
Appendix G
BART OCIP Monthly Report

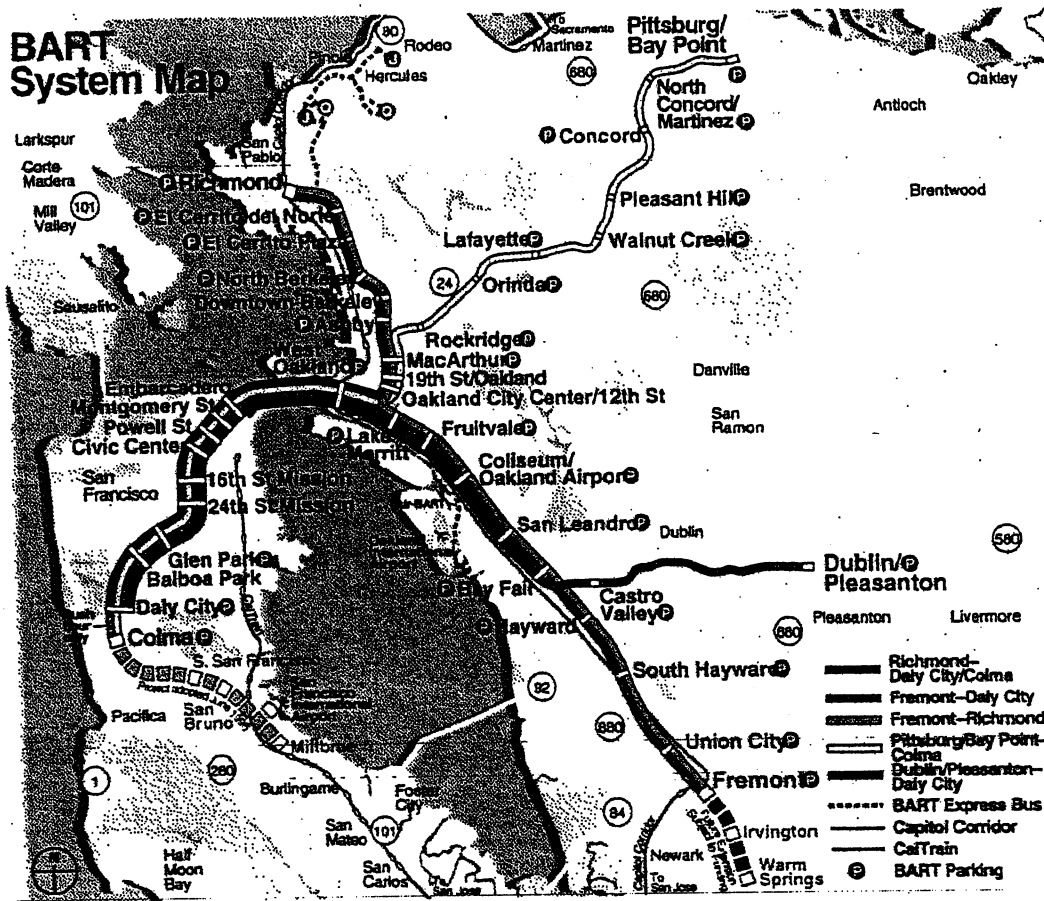
BCIA

OWNER CONTROLLED INSURANCE PROGRAM

MONTHLY PROGRESS REPORTS APRIL, MAY AND JUNE 2002

Prepared for:

BAY AREA RAPID TRANSIT DISTRICT



Prepared by:

BART Construction Insurance Administrator



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Executive Summary

This report covers the months of April, May and June 2002. With BART pre-approval, individual monthly reports for these three months will not be issued.

