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SECTION 013513.22 – SITE SECURITY AND HEALTH REQUIREMENTS (DYS)

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This Section shall be used for Department of Corrections’ projects only. This Section uses the term **Architect**; change this term as necessary to match the actual term used to identify the design professional as defined in the General and Supplementary Conditions.

1. GENERAL
	* + 1. RELATED DOCUMENTS
				1. Drawings and general provisions of the Contract including General and Supplementary Conditions, Bid Form, and other Division 1 Specification Sections apply to this Section.
			2. SUBMITTALS
				1. List of required submittals:

Materials Safety Data Sheets for all hazardous materials to be brought onsite.

Schedule of proposed shutdowns, if applicable.

A list of the names of all employees who will submit fingerprints for a background check, and the signed privacy documents identified below for each employee.

1. PRODUCTS (Not Applicable)
2. EXECUTION
	* + 1. ACCESS TO THE SITE
				1. The Contractor shall arrange with Facility Representatives to establish procedures for the controlled entry of workers and materials into the work areas at the Facility.
				2. The Contractor shall establish regular working hours with Facility Representatives. The Contractor must report changes in working hours or overtime to Facility Representatives and obtain approval twenty-four (24) hours ahead of time. The Contractor shall report emergency overtime to Facility Representatives as soon as it is evident that overtime is needed. The Contractor must obtain approval from Facility Representatives for all work performed after dark.
				3. The Contractor shall provide the name and phone number of the Contractor’s employee or agent who is in charge onsite; this individual must be able to be contacted in case of emergency. The Contractor must be able to furnish names and address of all employees upon request.
			2. RULES OF THE FACILITY
				1. Construction personnel shall not fraternize with the youths.
				2. The Contractor shall be aware that youths are circulating on the Facility grounds at all times, and shall take necessary steps to prevent the youths from having unauthorized contact with equipment, tools, or work areas.
				3. Prior to commencing any work at the Facility, the Contractor shall consult with the Construction Representative and Facility Representative regarding aspects of this Work that might impact safety of the youths, and establish procedures for the controlled entry of construction personnel, equipment, and materials into the work area
				4. The Contractor shall ensure that materials, tools, and construction apparatus are stored in a manner inaccessible to residents during non-working hours. During working hours, these items shall be under the observation of or in personal possession of the Contractor’s personnel at all times.
				5. The Facility will not be responsible for the Contractor’s tools, equipment, or materials. The Contractor shall report any missing tools or materials to the facility immediately.
				6. No intoxicating beverages or illegal drugs shall be brought onto Facility grounds.
				7. No firearms, other weapons, or explosives shall be carried onto Facility grounds.
				8. No prescription drugs above one day’s dosage shall be carried on Facility grounds.
				9. The vehicles of the Contractor and its workers shall be locked whenever unattended, and shall have the keys removed.
			3. SECURITY CLEARANCES AND RESTRICTIONS
				1. **FMDC REQUIRED FINGERPRINTING FOR CRIMINAL BACKGROUND AND WARRANTS CHECK**

All employees of the Contractor are required to submit fingerprints to the Missouri State Highway Patrol to enable the Office of Administration, Division of Facilities Management, Design and Construction (FMDC) to receive state and national criminal background checks on such employees. FMDC reserves the right to prohibit any employee of the Contractor from performing work in or on the premises of any facility owned, operated, or utilized by the State of Missouri for any reason.

The Contractor shall ensure all of its employees submit fingerprints to the Missouri State Highway Patrol and pay for the cost of such background checks. The Contractor shall submit to FMDC via email to FMDCSecurity@oa.mo.gov a list of the names of the Contractor’s employees who will be fingerprinted and a signed Missouri Applicant Fingerprint Privacy Notice, Applicant Privacy Rights and Privacy Act Statement for each employee. All employees of the Contractor approved by FMDC to work at a State facility must obtain a contractor ID badge from FMDC prior to beginning work on-site, unless the Director of FMDC, at the Director’s discretion, waives the requirement for a contractor ID badge.  The Contractor and its employees must comply with the process for background checks and contractor ID badges found on FMDC’s website at: <https://oa.mo.gov/fmdc-contractor-id-badges>.

Pursuant to section 43.540, RSMo, FMDC participates in the Missouri Rap Back and National Rap Back programs as of August 28, 2018. This means that the Missouri State Highway Patrol, Central Records Repository, and the Federal Bureau of Investigation will retain the fingerprints submitted by each of the Contractor’s employees, and those fingerprints will be searched against other fingerprints on file, including latent fingerprints. While retained, an employee’s fingerprints may continue to be compared against other fingerprints submitted or retained by the Federal Bureau of Investigation, including latent fingerprints.

