



A New York Government Relations & Communications Firm

New York City Long Island Albany

Construction Sites Where Operations Have Been Suspended Required Inspections

Overview

BB 2020-004

1. **General safety inspections** should be performed **once per week**, at minimum, and documented in a report to be made available to NYC Building Department (hereafter, the Department) **upon request. On the day of, and after, severe weather, additional inspections shall be made.** A signed and dated copy of report should be kept on site. This inspection is NOT an **engineering** inspection. Engineering inspections (excavations/underpinning/support of excavation) will be discussed in later paragraphs.

If an **unsafe condition is discovered**, the Department shall be **immediately notified**. No method of notification has been provided yet. Until a method of notification is provided, the safety inspector should call DOB Enforcement Unit (212-393-2404, press 1 for Enforcement) or the incident hotline (212-602-0431).

The general safety inspection shall be performed by a competent person holding a Site Safety Training (SST) Supervisor Card (62H). The only entities **required** to possess a 62H SST Card are the Site Safety Manager (SSM), Site Safety Coordinator (SSC), Registered Construction Superintendent (CS), and the competent person required to be designated by the Registered Construction Superintendent. If your site requires a SSM, SST, or CS, those entities should probably be making the general safety inspection. In addition, **if your site requires an SSM, SSC, or Registered CS, the inspection report should be submitted to the Department**, in a manner yet to be determined. The BIS permit for the main application under which construction is being carried out will indicate the required safety personnel. If your **site does not require a SSM, SSC, CS, any competent person with a valid 64H SST Supervisor Card can perform the safety inspection.**

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III. SECURING & MAINTAINING THE SITE

The owner of any site, subject to the provisions of this bulletin, is responsible for ensuring the site is secured and maintained in such a manner as to safeguard the public and property throughout the duration of time operations are suspended. At a minimum, this includes the following:

1. **Weekly** (minimum) safety **inspections shall be performed** by the owner or his/her designee to **ensure** the construction or demolition site is safe and in **continued compliance with these requirements** and all other applicable laws and regulations. In addition to the minimum weekly inspection, an inspection shall be made the day of and following severe weather, such as unusually high winds or heavy rain or snow. Where the site is subject to the training provisions of Section 3321 of the Building Code, **these safety inspections shall be performed by an individual who possesses a Site Safety Training (SST) Supervisor Card.** The Department shall be **immediately notified of any unsafe conditions.**

2. **Reports** of all safety inspections described in item #1 above shall be **prepared, signed, and dated by the individual who performed the inspection** and shall be kept at the site available for inspection by the commissioner upon request. In addition, for a **site that required a site safety manager, site safety coordinator, or construction superintendent** and had not yet been released from such requirement by the Department, **a weekly certification shall be made to the Department electronically in a form and manner acceptable to the Department.**

2. **Personnel/material hoists shall be tested once each month.** Contractor should consult with hoist subcontractor regarding maintenance.

18. Required hoists or elevators for use of the Fire Department shall be maintained for structures in excess of 75 feet and readily accessible to Fire Department personnel. **Any hoist, whether required as an "elevator-in-readiness" or not, shall be properly maintained and tested every month to ensure it is operational.**

3. **Period maintenance and inspection of cranes shall be in accordance with 1 RCNY 3319-01(k)(3)&(4), 1 RCNY 3319-01(I).** Contractors should contact their crane engineer for guidance.

19. Any crane that is inactive and that will remain onsite shall be stored in accordance with the manufacturer's recommendations and the approved CN drawings. **Periodic inspections and maintenance of cranes shall be performed in accordance with 1 RCNY 3319-01(k)(3)&(4), 1 RCNY 3319-01(I),** and manufacturer specifications. In addition, the certificate of operation and certificate of on-site inspection shall be maintained in a valid and current status while the crane is on-site. Where a crane is inactive for a period greater than 30 days and the contractor/equipment user is non-responsive, the crane's owner shall be responsible for maintaining the crane and keeping all crane permits valid. All maintenance performed shall be documented in the crane maintenance logbook.

4. **Required watchpersons shall be maintained on site 24/7,** in accordance with 3303.3. Only sites with a **footprint of 5000 square feet** or more require a watchperson.