BCIA OCIP Service Office (OSO) staff and Joint Venture Partners performed the following activities during the months of April, May & June 2002 for the BART SFO Extension Program:

Safety

- Conducted Daily Site Surveys and Distributed Daily Reports
- Conducted RWP Training for BART employees and consultants
- Conducted three Tunnel Training classes for BART consultants
- Attended BART Safety Meetings
- Attended BART Executive Manager's Meetings
- Attended BART Stakeholders' Meetings
- Conducted Safety Staff Allocation Meetings
- Conducted seven 12YC-120 Safety Committee Meetings
- Conducted three Monthly Sub & Contractor's Safety Representatives' Meeting
- Participated in Contractor's Progress meetings
- Participated in Weekly Contractor's Start-Up/Testing Meetings
- Administered BART Safety Awards Program
- Revised & distributed new Safety Phone card – three revisions
- Developed Safety handout for BART public tours
- Reviewed Accident and Claims Reports and up-dated Claims Logs
- Continued to request revised electrical safety procedures and plans
- Continued to monitor special issues such as: Tunnel Safety; Project Public Safety, Security, Fall Protection, and Traffic Control

Administrative and Insurance

- Enrolled 34 new Contractors and closed out 15 existing Contractors. Total enrollments in the OCIP equals 390 Contractors Sub-Contractors.
- Distributed enrollment logs for all contracts for contractor review.
- Processed 14 policies for reporting period.
- Processed 4 endorsements for reporting period, 39 pending.
- Reduced staffing and scope of work
- Conducted four RWP training Classes
- Up-dated vendor certificates of insurance, asking for 77 new certificates
- Created database to facilitate 7/25/02 Workers' Compensation Renewal
- Up-dated and distributed Contractor OSHA citation log
- Worked with BART on Reliance National liquidation demand for additional premiums.
- Requested off-site certificates of insurance for 86 enrolled delinquent contractors

Caims

- Processed 31 new Worker's Compensation claims
- Attended a meeting with BART Insurance & Risk Management, Pearce and Frankman (project third party claims administrator) and Tutor Saliba/ Slattery to discuss open General Liability claims and payment of the General Liability deductible.
- Worked with Lexington (the Project's Builder's Risk carrier) on settlement of Pacific Bell Builders Risk claim
- Transferred General Liability, Bodily Injury and Builders' Risk Claims Processing to BART Insurance and Risk Management Department, Oakland office on April 1, 2002
- Attended claims meeting with Cypress Lawn litigation team and processed duplicate pre-construction data as requested by Cypress Lawn

All additional reporting period activities and meetings that BCIA and Joint Venture Partners chaired or participated in are summarized in the body of this report

Claims Summary

The following table shows the summary for the months of April, May, and June 2002 of all new Worker's Compensation losses for the West Bay Extension Project.

Month	Claims	Late Entries	Lost Time Incidents
April	12	3	1
May	9	1	0
June	10	0	0
Total	31	6	1

The following is a list of Worker's Compensation claims for the months of April, May, and June 2002 shown by contract.

Contractors Name	Contract Number	Worker's Compensation
Tutor-Saliba/Slattery	12YC-120	11
Slattery Skanska, Inc.	12YC-120-A	0
Microsearch Environmental	12YC-120-C9	0
Pitcher Drilling Co.	12YC-120-C3.1A	0
Thermacon IPI	12YC-120-CCC	1
Amelco Electric	12YC-120-G	2
Metco	12YC-120-G4	0
Art Alger, Inc. DBA: Peninsula Crane & Rigging	12YC-120-G10	0
Landavazo Bros.	12YC-120-G14	0
Buildersleeve Electric, Inc.	12YC-120-G18	0
San Luis Gonzaga/Brisbane	12YC-120-H	0
Condon Johnson	12YC-120-1	0
Bay Area Reinforcing	12YC-120-J	1

