
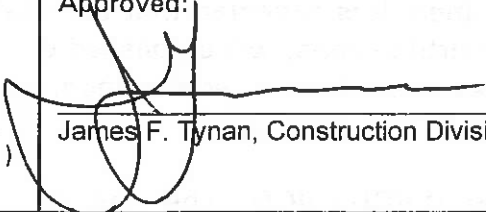


To: <p style="text-align: center;">SUPERSEDED BY <i>EI 05-005</i> EFFECTIVE 05/05/05</p>		<i>New York State</i> <i>Department of</i> <i>Transportation</i> ENGINEERING INSTRUCTION	EI 98-034
Title: SPECIAL NOTE FOR CONTRACTORS , BRIDGE PAINTING POLICY - SSPC/PCCP REQUIREMENT			
Distribution: <input type="checkbox"/> Manufacturers (18) <input type="checkbox"/> Surveyors (33) <input checked="" type="checkbox"/> Main Office (30) <input checked="" type="checkbox"/> Consultants (34) <input type="checkbox"/> Local Govt. (31) <input checked="" type="checkbox"/> Contractors (39) <input checked="" type="checkbox"/> Regions/Agencies (32) <input type="checkbox"/> _____ ()	Approved:  _____ James F. Tynan, Construction Division		9/21/98 _____ Date

PURPOSE: This Engineering Instruction (E.I.) provides a special note to bidders to be included in contract proposals for projects involving lead paint removal, containment and collection, surface preparation, and field painting of structural steel. The note will require painting Contractors and Subcontractors to provide proof that they are certified by The Society for Protective Coatings (SSPC), Painting Contractor Certification Program (PCCP) in accordance with the requirements of QP-1 and QP-2, or demonstrate that their firm has established equivalent processes and procedures conforming to the standards set forth in the procedures for SSPC/PCCP QP-1 and QP-2.

EFFECTIVE DATE: The attached Special Note to Contractors shall be included in Department contracts let on or after January 14, 1999.

GUIDANCE: As soon as positive results of this requirement has been sufficiently demonstrated, the Special Note to Contractors will be incorporated into the Standard Specification and suitable guidance will be included in the Construction Supervision Manual or other Department manuals as deemed appropriate.

TRANSMITTED MATERIALS:

1. Special Note for Contractors:
 Requirement for Painting Contractors to be SSPC/PCCP QP-1 and QP-2 Certified for Bridge Painting Work.

AVAILABLE REFERENCE MATERIAL:

1. QP-1, Standard Procedure for Evaluating Qualifications of Painting Contractors: Field Application to Complex Industrial Structures.
2. QP-2, Standard Procedure for Evaluating Qualifications of Painting Contractors: To Remove Hazardous Paint.

If you would like a copy of the QP-1 & QP-2 Procedure, please contact the Construction Division.

COST IMPACT: This requirement will have a nominal effect on program cost. The cost of SSPC/ PCCP certifications, recertifications, and field audits is the responsibility of the applicant contractor. The first years cost is \$5,000 - \$7,000 and the subsequent years it is \$3,000 - \$5,000 per year. After 3 years the contractor must reapply for SSPC/PCCP certification. There are currently twenty three painting contractors who routinely bid our bridge painting work that are SSPC/PCCP certified. It is expected that the cost to the Contractors and Subcontractors to obtain SSPC/PCCP certifications, will be passed on to the Department through the Contractor's bid. The benefits expected, better performance, fewer disputes, more consistent quality, etc. will outweigh the cost.

BACKGROUND and DISCUSSION: The cost and effort to prepare and repaint in-service structures has increased significantly in recent years. Strict EPA regulations are applied to bridge painting projects that involve the removal of existing paint. In addition, OSHA has stringent regulations for worker safety. Obtaining consistent compliance with the Department's specifications for lead paint removal, containment and collection, surface preparation, coating of structural steel, and safety and environmental protection continues to be difficult.

SSPC is a nationally recognized organization well established in specifications, practice and literature, and is a source of technical information on protective coatings technology. It is also recognized by several State Departments of Transportation, municipal agencies and authorities for its PCCP. The SSPC certifies painting contractors in four key areas; management, technical capability, quality control, and safety.

The SSPC has two (2) levels of certification QP-1; "Standard Procedure for Evaluating Qualifications of Painting Contractors : Field Application to Complex Industrial Structures", and QP-2," Standard Procedure for Evaluating Qualifications of Painting Contractors: To Remove Hazardous Paint". Currently there are thirteen State Departments of Transportation that require SSPC/PCCP certifications. Additionally, two public agencies in New York State require SSPC/PCCP certifications. The experience of these agencies has been very positive, with fewer safety and environmental violations and better performance and quality reported.

ACTIONS BY DESIGN GROUPS:

The designer will include the "Special Note to Contractors" as a regional proposal insert on all projects which require the contractor to use a Lead Health & Safety Program in accordance with the guidance contained in El 95-014 for projects with extensive painting of structures coated with lead-based paint.

