The following is a summary of our understanding of the issues discussed on a conference call the CIM Board of Directors had with MassDOT on Wednesday, March 25, 2020. These notes are just that – notes – and are in no way to be interpreted as a directive or any official guidance.

MassDOT expressed their appreciation and gratitude for everyone’s work during these extremely difficult times. They recognized the common issue they/we are all dealing with is worker safety.

The document released by the Governor today contains two parts:

**Part I:**

- There had been confusion and different interpretations in municipalities of critical/essential services as contained in the Governor’s order of March 23, 2020.

- Part I of the document released March 25 is a letter from the Governor’s Chief Counsel to municipal leaders that describes the Governor’s executive order authority with specific regards to construction.

- This means that construction work, as specifically allowed pursuant to the Governor’s order, is to continue and localities cannot by local ordinance close work down.

**Part II:**

- The state has issued COVID-19 Guidelines and Procedures for All Construction Sites and Workers at All Public Work

- These guidelines and procedures were developed in collaboration with the other state awarding entities to ensure a consistent document is being implemented and followed across the state.

- These guidelines and procedures take effect immediately. MassDOT recognizes that many contractors already have them in place and they appreciate the proactive approach taken by our members. ALL contractors working on state projects will be implementing the same requirements.

- MassDOT reviewed several of the specific requirements:
  - At the start of every shift, employees must certify to their supervisor that they are healthy, have had no symptoms in the last 24 hours, has not been in contact with anyone testing positive, and are not under order by a doctor to be isolated.
  - When asked how the certification is to be received, MassDOT said employers are expected to develop their own, workable certification process – which could include verbal check ins, paper certification, email, or phone call for example. The key thing is there is a daily check in occurring.
- Confined spaces – while this won’t apply often on the highway side, if work is occurring in a confined space there is a further health screening that must occur – each employee’s temperature must be taken.

- When asked who is considered a trained individual for purposes of taking temperatures, MassDOT said they would seek clarification.

- If you have a break area, space it out to comply with distancing requirements.

- Wash stations: For wash stations at fixed job sites, warm water is to be installed if possible. Where work is not in a fixed zone, you are to provide opportunities to use hand sanitizers and disinfecting wipes.

• **MassDOT’s required Safety Stand Down is occurring Friday (March 27, 2020)**

  - All contractors that perform work for MassDOT must stand down and go through their job sites, identify any approaches to the work, and identify any issues they need to address and mitigate.

  - The new work rules must be distributed to all staff.

  - All employees are to be made aware of all the rules.

  - You must have a COVID 19 officer identified.

  - CIM asked MassDOT to describe how they see the day going, especially since most contractors have already done all of this. Do all workers still report to the job site?

  - MassDOT is holding firm on the Friday Stand Down. Everyone needs to understand the safety guidelines and procedures. Depending on job size, communication during the stand down can occur by whatever means the contractor deems most appropriate and beneficial in assuring everyone understands the rules.

  - MassDOT will provide CIM with a guidance to share with our members so they can better understand what is expected for Friday.

  - CIM asked MassDOT if the stand down includes plants. It does not because they are not under direct control by MassDOT, but plants are encouraged to undertake the safety shut down too.

• **Health and Safety Plan:** Contractor’s plans need to be modified and they must identify a person as the COVID 19 point person. They are to provide a status report each day. While the language is a bit vague, the general information to be provided would be that everyone has reported healthy, no issues throughout the day, and safety guidelines are being followed. Of course if/when incidents arise, they will be incorporated into the status reports.
• CIM asked what the process will be if, for example, an RE determines that a contractor is not complying with the COVID 19 guidelines and procedures. MassDOT does not want to shut down jobs, but safety needs to be paramount. MassDOT will work with the contractors to address any issues, but if they are egregious and the contractor is not taking appropriate steps then MassDOT will shut a job down. There will be a Corrective Action Plan requiring a contractor to come up with a remedy.

• Bids: CIM noted some contractors’ estimating departments are significantly impacted as they comply with CDC guidelines and the limitations on meeting in person. Consequently, asked MassDOT to consider spacing out projects in recognition of this strain. MassDOT will heed this and will be receptive to CIM’s requests in this area. MassDOT will work with CIM to address specific issues in the bidding schedule.

• As a result of the lack of statewide traffic, MassDOT will consider adjusting work hours, changing work schedules to day work, shifting lane closures, and acceleration of work. Contractors are encouraged to go through the districts to discuss these opportunities.

• Inspections: MassDOT issued a guidance on HMA and PPC plant inspections. Precast and steel fabrication inspections will continue as usual, as much of the inspections for steel and precast are done by third parties.

• Payments: MassDOT does not anticipate any delay in the processing of payments. Processing. MassDOT staff is working remotely and a system is in place to get payments processed, and is working to streamline their internal processes as they recognize the importance of cash flow. For example, they are implementing electronic signatures so batches can be signed and sent down to fiscal for payment.

• CIM shared concerns members have expressed about quantifying impacts going forward, as productivity and schedule will be impacted by the new protocols and guidelines. MassDOT has been and will continue to collaborate with AASHTO and other states on these and other issues.

• Utility Relocations: There had been some immediate impacts in cities and towns and whether utility work would be allowed. The letter today clarifies utility work is exempted and must be allowed to continue. If any issues arise, contractors are to notify MassDOT.

• Media: Media is not allowed on project sites or property without permission from MassDOT. If any media show up to sites, please notify MassDOT immediately.