K & K Crane Rental Services, Inc.	12YC-120-J1	0
Metroplex Corporation	12YC-120-L	3
Landavazo Brothers, Inc.	12YC-120-N	1
A & A Ready Mixed	12YC-120-O	1
Scott Norman Mechanical	12YC-120-P	0
Cordoba Corporation	12YC-120-U	0
A & B Construction	12YC-120-V	0
Bratton Masonry, Inc.	12YC-120-GG	0
LTM Construction Co., Inc.	12YC-120-II	0
Reno Metal Products	12YC-120-LL	0
Tutor-Saliba/Slattery (SSF)	12YS-120-1	0
Amelco Electric	12YS-120-A	0
F. W. Spencer	12YS-120-D	1
LTM Construction Co.	12YS-120-O	0
Reno Sheet Metal	12YS-120-P	1
Landavazo Brothers	12YS-120-Q	1
Standard Elevator Co., Inc.	12YS-120-S1	0
O. C. Jones & Sons, Inc.	12YS-120-T	0
WGG Enterprises, dba: Pierce Enterprises, Inc.	12YS-120-X	0
Tutor-Saliba/Slattery (S.Bruno)	12YS-130-1	1
Amelco Electric	12YS-130-C	0
Dura Art Stone, Inc.	12YS-130-V	0
Bay Area Reinforcing	12YS-130-D	1
American Piledriving	12YS-130-F	0
Landavazo Bros., Inc.	12YS-130-J	0
Pacific Erectors Inc.	12YS-130-H	1
SLG/Brisbane Mechanical	12YS-130-L	0
LTM Construction Co., Inc.	12YS-130-S	3
WGG Enterprises, dba: Pierce Enterprises, Inc.	12YS-130-X	0
Gonsalves & Santucci, DBA: Alamillo Steel	12YS-140-A	2
Condon Johnson	12YS-140-B	0
San Luis Gonzaga/Brisbane	12YS-140-H	0
Fanfa	12YS-140-L	0
D. E. Bianchini, Inc.	12YS-140-L1	0
Fujitec American Inc	12YS-140-N	0
Foundation Constructors	12YS-140-T	0
LTM Construction	12YS-140-V	0
Landavazo Bros. Inc.	12YS-140-W	0
Schuff Steel Co.	12YS-140-BB	0
Golden State Steel	12YS-140-CC	0
Blakeway Metal Works, Inc.	12YS-140-JJ	0
Harrison Drywall, Inc.	12YS-150-C	0
Kingston Constructors	12EP-110-B	0
Bechtel Corporation (The Allen Group)	6G3445-1	0
Parsons, Brinkerhoff	6G3445-A	0
DMJM	763100-1	0
Chaudhary & Associates, Inc.	7G3100-D	0
TRS	7G3110-F	0

TRS	7G3120-A	0
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Refer to Section II: Claims Management for details of above claims.

Total Workers' Compensation losses for all the West Bay Extension Project Contracts Project to the end of June 2002 is:

Contract #	Worker's Compensation Losses
12YC-120	\$ 3,180,198
12YS-120	\$ 217,764
12YS-130	\$ 389,550
12YS-140	\$ 101,914
12YS-150	\$ 9,363
12EP-110	\$ 132,305
6G3445	\$ 8,977
7G3100	\$ 1,200
7G3110	\$ 833
7G3120	\$ 4,985
12YU-110*	\$ 2,362*
Total	\$ 4,049,451

*Closed Contract 12YU-110

I. RISK MANAGEMENT

A. UNDERWRITING

BCIA is working with Professional Liability underwriters, Lloyd's British Companies, for an extension of the policy term.

- Working with BART Risk & Insurance Management on the expiration of the Contractors Pollution Liability policy.
- Ordered renewal of St Paul Fire & Marine Insurance Companies Workers' Compensation policy for all 390 enrolled contractors

B. LOSS CONTROL

- Met with St. Paul Loss Control Field Representative
- Toured Project with St. Paul Loss Control Staff
- Reviewed and distributed St. Paul Loss Control Reports

II. CLAIMS MANAGEMENT

A. GENERAL LIABILITY POLICY – Provides coverage for General Liability (GL), Property Damage (PD) and Bodily Injury (BI) claims

As of April 1, 2002 all claims processing and reporting has been transferred to BART Risk and Insurance Management due to reduction in BCIA work directive scope of services and staffing.

