

Special Provision to Item 7

Legal Relations and Responsibilities



Item 7, "Legal Relations and Responsibilities," of the Standard Specifications is amended with respect to the clauses cited below. No other clauses or requirements of this Item are waived or changed.

Section 7.2.6.5, "Training," is supplemented by the following:

Coordinate enrollment, pay associated fees, and successfully complete Department-approved Training or Contractor-developed Training. Training is valid for the period prescribed by the provider. If no training period is prescribed by the provider, then training is valid for 3 yrs. from the date of completion. The Engineer may require training at a frequency in lieu of the period prescribed based on the Department's needs. Training and associated fees will not be measured or paid for directly but are considered subsidiary to pertinent Items.

2.6.5.1. Department-approved Training. Department-approved training is listed below. For Section 7.2.6.5.1.4., "Other Work Zone Personnel", the Contractor may use Contractor-developed Training in lieu of Department-approved Training.

2.6.5.1.1 Contractor Responsible Person and Alternate.

Provider	Course Title
American Traffic Safety Services Association	Traffic Control Supervisor
National Highway Institute ¹	Design and Operation of Work Zone Traffic Control, Work Zone Traffic Control for Maintenance Operations
Texas Engineering Extension Service	Work Zone Traffic Control for CRPs
University of Texas Arlington, Division for Enterprise Development	Traffic Control Supervisor

1. Both classes are required in order to equal the level of training taught in a single class by other providers.

2.6.5.1.2. Flagger Instructor Training.

Provider	Course Title
American Traffic Safety Services Association	Flagging Instructor Training
Texas Engineering Extension Service	Train-the-Trainer Flaggers
National Safety Council	Flagger Instructor Training
University of Texas at Arlington, Division for Enterprise Development	Certified Instructor: Qualified Flagger Training

Flagger Training.

Provider	Course Title
Texas Engineering Extension Service	Flaggers in the Work Zone
National Safety Council	Work Zone Flagger (Flagger Novice)
University of Texas Arlington, Division for Enterprise Development	Flaggers in Work Zones
University of Texas at Arlington, Division for Enterprise Development	Work Zone Traffic Control & Qualified Flagger
Associated Builders and Contractors, Austin Chapter	Flagger Training

2.6.5.1.3. Law Enforcement Personnel.

Provider	Course Title
National Highway Institute	Safe and Effective Use of Law Enforcement Personnel in Work Zones

2.6.5.1.4. Other Work Zone Personnel.

Provider	Course Title
American Traffic Safety Services Association	Traffic Control Technician
Texas Engineering Extension Service	Work Zone Traffic Control
National Highway Institute	Maintenance of Traffic for Technicians
National Highway Institute	Maintenance Training Series: Basics of Work Zone Traffic Control
University of Texas at Arlington, Division for Enterprise Development	Temporary Traffic Control

2.6.5.2. Contractor-developed Training. Develop and deliver Contractor-developed Training meeting the minimum requirements established by the Department. The outline for this training must be submitted to the Engineer for approval at the preconstruction meeting. The CRP or designated alternate may deliver the training in lieu of the Department-approved training. The work performed and materials furnished to develop and deliver the training will not be measured or paid for directly but will be considered subsidiary to pertinent Items.

2.6.5.2.1 Flagger Training Minimum Requirements. A Contractor's certified flagging instructor is permitted to train other flaggers.

2.6.5.2.2 Other Work Zone Personnel Minimum Requirements. Contractor-developed Training must provide information on the use of personnel protection equipment, occupational hazards and health risks, and other pertinent topics related to traffic management. The type and amount of training will depend on the job duties and responsibilities. Develop training applicable to the work being performed. Develop training to include the following topics:

- The Life You Save May Be Your Own (or other similar company safety motto)
- Purpose of the Training
 - It's The Law

- To make work zones safer for workers and motorist
 - To understand what is needed for traffic control
 - To save lives including your own
- Personal and Co-Worker Safety
 - High Visibility Safety Apparel: Discuss compliant requirements; Inspect regularly for fading and reduced reflective properties; If night operations are required, discuss the additional and appropriate required apparel in addition to special night work risks; If moving operations are underway, discuss appropriate safety measures specific to the situation and traffic control plan.
 - Blind Areas: A blind area is the area around a vehicle or piece of construction equipment not visible to the operators, either by line of sight or indirectly by mirrors. Discuss the “Circle of Safety” around equipment and vehicles; Use of spotters; Maintain eye contact with equipment operators; Use of hand signals.
 - Runovers and Backovers: Remain alert at all times; Keep a safe distance from traffic; Avoid turning your back to traffic and if you must then use a spotter; Stay behind protective barriers, whenever possible. Note: It is not safe to sit on or lean against a concrete barrier, these barriers can deflect 4+ feet when struck by a vehicle.
 - Look out for each other, warn co-workers
 - Be courteous to motorists
 - Do not run across active roadways
 - Workers must obey traffic laws and drive courteously while operating vehicles in the work zones.
 - Workers must be made aware of company distracted driving policies
 - Night Time Operations: Focus should be placed on projects with a nighttime element.
 - Traffic Control Training: Basics of Traffic Control.
 - Identify Work Zone Traffic Control Supervisor and other appropriate persons to report issues to when they arise.
 - Work Zone Traffic Control Devices must be in clean and in undamaged condition. If devices have been hit but not damaged, put back in their correct place and report to traffic control supervisor. If devices have been damaged, replace with new one and report to traffic control supervisor. If devices are dirty, faded or have missing or damaged reflective tape clean or replace and report to traffic control supervisor. Show examples of non-acceptable device conditions. Discussion on various types of traffic control devices to be used and where spacing requirements can be found.
 - Channelizing Devices and Barricades with slanted stripes: Stripes are to slant in the direction you want traffic to stay or move to; Demonstrate this with a device.
 - Traffic Queuing: Workers must be made aware of traffic queuing and the dangers created by it. Workers must be instructed to immediately notify the traffic control supervisor and other supervisory personnel if traffic is queuing beyond advance warning sign and devices or construction limits.
 - Signs: Signs must be straight and not leaning. Report problems to the traffic control supervisor or other as designated for immediate repair. Covered signs must be fully covered. If covers are damaged or out of place, report to traffic control supervisor or other as designated.