

1 **Section 1-07, Legal Relations and Responsibilities to the Public**
2 **January 3, 2017**

3 **1-07.1 Laws to be Observed**

4 In the second to last sentence of the third paragraph, "WSDOT" is revised to read
5 "Contracting Agency".
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7 **1-07.2(2) State Sales Tax: WAC 458-20-170 – Retail Sales Tax**

8 The last three sentences of the first paragraph are deleted and replaced with the following
9 new sentence:

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11 The Contractor (Prime or Subcontractor) shall include sales or use tax on the purchase
12 or rental of tools, machinery, equipment, or consumable supplies not integrated into the
13 project, in the unit bid prices.
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15 **1-07.3(1) Forest Fire Prevention**

16 This section is supplemented with the following new subsections:
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18 **1-07.3(1)A Fire Prevention Control and Countermeasures Plan**

19 The Contractor shall prepare and implement a project-specific fire prevention, control,
20 and countermeasures plan (FPCC Plan) for the duration of the project. The Contractor
21 shall submit a Type 2 Working Drawing no later than the date of the preconstruction
22 conference.
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24 **1-07.3(1)A1 FPCC Plan Implementation Requirements**

25 The Contractor's FPCC Plan shall be fully implemented at all times. The
26 Contractor shall update the FPCC Plan throughout project construction so that the
27 plan reflects actual site conditions and practices. The Contractor shall update the
28 FPCC Plan at least annually and maintain a copy of the updated FPCC Plan that is
29 available for inspection on the project site. Revisions to the FPCC Plan and the
30 Industrial Fire Precaution Level (IFPL) shall be discussed at the weekly project
31 safety meetings.
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33 **1-07.3(1)A2 FPCC Plan Element Requirements**

34 The FPCC Plan shall include the following:
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- 36 1. The names, titles, and contact information for the personnel responsible
37 for implementing and updating the plan.
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39 2. The names and telephone numbers of the Federal, State, and local
40 agencies the Contractor shall notify in the event of a fire.
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42 3. All potential fire causing activities such as welding, cutting of metal,
43 blasting, fueling operations, etc.
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45 4. The location of fire extinguishers, water, shovels, and other firefighting
46 equipment.
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48 5. The response procedures the Contractor shall follow in the event of a fire.
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50 Most of Washington State is covered under the IFPL system which, by law, is
51 managed by the Department of Natural Resources (DNR). It is the Contractor's

1 responsibility to be familiar with the DNR requirements and to verify whether or not
2 IFPL applies to the specific project.
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4 If the Contractor wishes to continue a work activity that is prohibited under an
5 industrial fire precaution level, the Contractor shall obtain a waiver from the DNR
6 and provide a copy to the Engineer prior to continuation of work on the project.
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8 If the IFPL requirements prohibit the Contractor from performing Work the
9 Contractor may be eligible for an unworkable day in accordance with Section 1-
10 08.5.
11
12 The Contractor shall comply with the requirements of these provisions at no
13 additional cost to the Contracting Agency.
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15 **1-07.8 High-Visibility Apparel**

16 The last paragraph is revised to read:

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18 High-visibility garments shall be labeled as, and in a condition compliant with the
19 ANSI/ISEA 107 (2004 or later version) and shall be used in accordance with
20 manufacturer recommendations.
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22 **1-07.8(1) Traffic Control Personnel**

23 In this section, references to “ANSI/ISEA 107-2004” are revised to read “ANSI/ISEA 107”.

24 **1-07.8(2) Non-Traffic Control Personnel**

25 In this section, the reference to “ANSI/ISEA 107-2004” is revised to read “ANSI/ISEA 107”.

26 **1-07.9(2) Posting Notices**

27 Items 1 and 2 are revised to read:

- 28 1. EEOC - P/E-1 (revised 11/09, supplemented 09/15) – **Equal Employment**
29 **Opportunity IS THE LAW** published by US Department of Labor. Post for projects
30 with federal-aid funding.
- 31 2. FHWA 1022 (revised 05/15) – **NOTICE Federal-Aid Project** published by Federal
32 Highway Administration (FHWA). Post for projects with federal-aid funding.
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35 Items 5, 6 and 7 are revised to read:

- 36 5. WHD 1420 (revised 02/13) – **Employee Rights and Responsibilities Under The**
37 **Family And Medical Leave Act** published by US Department of Labor. Post on all
38 projects.
- 39 6. WHD 1462 (revised 01/16) – **Employee Polygraph Protection Act** published by
40 US Department of Labor. Post on all projects.
- 41 7. F416-081-909 (revised 09/15) – **Job Safety and Health Law** published by
42 Washington State Department of Labor and Industries. Post on all projects.
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45 Items 9 and 10 are revised to read:
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- 1 9. F700-074-909 (revised 06/13) – **Your Rights as a Worker in Washington State**
2 by Washington State Department of Labor and Industries (L&I). Post on all projects.
3
4 10. EMS 9874 (revised 10/15) – **Unemployment Benefits** published by Washington
5 State Employment Security Department. Post on all projects.
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7 **1-07.15(1) Spill Prevention, Control, and Countermeasures Plan**

8 The second sentence of the first paragraph is deleted.
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10 The first sentence of the second paragraph is revised to read:

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12 The SPCC Plan shall address all fuels, petroleum products, hazardous materials, and
13 other materials defined in Chapter 447 of the WSDOT Environmental Manual M 31-11.
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15 Item number four of the fourth paragraph (up until the colon) is revised to read:

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17 4. **Potential Spill Sources** – Describe each of the following for all potentially
18 hazardous materials brought or generated on-site, including but not limited to
19 materials used for equipment operation, refueling, maintenance, or cleaning:
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21 The first sentence of item 7e of the fourth paragraph is revised to read:

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23 BMP methods and locations where they are used to prevent discharges to ground or
24 water during mixing and transfer of hazardous materials and fuel.
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26 The last paragraph is deleted.