B. WORKER'S COMPENSATION (WC)

Processed 31 new claims during for the months of April, May, and June 2002 for all Project Contracts. There was one Lost Time Incident reported during April. There are a total of 764 Worker's Compensation claims for the project to date and 85 are Lost Time Incidents. Of the aforementioned claims 80 are in construction contracts and five are in professional services.

A list of Worker's Compensation claims by contract number follows.

CUMULATIVE WORKER'S COMPENSATION OVERVIEW BY CONTRACT

Contract 12YC-120

Tutor-Saliba/Slattery	12YC-120-1	360	Claims
Slattery Skanska, Inc.	12YC-120-A	1	Claim
Microsearch Environmental	12YC-120-C9	1	Claim
Pitcher Drilling Co.	12YC-120-C3.1A	4	Claims
Amelco Electric	12YC-120-G	32	Claims
METCO	12YC-120-G4	8	Claims
Art Alger, Inc, DBA:	12YC-120-G10	1	Claim
Peninsula Crane & Rigging			
Landavazo Bros.	12YC-120-G14	1	Claim
Gildersleeve Electric, Inc.	12YC-120-G18	2	Claims
San Luis Gonzaga/Brisbane	12YC-120-H	2	Claim
Condon Johnson	12YC-120-I	1	Claim
Bay Area Reinforcing	12YC-120-J	64	Claims
K & K Crane Rental	12YC-120-J1	1	Claim
Marta Metroplex Corp.	12YC-120-L	34	Claims
Landavazo Brothers, Inc.	12YC-120-N	26	Claims
A & A Ready Mixed	12YC-120-O	25	Claims
Scott Norman Mechanical, Inc.	12YC-120-P	1	Claim
Cordoba Corporations	12YC-120-U	6	Claims
A & B Construction	12YC-120-V	2	Claims
Bratton Masonry, Inc.	12YC-120-GG	1	Claim
LTM Construction Co., Inc.	12YC-120-II	21	Claims
Reno Metal Products	12YC-120-LL	2	Claims
Vomar Products	12YC-120-ZZ	0	Claims

Thermacon IPI	12YC-120-CCC	1	Claim
<u>Contract 12YS-120 (SSF)</u>			
Tutor-Saliba/Slattery	12YS-120-1	25	Claims
Amelco Electric	12YS-120-A	5	Claims
F. W. Spencer & Son	12YS-120-D	1	Claim
Landavazo Brothers	12YS-120-Q	1	Claim
Commercial Exteriors	12YS-120-K1	1	Claim
LTM Construction Co.	12YS-120-O	8	Claim
Reno Sheet Metal	12YS-120-P	1	Claim
Standard Elevator Co., Inc.	12YS-120-S1	1	Claim
O. C. Jones & Sons, Inc.	12YS-120-T	1	Claim
WGG Enterprises, DbA:	12YS-120-X	1	Claim
Pierce Enterprise			
<u>Contract 12YS-130 (S. Bruno)</u>			
Tutor-Saliba/Slattery	12YS-130-1	25	Claims
Amelco Electric	12YS-130-C	1	Claim
Bay Area Reinforcing	12YS-130-D	3	Claims
American Piledriving	12YS-130-F	1	Claim
Pacific Erectors Inc	12YS-120-H	1	Claim
Reno Sheet Metal	12YS-120-HH	1	Claim
Landavazo Bros., Inc.	12YS-130-J	3	Claims
SLG/Brisbane Mechanical	12YS-130-L	1	Claim
LTM Construction Co., Inc.	12YS-130-S	21	Claims
Dura Art Stone, Inc.	12YS-130-V	1	Claim
WGG Enterprises, dba:	12YS-130-X	5	Claims
Pierce Enterprises, Inc.			
<u>Contract 12YS-140</u>			
Gonsalves & Santucci, DBA: Conco Cement DBA: Alamillo Steel	12YS-140-A	19	Claims
Condon-Johnson	12YS-140-B	1	Claim
San Luis Gonzaga	12YS-140-H	2	Claims
Fanfa	12YS-140-L	4	Claims
D. E. Bianchini	12YS-140-L1	1	Claim
Fujitec American Inc	12YS-140-N	1	Claim
Foundation Constructors	12YS-140-T	2	Claims
LTM Construction	12YS-140-V	5	Claims
Landavazo Bros. Inc.	12YS-140-W	2	Claims
Schuff Steel Company	12YS-140-BB	5	Claims
Golden State Steel & Stair	12YS-140-CC	1	Claim
<u>Contract 12YS-150</u>			
Harrison Drywall, Inc.	12YS-150-C	1	Claim
<u>Contract 12EP-110</u>			
Kingston Constructors	12EP-110-B	4	Claims