ACTIONS BY THE MAIN OFFICE CONTRACT MANAGEMENT BUREAU: Prior to the award of the contract, determine if the low bidder has provided the required evidence of the SSPC/PCCP certifications or has demonstrated that their firm has established equivalent processes and procedures conforming to the standards set forth in the procedures for SSPC/PCCP QP-1 and QP-2. When the painting work is subcontracted, verify that a written statement has been submitted by the prime contractor certifying that the subcontractors will be SSPC/PCCP certified, before the start of work, or have established equivalent processes and procedures conforming to the standards set forth in the procedures for SSPC/PCCP QP-1 and QP-2. If the low bidder fails to provide proof of SSPC/PCCP certifications, or the other documentation

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described above, the low bidder will be considered to be a non-responsible bidder by the Contract Review Unit, and the bid will be rejected.

ACTIONS BY THE MAIN OFFICE CONSTRUCTION DIVISION: The Construction Division will be responsible for monitoring the Contractor's and Subcontractor's certification status. In addition, the Construction Division will be responsible for providing written evaluations of the painting Contractor's and Subcontractor's performance when requested to do so with input from the Regions.

ACTIONS BY THE REGIONAL CONSTRUCTION GROUP: The Regional Construction Group, with consultation with the Main Office Construction Division, as necessary, will ensure that all requests for approvals to subcontract for painting subcontractors contain the required evidence of SSPC/PCCP certifications, or the established equivalent processes and procedures conforming to the standards set forth in the procedures for SSPC/PCCP QP-1 and QP-2.

FIELD INFORMATION: The Engineer-In-Charge (EIC) will be responsible for ensuring that painting and associated work items are conducted only with SSPC certified Contractors and Subcontractors. If the EIC is notified that the SSPC/PCCP certifications has expired, suspended, or revoked, after discussion with the Main Office Construction Division, a stop work order may be issued, depending on the circumstances which led to the loss of certification. The Regional Construction Group together with the Main Office Construction Division will make the determination as to the appropriate action to be taken concerning the loss of certification.

CONTACT. Questions concerning administrative issues of this requirement may be directed to Lou DiLillo of the Construction Division at (518) 457-6475. Questions concerning project related issues concerning this requirement may be directed to John Grady of the same office, and the same telephone number.

NEW YORK STATE
DEPARTMENT OF TRANSPORTATION

SPECIAL NOTE TO CONTRACTORS

REQUIREMENT FOR PAINTING CONTRACTORS
TO BE SSPC/PCCP QP-1 and QP-2 CERTIFIED

FOR BRIDGE PAINTING WORK

A substantial factor for determining the lowest responsible bidder for projects involving Class A and Class B containment and maintenance painting is that all painting contractors and painting subcontractors must be able to satisfactorily demonstrate their capability and experience to perform the work at a high quality level, safely, in compliance with public health and safety requirements, with a minimum of supervision and direction by the Department.

Contractors for such projects are required to be certified in accordance with QP-1, Standard Procedure for Evaluating Qualifications of Painting Contractors: Field Application to Complex Industrial Structures, and QP-2, Standard Procedure for Evaluating Qualifications of Painting Contractors To Remove Hazardous Paint; requirements of the Painting Contractor Certification Program (PCCP), of the SSPC, The Society for Protective Coatings of Pittsburgh, PA, telephone # 412- 281-2331 (ext. 103). In lieu of SSPC/PCCP certification, the Department will accept documentation that demonstrates that the low bidder has established equivalent processes and procedures conforming to the standards set forth in the procedures for SSPC/PCCP QP-1 and QP-2.

The low bidder must submit, prior to award, proof that they are SSPC/PCCP QP-1 and QP-2 certified, or demonstrate that they have established equivalent processes and procedures conforming to the standards set forth in the procedures for SSPC/PCCP QP-1 and QP-2. In the instance when the low bidder intends to subcontract all or a portion of the work, the low bidder must submit a written statement prior to award certifying to the Department that all painting subcontractors to be used on the project will be SSPC/PCCP QP-1 and QP-2 certified, or have established equivalent processes and procedures conforming to the standards set forth in the procedures for SSPC/PCCP QP-1 and QP-2. If the low bidder fails to provide the required documentation described above, the low bidder will be considered to be a non-responsible bidder, and their bid rejected in accordance with the standard specifications

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FOR BRIDGE PAINTING WORK

This requirement will apply to all bridge painting work except for the following: bridge superstructure removal and other work under §202, paint removal under §741 that is incidental to the main work under an item, small quantities of paint removal under items 16570.7x, localized paint removal from structural steel by vacuum contained methods necessary for the safe progress of other work on the structural steel, localized painting of bare structural steel and containment for localized steel repair and painting.

Prior to the subcontractor performing the surface preparation/painting application, the contractor shall submit evidence of the subcontractor's compliance to this requirement. The Contractor will submit this documentation with the request to the Department for subcontractor approval. The contractor will be responsible for the subcontractor's continued compliance with this requirement throughout the duration of the project.

The painting contractor and subcontractor must remain in compliance with this requirement throughout the duration of the project until final acceptance of the work. The contractor or subcontractor must produce upon request proof that they are SSPC/PCCP certified. If the contractor's or subcontractor's SSPC/PCCP certification expires or is terminated, or they are not performing within the approved frame work of this requirement, a stop work order may be issued in accordance with the standard specifications.