

SUPPLEMENTAL SAFETY REQUIREMENTS

For the purposes of these Environmental Rules, the term "Contractor" means Zachry Construction Corporation, or, if the Agreement is between you and an affiliate of Zachry Construction Corporation, "Contractor" means the affiliate with whom you entered into the Agreement. All other capitalized terms have the same meaning as set forth in your Agreement with Contractor.

- A. You warrant and represent to Contractor that you have the supervision necessary to, and shall train, manage, supervise, monitor, and inspect the activities of your forces for the purpose of enforcing compliance with these safety requirements in connection with your Work. You acknowledge and agree that Contractor does not undertake any duty toward your employees to train, manage, supervise, monitor, or inspect your work activities for the purpose of enforcing compliance with these safety requirements.
- B. You shall be familiar with and shall abide by the safety rules and regulations of Contractor, Owner, and any governmental body having the authority to control the manner or method of carrying out the Work, including the Occupational Safety and Health Act of 1970 (OSHA), all rules and regulations established pursuant thereto, and all amendments and supplements thereto. You further agree to require all of your employees, subcontractors and suppliers to comply with these requirements.
- C. You shall be responsible without limitation for complying with the provisions of OSHA Standard 1926.59 and/or other Legal Requirements relating to hazard communications or "right-to-know." You shall ensure that Contractor is furnished with a copy of all current Safety Data Sheets required by the Hazardous Communication Standards for all Hazardous Substances that you will introduce to any Work location where Contractor's employees may be present. To the extent that Safety Data Sheets must be posted in Work locations where you use or store Hazardous Substances on any Work location subject to the Agreement, you shall see that such Safety Data Sheets are prepared and posted as required by Legal Requirements. You hereby warrant that if any chemical or substance used or stored on any Work location subject to this Agreement is unaccompanied by a Safety Data Sheet as required by OSHA, it is not hazardous.
- D. You shall observe and comply with all Legal Requirements with respect to environmental protection applicable to the Site and to your Work, including those Legal Requirements relating to the use of water, the release, discharge or disposal of wastes, the control of drainage, and the protection of vegetation, wildlife, habitats, or surroundings. You shall also observe and comply with any environmental commitments made by Owner and Contractor in securing any permit or authorization for the Site.
- E. Without limiting the foregoing, you specifically shall require all your subcontractors, employees, visitors, suppliers, and agents under your direction to:
 - 1. Ensure the use of required and approved appropriate personal protective equipment including hardhats, safety glasses with side shields, proper clothing, work shoes, fall protection devices, respiratory protection and other equipment that may be necessary.
 - 2. Ensure that platforms and scaffolding conform to OSHA specifications and have decking, toe boards, mid- and top-rail, cross bracing, level pads and/or wheels and appropriate ladders for platform access. The construction and maintenance shall be supervised by a designated competent person. They shall be designed by a registered engineer when appropriate.
 - 3. Provide for and ensure the use of continuous fall protection equipment when activities take place above 6'0" with a potential fall exposure or such lower elevations as may be established for the Site.
 - 4. Provide competent persons designated in accordance with OSHA CFR 29 Part 1910 and 1926 for all applications that require that designation.

- F. Without limiting the foregoing, you and your Subcontractors shall:
1. Provide for and ensure the use of safety equipment in its Work in accordance with Contractor's and/or Owner's safety requirements, to the extent these may be stricter than federal, state, or local standards, or generally recognized industry applicable standards.
 2. Conduct a weekly safety meeting with your employees and list the topics discussed with signatures of attendees. Such a list shall be made available to Contractor upon request. You and your Subcontractors are invited to attend Contractor's safety meetings in lieu of your own, but attendance at these weekly safety meetings is not intended to and shall not relieve you of your duty to provide safety training to your employees in accordance with safety requirements of generally recognized industry standards, and any applicable Legal Requirements.
 3. Provide Contractor's on-site management with an "Emergency List" showing your designated medical doctor, hospital, insurance company, and any other health service providers, such list to be updated within 24 hours of any change in the information provided. You shall furnish your employees first aid or send first aid injuries to your designated doctor.
 4. Advise Contractor of any accident resulting in injury to any person or damage to any equipment or facility within eight (8) hours from the time of accident (or such shorter period as a Legal Requirement may require). Upon request, you shall promptly furnish Contractor with a written report of any such accident as well as a copy of all Insurance and Workers' Compensation Claims involving this Project.
 5. Maintain clean work areas and secure and protect all work materials in accordance with safety requirements of generally recognized industry standards.
 6. Ensure that if it becomes necessary to have access to any openings or shafts or to remove handrails, the openings or shafts are protected in accordance with generally accepted practices and any applicable federal, state or local standards while the work is in progress, and that any covers or handrails you remove are replaced before leaving the area.
 7. Dig and maintain all excavations in a manner consistent with OSHA guidelines under the supervision of a competent person.
 8. Maintain and inspect all construction equipment, including cranes and other lifting equipment prior to each use. You warrant that all equipment operators shall be qualified for each piece of construction equipment they intend to operate. Documentation of specific training (e.g., forklift training, scaffold training) is your responsibility and shall be made available to Contractor or Owner upon request.
 9. Implement Lock Out/Tag Out procedures that are consistent with Contractor and/or Owner's procedures.
 10. Coordinate Work adjacent to stored energy devices (e.g., overhead power lines or underground utilities) with the appropriate authorities.
- G. Failure to perform or comply with any of the requirements set out in this Attachment shall constitute a default of your obligations under the Agreement.