Contract 6G3445

Bechtel Corp.	6G3445-1	5	Claims
Parsons, Brinkerhoff	6G3445-A	2	Claims

Contract 7G3100

DMJM	7G3100-1	1	Claim
Chaudhary & Associates, Inc.	7G3100-D	1	Claim

Contract 7G3110

TRS Consultants	7G3110-F	3	Claims
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Contract 7G3120

TRS Consultants	7G3120-A	2	Claims
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Calculation of the Contractors' Lost Time Injury Rates * :

The Lost Time Injury Rates (LTIR) for each contract are shown in the table below. They are calculated by using the Worker's Compensation claims records in Appendix 2-A and the formula for Lost Time Injury Rate.

LTIR formula: $\frac{LTI \times 200,000}{\text{Total Work-hours}}$

Contract	Total Work Hours NTP to end of April 2002	LTIR as of the end of April 2002	Total Work Hours NTP to end of May 2002	LTIR as of the end of May 2002	Total Work Hours NTP to end of June 2002	LTIR as of the end of June 2002
12YC - 120	4,288,429	3.0	4,488,955	2.9	4,568,059	2.9
12YS - 140	603,285	1.0	610,111	1.0	615,063	1.0
12YS - 130	394,956	2.5	418,671	2.4	437,411	2.3
12YS - 120	264,435	1.5	285,375	1.4	320,139	1.3
12YS - 150	7,669	26.1	7,690	26.0	7,707	26.0
12EP - 110	71,731	2.8	82,700	2.4	88,794	2.3

* Work hours and LTIR estimated by BART Staff. These projections will be adjusted when Contractor and Subcontractors submit complete work hour reports.

For additional information on each claim, please refer to Appendix A2.

D. PROFESSIONAL LIABILITY - DESIGN BUILD ERRORS & OMISSIONS (EO)

To date there are a total of four E&O "incidents" currently under investigation for the project and a recapped follows on each incident. Lloyd's British Company underwriters have been put on notice on each incident and they have retained counsel to represent their interest.

Re-Cap of Errors & Omission Incidents:

- 1 Contract 12YC-120 - Damage to the Tanforan Parking structure (both physical damage and the extra expense incurred by the contractor) has been reported. Lloyd's British Company underwriters have retained counsel to represent their interest. AIG Technical Services, Inc are investigating the potential claim under the Builders' Risk coverage.
- 2 Contract 12YS-140 – The main contractor questions the possibility of a sub-contractor error in design calculations on the Millbrae parking structure. Lloyd's British Company underwriters are investigating this claim to determine if an error was made and the impact of that error, if any, on subsequent construction. As of this date this is an "incident only" in that no allegations of an error or omission of professional services has been made.
- 3 Contract 12YC-120 - Dispute between the Contractor and Design team regarding the amount of steel required for the Project is under investigation by Lloyd's British Company underwriters.
- 4 12YC-120 - Dispute between contractor, BART and BATC regarding excavation support required by contract in relationship to the JPB ROW is under investigation by Lloyd's British Company underwriters.