21. Required watchpersons shall be maintained at all times where required by Section 3303.3 of the Building Code.

3303.3 Watchperson. Where an individual building being constructed or demolished has a footprint of between 5,000 square feet (1524 m²) and 40,000 square feet (12 192 m²), a competent watchperson shall be on duty at the site during all hours when operations are not in progress, from the time when the foundation is poured to when all work has concluded and the certificate of occupancy or temporary certificate of occupancy has been issued. Where the building has a footprint of more than 40,000 square feet (12 192 m²), at least one additional watchperson shall be on duty for each additional 40,000 square feet (12 192 m²) of building footprint, or fraction thereof. The watchperson shall be familiar with emergency notification procedures to the Fire Department, shall possess a valid security guard registration with the State of New York, shall hold a valid fire guard certificate from the Fire Department, and for a major building shall have completed the training required by Section 3310.10.

Exceptions:

1. Where the square footage of the building requires two or more watchpersons, the number of watchpersons may be reduced, subject to the approval of the commissioner, where:
 - 1.1 An alarm or video monitoring system is in place, or where the layout of the building allows a continuous line of sight across the entire building; and
 - 1.2 At least one watchperson is provided.
2. The building is being actively monitored in accordance with a fire safety and evacuation plan approved by the Fire Department in accordance with the *New York City Fire Code*.

5. For sites in **excavation** phase, the maintenance of a soil "angle of repose" steeper than 45 degrees or any angle of repose adjacent to sidewalks or buildings requires an **inspection by a licensed professional (PE) to verify stability and a submission of a geotechnical report to the Department within 48 hours**. The PE should **document** his inspection.

IV. SPECIAL REQUIREMENTS FOR OPERATIONS SUSPENDED IN EXCAVATION/FOUNDATION PHASE.

All excavation/foundation sites shall comply at a minimum with the following:

1. Un-shored earth cuts shall be sloped or benched to an effective stable angle of repose of 45 degrees (33 degrees in loose or sandy soil) or flatter and stabilized to prevent erosion. Maintenance of angles steeper than 45 degrees (33 degrees in loose or sandy soil) or adjacent to existing buildings or public ways will not be permitted without a **geotechnical report submitted to the Department within 48 hours of the suspension of work by licensed professional engineer** verifying stability of soil at proposed angle.

6. For sites in **excavation** phase, support of excavation (**SOE**) shoring as well as **underpinning shall be inspected by a professional engineer (PE) within 48 hours** of suspension of operations. **Thereafter**, the SOE and underpinning shall be **inspected once a week and after heavy rain**. The PE should **document** his inspection.

3. Support of excavation (SOE) shoring shall be inspected within 48 hours of the suspension of work by a licensed professional engineer for conformance to and completeness in accordance with design. All elements of installed SOE shall be completed such as tiebacks, rakers, footing blocks, walers. SOE shall also be inspected weekly (minimum), as well as after heavy rain events, by a licensed professional engineer to ensure sustained stability. Lagging boards shall be also be inspected against soil loss.
 4. Underpinning shall be inspected within 48 hours of the suspension of work by a licensed professional engineer for conformance to and completeness in accordance with the approved design. All excavated underpinning piers shall be concreted, and load transferred to the pier. Unless underpinning is braced by rakers or tie backs, fill shall be placed against all exposed underpinning, to prevent lateral displacement. Underpinning shall also be inspected weekly (minimum), as well as after heavy rain events, by a licensed professional engineer to ensure sustained stability of underpinning and of structure that was underpinned.
7. For **alterations in occupied buildings** (residential or non-residential), a weekly **inspection shall be performed to verify compliance with the Tenant Protection Plan (residential) or Occupancy Protection Plan (non-residential), in addition to the general safety inspections and engineering inspections indicated above, as applicable.**

V. SPECIAL PROVISIONS FOR SUSPENDED SITES IN EXISTING BUILDINGS

1. The requirements of all tenant and occupant protection plans shall remain in place throughout the term of suspension of construction activity. Weekly (minimum) inspections shall be performed by the owner or his/her designee to ensure the construction or demolition site is safe and in continued compliance with these requirements and all other applicable laws and regulations. Where the site is subject to the training provisions of Section 3321 of the Building Code, these safety inspections shall be performed by an individual who possesses a Site Safety Training (SST) Supervisor Card. The Department shall be immediately notified of any unsafe conditions.
 2. Reports of all inspections described in item #1 above shall be prepared, signed, and dated by the individual who performed the inspection and shall be kept at the site available for inspection by the commissioner upon request.
8. While performing periodic inspections, inspectors shall **observe all health precautions** recommended by federal, state, and local authorities, regarding COVID19.

VII. HEALTH PRECAUTIONS

Where personnel are at the site to perform necessary inspections and maintenance, all applicable guidance from local, state, and federal health officials shall be followed to the extent practical.

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