plan to include all the Guidance provided in this document and upload it to e-Builder. Any Prime Contractor who has not uploaded the Amended Site Safety Plan shall not be allowed on site.
- The Amended Site Safety Plan shall not be submitted to DGS for approval.
- Each Prime Contractor shall be responsible for enforcing their own Amended Site Safety Plan.

3. General Job Site Guidance to Limit Exposure & Transmission

- The Client Agency on any DGS Public Works project may impose more stringent project-specific guidelines. Each Prime Contractor, their subcontractors and delivery vendors shall abide by the most stringent guidelines for the specific project.
- Contractor and DGS job trailers are restricted to only authorized personnel.
- Each Prime Contractor shall develop cleaning and disinfecting procedures for their job trailer and equipment. The Lead Contractor shall follow their cleaning and disinfecting procedures for cleaning and decontamination of the DGS Field Office aligned to CDC guidelines, found [here](#). These Procedures must cover all areas including trailers, gates, equipment, vehicles, etc. and shall be posted at all entry points to the site and throughout the project site.
 - Wash hands often with soap for at least 20 seconds or use an alcohol-based hand sanitizer with at least 60% ethanol or 70% isopropanol
 - Each jobsite should have laminated COVID-19 safety guidelines and handwashing instructions
 - All restroom facilities/porta-potties should be cleaned, and handwashing stations must be provided with soap, hand sanitizer and paper towels

- DGS encourages the use of individual water bottles instead of using a common source of drinking water, such as a cooler or sink.
- All surfaces should be regularly cleaned, including surfaces, door handles, laptops, etc.
- A "Social Distancing" policy shall be in place on every DGS Public Works project. Individuals must implement social distancing by maintaining a minimum distance of 6-feet from other individuals, unless specific work requires deviation. Some examples of social distancing or measures to limit exposure include, but are not limited to:
 - No handshaking
 - No visitors are allowed on any DGS Public Works project.
 - Site deliveries will be permitted but should be properly coordinated in line with the Prime Contractor's Safety Plan. If possible, delivery personnel should remain in their vehicles.
 - Avoid face-to-face meetings – critical situations requiring in-person discussion must follow social distancing.
 - Conduct all meetings via conference calls or web meeting sites if possible. Do not convene meetings of more than 10 people. Recommend use of cell phones, texting, web meeting sites and conference calls for project discussion
 - Do Not pass attendance sheets around for signature/sign-in for any meetings.
 - All individual work crew meetings/tailgate talks should be held outside and follow social distancing.
 - Endeavor to keep all crews a minimum of 6' apart at all times to eliminate the potential of cross contamination
 - In work conditions where required social distancing is impossible to achieve affected employees shall be supplied PPE including as appropriate a standard face mask, and eye protection.

- All common areas and meeting areas are to be regularly cleaned and disinfected at least once a day. Primes may consider cleaning the common areas twice a day.
- Please maintain social distancing separation during breaks and lunch.

4. Identification and Notification of Exposure

- Although it is understood that Prime Contractors will be enforcing their Amended Safety Plan, including social distancing policies and use of masks, it is also recognized that there may be occasions where someone who has tested positive for COVID-19 or who has COVID-19 symptoms has been present on the job site.
- The Prime Contractor's prompt identification and isolation of potentially infectious individuals is a critical step in protecting workers, vendors, and others at a job site.
- A Prime Contractor's Pandemic Safety Officer shall direct any employee with COVID-19 related symptoms to leave the jobsite immediately.
- As provided by law, the identity of the worker must be kept confidential.
- Upon learning of an infection, the Prime Contractor Pandemic Safety Officer must immediately provide written notification to the other Prime Contractors' designated Pandemic Safety Officer, the DGS APC on the project and the Client Agency's site representative while maintaining patient confidentiality (HIPAA).
- Any employee who develops COVID-19 as confirmed by laboratory testing or diagnosis by a healthcare provider shall not return to the site until either released from isolation by healthcare provider or public health official.

5. OSHA Notification of Exposure

- Each Prime Contractor must comply with any OSHA requirements relating to COVID-19. As of April 24, 2020, OSHA has determined that confirmed cases of COVID-19 shall be considered an “illness” for purposes of the OSHA 300 Log and Form 301.

6. If DGS Receives Written Notice of Positive COVID Case

- DGS reserves the right to suspend the project if we receive credible written confirmation of a positive test for any person on the project site.
- DGS will issue each Prime Contractor an excusable, non-compensatory extension of time covering any suspension for a positive test.

7. Non-Compliance with Guidance

- Any issue of creditable report regarding non-compliance with this guidance shall be a basis for the suspension of work. The Prime Contractor will be required to submit a corrective action plan detailing each issue of non-conformance and a plan to rectify the issue(s). The contractor will not be allowed to resume work until the plan is submitted to DGS.

8. Resources

- Hand washing: <https://www.youtube.com/watch?v=d914EnpU4Fo&feature=youtu.be>
- CDC Handout: <https://www.cdc.gov/coronavirus/2019-ncov/downloads/stop-the-spread-of-germs.pdf>
- If sick: <https://www.cdc.gov/coronavirus/2019-ncov/downloads/sick-with-2019-nCoV-fact-sheet.pdf>

- Full List of EPA disinfectants:
https://www.epa.gov/sites/production/files/2020-03/documents/sars-cov-2-list_03-03-2020.pdf
- Coronavirus Q&A from the World Health Organization (WHO):
<https://www.who.int/news-room/q-a-detail/q-a-coronaviruses>
- CDC: Cleaning and Disinfecting Surfaces:
https://www.cdc.gov/coronavirus/2019-ncov/prepare/cleaning-disinfection.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fcommunity%2Fhome%2Fcleaning-disinfection.html
- Department of Labor OSHA Guidance on Preparing Workplaces for COVID-19: <https://www.osha.gov/Publications/OSHA3990.pdf>
- OSHA Issues New COVID-19 Preparedness Guidance for Employers:
<https://www.osha.gov/pls/publications/publication.searchresults?pSearch=3990>
- OSHA reminds employers COVID-19 is a recordable illness:
<https://www.businessinsurance.com/article/20200311/NEWS06/912333495/OSHA-reminds-employers-COVID-19-is-a-recordable-illness-coronavirus>
- OSHA Issues Guidance to Employers on Preventing Worker Exposure to Coronavirus
<https://www.osha.gov/pls/publications/publication.searchresults?pSearch=3989>
- Pa DOH 4/5/20 Order on Building Safety
<https://www.governor.pa.gov/wp-content/uploads/2020/04/20200405-SOH-Building-Safety-Measures.pdf>
- PA DOH 4/15/20 Order on Worker Safety
<https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/SOH%20COVID-19%20Worker%20Safety%20Order.pdf>

This Guidance document is based on currently available information from the CDC, OSHA and the Pa. Department of Health and are subject to change based on further information.

As of the date noted below, I am an authorized representative of the Prime Contractor or Design Professional and acknowledge that I have read and understand the DGS Guidance. My company will utilize best efforts to comply with the DGS Guidance and any Client Agency guidance that may be site-specific.

Prime Contractor/Design Professional Company Name:

Prime Contractor's/Design Professional's Authorized Representative:

Representative's Signature:

Date: _____