III. ADMINISTRATION OF O.C.I.P.

A. **WORKER'S COMPENSATION (WC)**

The Claims Log for Worker's Compensation has been updated. *(Please refer to Appendix A2)*

B.1. **CONTRACTOR/SUBCONTRACTOR ENROLLMENT**

34 Contractors were enrolled in the OCIP during the months of April, May and June 2002 and 15 contractors were closed (work completed and signed off), which brings the total enrollments from Contractors, Consultants and their Sub-Contractors to 390. The Enrollment Log is updated on a weekly basis and is attached. *(Please refer to Appendix A2)*

B.2. **ARCHITECTS/ENGINEERS AND DESIGN/BUILD PROFESSIONAL LIABILITY**

One new Design/Build Architects/Engineers was enrolled in the project in the month of April and 17 are pending receipt of completed information. To date, 36 Design/Build and 53 Architects/Engineers and 134 Professional Service Contractors are enrolled in the OCIP Project.

C. **PAYROLL REPORTS**

The payroll reports for April, May, June 2002 received from the Contractors and their Sub-Contractors are incomplete. This information was entered into C-Smart (BCIA's Contractor Database). BCIA is working with the appropriate COC and BART staff to obtain missing data.

D. **VERIFICATION OF CONTRACTOR'S VENDOR FURNISHED INSURANCE**

Continued to review, approve, and request up-dated certificates from 77 Contractor's vendors for their offsite General Liability, Automobile Liability and Worker's Compensation coverage. The Insurance Certificate Log has been updated and distributed to the Contractors. *(Please refer to Appendix C)*

E. **POLICY ISSUANCE/CERTIFICATE**

14 Worker's Compensation policies and four endorsements were processed during the reporting period although 39 endorsements are pending process. Certificates of Insurance evidencing General Liability, Excess Liability and Builder's Risk coverage were also made to these Contractors and 86 requests for current off-site coverage certificates were requested.

F. **REPORTED FIELD OBSERVATION**

Site Safety Representatives for both BCIA and the COC's make daily safety audits of the construction site. Their reports are catalogued and the data is input into a Safety Data Base and the results are used to monitor trends and improve safety on the site. *(Please refer to Appendix D)*

G. **SITE SPECIFIC WORK PLAN (SSWP) TRACKING**

During the reporting period BCIA received 26 JPB Approved SSWP's and 45 amendments to existing SSWP's. Copies of these SSWP's are given to BCIA Site Safety Representatives to monitor work, which occurs in the JPB Corridor. *(Please refer to Appendix E)*

H. **TERMS & DEFINITIONS**

(Please refer to Appendix F)

IV. CONSTRUCTION SAFETY PROGRAM Safety Program and Development

During the months of April, May, and June 2002, BCIA conducted two Roadway Worker's Protection (RWP) classes and two new stickers were issued. Future classes have been scheduled but will be cancelled unless registration sustains above five participants. 12YC-120 and 12YS-140 Contractor trainers continue to provide RWP training sessions. During the reporting period, 155 Contractor employees were trained by RWP approved instructors in Contractor's employ. BCIA maintains the original RWP certificates and updates a log of all R trained personnel for all entities monthly.

BCIA continues to work closely with the BART team delivering the following:

- Loss Time Injury Report
- Daily Site Safety Observation Report (refer to Appendix D)*
- 12YC-120 Contractor's Safety Committee Meetings (2)
- SSWP weekly log – April
- Safety Awards presented to 12YS-120 (9) and 12YS-130 (15)
- Conducted three Tunnel Training classes for BART consultants
- Revised & distributed new Safety Phone card – three revisions
- Developed Safety handout for BART public tours

*Data from Daily Site Safety Reports for 12YC-120, 12YS-120 and 12YS-130 are used to develop the agenda for the Contractor's Safety Committee Meeting.

