

TO:		ENGINEERING BULLETIN	
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		SUBJECT: WATCHMEN SERVICE	
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<i>David W. Candler</i> for JACK STERNBACH, DEPUTY CHIEF ENGINEER CONSTRUCTION DIV.			

This Engineering Bulletin Expires _____

Watchmen Service, Item 619.12, will be discontinued as a pay item in all contracts beginning with the letting of January 7, 1982. In accordance with the specification changes deleting this pay item, the Contractor is required to designate an Emergency Contact Person pursuant to a new paragraph F. being added to Section 107-05 SAFETY AND HEALTH REQUIREMENTS. The telephone number where the person so designated can be reached at any time is required to be provided by the Contractor to all police agencies in the area and the Engineer-in-Charge. The Engineer should ensure that the Regional Office is given this phone number for listing with any other Regional personnel who may have a need therefor.

The removal of watchmen service from the Specifications as a specific pay item does not constitute any reduction in the Department's concern for public safety. This change is intended to allow the contractor more flexibility to safeguard the public from temporary construction hazards in the manner which is appropriate and cost effective for the actual job site conditions which prevail.

Periodic inspections of the site by a responsible project staff member should be conducted at night, the frequency of which depends on the need. For example, during the early stages of shifting traffic, nightly inspections for several successive days would be appropriate. For relatively minor disruptions to traffic, a check once every 2-3 weeks should suffice. Such night inspections should check on the visibility, adequacy, and reflectivity of traffic control devices and the general performance of the contractor in maintaining a safe site, and should be documented in the project records. Such documentation should also include follow-up actions taken by the contractor where unsatisfactory conditions are encountered during working or non-working periods.

Since the penalties for failure to comply with the provisions of Maintenance and Protection of Traffic are being substantially increased, it becomes even more important than heretofore to ensure that the penalty provisions are applied uniformly and reasonably throughout the State. A first offense of a minor nature should not be penalized in the same manner as repetitive infractions or a serious violation affecting the safety of the public or project personnel.

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In the first instance of a minor, non-critical infraction of Item 619, the E.I.C. should provide the contractor with an initial oral warning, noting such warning in the diary. No reduction in payment for Basic Maintenance and Protection of Traffic or application of liquidated damages should be made for such single, minor infraction. This category includes an occasional inoperative flasher or missing reflector. However, when there are a number of such infractions indicating a general carelessness or insufficient concern on the part of the contractor, the contractor should be given a written citation of the infractions and an immediate assessment of non-payment for a calendar day for Basic Maintenance and Protection of Traffic per Section 619-5. Similarly, if the single infraction for which the contractor had been given an oral warning recurs on the project or is not promptly corrected, the contractor should be given a written citation and assessed a calendar day non-payment.

Liquidated damages, in addition to calendar day non-payment, should be assessed per table 108-1 in the Specifications, for any recurrence of infractions for which calendar day non-payments had been previously assessed.

In any instance of substantial violation of Section 619 which may have immediate and significant impact on public safety, the contractor should be orally directed to promptly correct the situation, followed by a written directive citing the violations and the charges being assessed. Though the contractor must immediately correct the situation, he should be assessed non-payment for a calendar day of Basic Maintenance and Protection. Any repetition of such violation requires an additional assessment of liquidated damages. In the event of delay by the contractor in promptly correcting such violations, the E.I.C. should consult the Regional Office regarding the issuance of an immediate written order to stop all related construction operations and should arrange to correct the condition via maintenance forces or other appropriate means. Substantial violations include inadequate signing, delineation or flagging, insufficient or improper barricades or barriers, inadequate detours, and failure to adequately ensure safe conditions at night or other non-working periods.

Repeated serious violations by the contractor should be promptly reported to the Construction Division via the Regional Office with a recommendation as to whether to invoke Article 11 of the contract. Article 8 may be invoked at the Regional level whenever deemed appropriate by the Regional Director.

Note: The foregoing will be included under Section 619 MAINTENANCE AND PROTECTION OF TRAFFIC in the next revision to the Construction Supervision Manual. In the interim, insert this Bulletin in the Manual following Page 619-2.