



Legal Relations and Responsibility to the Public



Legal Relations and Responsibility to the Public: Objectives



Be able to...

- List laws, regulations, orders and decrees to which the Contractor must comply
- Understand the Contractor's obligation to minimize inconvenience to the public or property owners
- Enforce public safety requirements



Legal Relations and Responsibility to the Public: Laws



Contractor must comply with...

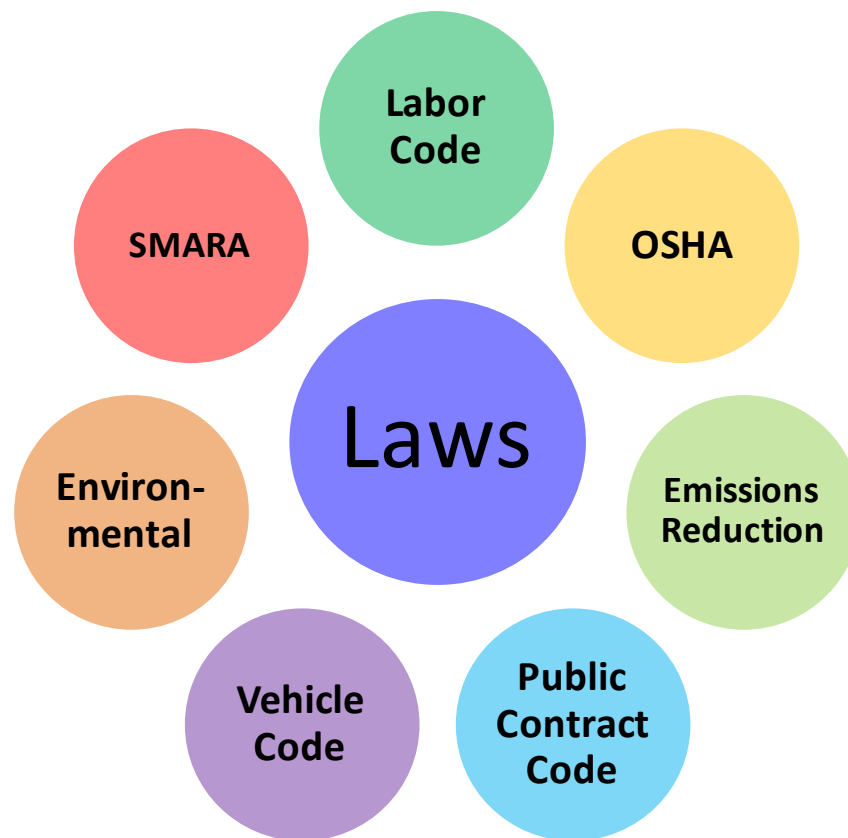
... all laws, regulations, orders or decrees
applicable to the project.

Standard Specifications 7-1.02

Green Book 7-13



Legal Relations and Responsibility to the Public: Laws



Standard Specifications 7-1.02

Green Book 7-13



Legal Relations and Responsibility to the Public: Laws



Example: Vehicle Code

Contractor must comply with size and weight limitations on...

- Treated base or pavement *under construction*
- Completed or existing:
 - Base
 - Pavement
 - Structures
- Culverts and pipes

Standard Specifications 5-1.37B Load Limits

CM 3-701D

CVC Section 35550-35558



Legal Relations and Responsibility to the Public: Laws



OSHA Example:

- Contractor must
 - Comply with Federal, State, and local health, safety and sanitary laws
 - Provide and follow a company Code of Safe Practices
- RE must
 - Enforce,
 - Report serious violations to Cal/OSHA, and
 - Cooperate with investigations

CTSS 7-1.02K(6) Safety and Health Provisions

Green Book 7-10.4.1 Work Site Safety



Legal Relations and Responsibility to the Public: Laws



Example of some **Cal/OSHA** Regulations



Cal/OSHA SubChapter4:
Construction Safety Orders



Legal Relations and Responsibility to the Public: Public Convenience

Contractor must *schedule* and *conduct* work to *avoid unnecessary inconvenience* to the public and abutting property owners.



Maintain access to driveways, houses, businesses



Provide smooth surface



Prevent or alleviate dust



Provide signs and flaggers as necessary



Repair damage

CTSS 7-1.03

CM 3-704

Green Book 7-10



Legal Relations and Responsibility to the Public: Public Safety



Temporary Traffic Control (TTC) Plan:

- *Required* for each Federal-aid project
- Before work begins, TTC plans must be approved by the Engineer or the Engineer's designee of the public agency
 - A. TTC Plan in PS&E, or
 - B. Provisions that allow the contractor to develop/modify the TTC Plan

LAPM 16.15 Traffic Safety in Highway and Street Work Zone

Cal MUTCD, Part 6

Greenbook 7-10.2.2



Legal Relations and Responsibility to the Public: Public Safety



Local Agency designates a TTC Plan and safety person:

- Ensure implementation
- Require revisions as necessary

LAPM 16.15 Traffic Safety in Highway and Street Work Zone



Legal Relations and Responsibility to the Public: Public Safety



The contractor is responsible to provide for public safety.

- Keep existing signals and lighting in operation
- Enter and leave highway safely
- Notify Engineer of **Vertical Clearance Changes**
20 days < notification < 90 days
- Remove hauling spillage/control dust
- Use TTC devices that comply with **MUTCD**
- Provide flagging as necessary



Standard Specifications 7-1.04

CM 3-705

Green Book 7-10



Legal Relations and Responsibility to the Public: Quiz





Legal Relations and Responsibility to the Public: Quiz



True or False:

The Contractor is not responsible to comply with a law that the Contractor didn't know about at the time of the bid opening.



Legal Relations and Responsibility to the Public: Quiz



True or False:

The Contractor is not responsible to comply with a law that the Contractor didn't know about at the time of the bid opening.

False: Contractor must comply with all laws, even new or changed laws.



Legal Relations and Responsibility to the Public: Quiz





Legal Relations and Responsibility to the Public: Quiz



Which Statement is *not* True:

The Contractor must provide for Public Convenience, including:

- A. Maintaining traffic signals and lighting
- B. Assuring access to driveways
- C. Providing cold drinks to drivers delayed by flaggers
- D. Preventing dust nuisance



Legal Relations and Responsibility to the Public: Quiz



Which Statement is *not* True:

The Contractor must provide for Public Convenience, including:

- A. Maintaining traffic signals and lighting
- B. Assuring access to driveways
- C. Providing cold drinks to drivers delayed by flaggers
- D. Preventing dust nuisance



Legal Relations and Responsibility to the Public: Quiz





Legal Relations and Responsibility to the Public: Quiz



True or False:

Temporary Traffic Control Plans are required for each federal-aid project and must be approved by the Engineer or Engineer's designee of the agency prior to starting work.



Legal Relations and Responsibility to the Public: Quiz



True or False:

Temporary Traffic Control Plans are required for each federal-aid project and must be approved by the Engineer or Engineer's designee of the agency prior to starting work.

True