BCIA, BART Safety, DMJM and Contractor Tutor-Saliba/Slattery (12YC-120, 12YS-120, 12YS-130) Safety Representatives hold bi-monthly Safety Committee Meetings. The agenda includes discussion of the Site Safety Observations. The observations are the cumulative effort of full time Oversight Safety Representatives, and are utilized to provide the Contractors with a "snapshot" of the types of safety problems noted at the sites and to provide areas of focus for training and improved safety. (Please refer to Appendix F)

At the meetings held during the reporting period the Contractor discussed their safety plans and correction of safety observations in the following areas:

- Air Quality
- Compressed Gas Cylinders
- Cranes
- Egress/Access
- Electrical Safety
- Fall Protection
- Housekeeping
- Miscellaneous (Tunnel observations other than ventilation)
- Sub Contractor Safety Training
- Tunnel Ventilation, phones, sign in/out sheets & procedures
- Personal Protection Equipment
- Traffic Control

Minutes were kept of these meetings and observations are noted with corrective action plans. The next scheduled meetings of this committee are July 3, 17 and 31, 2002.

During the months of April, May & June 2002, BCIA conducted the following number of Safety Field Audits:

• 12YC-120 TS/S	183
• 12YS-120 TS/S	30
• 12YS-130 TS/S	71
• 12YS-140 Sverdrup-Conco	32
• 12YS-150 Cuevas	0
• 12EP-110 HJO	28
• Contractor Safety Audits	11
• Incident Investigations	7
• Meetings	86
• Project Tours	21

V. MEETINGS AND TRAINING

BCIA staff and Joint Venture Partners chaired and participated in meetings and training pertaining to the San Francisco Airport Extension (SFOX) Construction Safety and Insurance Program during April, May, and June 2002 as follows:

Ongoing:

1. BCIA attends the weekly Executive Manager's Meeting held every Monday afternoon. BCIA provides a brief summary of past week's activities pertaining to Safety and Insurance.
2. BCIA meets bi-monthly with BART Engineering and Safety Management to discuss on going Safety Compliance Management issues and activities.
3. BCIA Safety Representatives meet daily with Contractors in the field to help with abatement of unsafe conditions and forecast safety problems for upcoming work.
4. BCIA works with JPB on items pertaining to safety related items.
5. BCIA participates in weekly Contractor Progress Meetings to identify work site conditions, review project schedule of upcoming work and provide information on Sub-Contractor's OCIP Enrollment.
6. BCIA audits the weekly Contractor Tool Box Safety Meetings. Items discussed include: observed accident trends and causes, plan safety into the work activities, actions taken to correct workers' safety concerns, and review of emergency procedures with employees. Contractors keep subject files and attendance records for Tool Box topics presented.
7. BCIA holds Monthly Staff Meetings to discuss new and ongoing tasks and responsibilities.
8. BCIA conducts a Weekly Staff Allocation Meeting with BART and all COC Safety Representatives to discuss up-coming work and other safety related items.
9. BCIA conducts bi-monthly Safety Committee Meetings with 12YC-120, 12YS-120, & 12YS-130 contracts to discuss safety trends, corrective actions, JPB written actions and formal responses, OSHA visitation, and up-coming work agendas. Written minutes are kept of these meetings noting action on open safety items. BCIA conducts a quarterly Contractor Claims Review Meeting with 12YC-120 Contractor to discuss any open Worker's Compensation and General Liability Claims.
10. BCIA participates in weekly Contract's Start-Up Meeting for Systems Testing to monitor the electrical safety and security issues exposing the contractor, consultants, BART, and the Public.

VI. UPCOMING ACTIVITIES/CONCERNS

- BCIA continues to have concerns regarding the need for training of competent persons. The Contractor and Sub-Contractors must have a competent person available enabling additional support to the Contractor's safety representatives.
- BCIA continues to have concerns regarding the Contractor's Electrical Safety Program and Power Activation.
- BCIA continues to have concerns regarding temporary electrical safety plans and/or procedures presently in place.
- BCIA is concerned with the reduction in force of full time safety representatives for TSS. With extended work hours, weekend work, and tours, a full complement of safety representation is needed, almost on a 24/7 basis.
- BCIA, at the direction of BART, has reduced staff and scope for one full time person as of 4/1/02. We have concerns about meeting the owner's expectations with fewer resources.
- BCIA will renew the OCIP Workers' Compensation program effective 7/25/02. The Professional Liability and Pollution Liability coverage's will expire 7/25/2002.