 As part of the Missouri and National Rap Back programs, FMDC will receive notification if a new arrest is reported for an employee whose fingerprints have been submitted for FMDC after August 28, 2018. If the employee is performing work on a State contract at the time of the arrest notification, FMDC will request and receive the employee’s updated criminal history records. If the employee is no longer performing work on a State contract, FMDC will not obtain updated criminal records.

Pursuant to section 43.540, RSMo, the Missouri State Highway Patrol will provide the results of the employee’s background check directly to FMDC. FMDC may NOT release the results of a background check to the Contractor or provide the Contractor any information obtained from a background check, either verbally or in writing. FMDC will notify the Contractor only whether an employee is approved to work on State property.

Each employee who submits fingerprints to the Missouri State Highway Patrol has a right to obtain a copy of the results of his or her background check. The employee may challenge the accuracy and completeness of the information contained in a background check report and obtain a determination from the Missouri State Highway Patrol and/or the FBI regarding the validity of such challenge prior to FMDC making a final decision about his or her eligibility to perform work under a State contract.

The Contractor shall notify FMDC via email to FMDCSecurity@oa.mo.gov if an employee is terminated or resigns from employment with the Contractor. If the Contractor does not anticipate performing work on a State contract in the future, the Contractor may request that FMDC remove its employees from the Rap Back programs. However, if removed from the Rap Back programs, employees will be required to submit new fingerprints should the contractor be awarded another State contract.

Upon award of a Contract, the Contractor should contact FMDC at FMDCSecurity@oa.mo.gov to determine if its employees need to provide a new background check.  If a Contractor’s employee has previously submitted a fingerprint background check to FMDC as part of the Missouri and National Rap Back programs, the employee may not need to submit another fingerprint search for a period of three to six years, depending upon the circumstances. The Contractor understands and agrees that FMDC may require more frequent background checks without providing any explanation to the Contractor. The fact that an additional background check is requested by FMDC does not indicate that the employee has a criminal record.

* + - 1. FIRE PROTECTION, SAFETY, AND HEALTH CONTROLS

Revise items below as necessary to satisfy Facility requirements.

* + - * 1. The Contractor shall take all necessary precautions to guard against and eliminate possible fire hazards.

Onsite burning is prohibited.

The Contractor shall store all flammable or hazardous materials in proper containers located outside the buildings or offsite, if possible.

The Contractor shall provide and maintain, in good order, during construction fire extinguishers as required by the National Fire Protection Association. In areas of flammable liquids, asphalt, or electrical hazards, 15-pound carbon dioxide or 20-pound dry chemical extinguishers shall be provided.

* + - * 1. The Contractor shall not obstruct streets or walks without permission from the Owner’s Construction Representative and Facility Representatives.
				2. The Contractor’s personnel shall not exceed the speed limit of 15 mph while at the Facility unless otherwise posted.
				3. The Contractor shall take all necessary, reasonable measures to reduce air and water pollution by any material or equipment used during construction. The Contractor shall keep volatile wastes in covered containers, and shall not dispose of volatile wastes or oils in storm or sanitary drains.
				4. The Contractor shall keep the project site neat, orderly, and in a safe condition at all times. The Contractor shall immediately remove all hazardous waste, and shall not allow rubbish to accumulate. The Contractor shall provide onsite containers for collection of rubbish and shall dispose of it at frequent intervals during the progress of the Work.
				5. Fire exits, alarm systems, and sprinkler systems shall remain fully operational at all times, unless written approval is received from the Owner’s Construction Representative and the appropriate Facility Representative at least twenty-four (24) hours in advance. The Contractor shall submit a written time schedule for any proposed shutdowns.
				6. For all hazardous materials brought onsite, Material Safety Data Sheets shall be on site and readily available upon request at least a day before delivery.
				7. The Contractor’s workers shall not be under the influence of any intoxicating substances while on the Facility premises.
			1. DISRUPTION OF UTILITIES
				1. The Contractor shall give a minimum of seventy-two (72) hours written notice to the Construction Representative and the Facility Representative before disconnecting electric, gas, water, fire protection, or sewer service to any building.
				2. The Contractor shall give a minimum of seventy-two (72) hours written notice to the Construction Representative and Facility Representative before closing any access drives, and shall make temporary access available, if possible. The Contractor shall not obstruct streets, walks, or parking.

This section shall be used for Department of Social Services – Division of Youth Services projects only. Omit this section if no work will be performed at a Youth Center or Division of Youth Services-operated Facility.

END OF SECTION 013513.22