

## Equipment Installation Construction Rider

Equipment Installation Construction means demolition or construction of walls, doors or windows, earthmoving by use of mechanized equipment, required use of heavy equipment to place and/or prepare the product installation site, or other non-trivial alterations or additions to buildings or grounds. It also includes those activities as may be specifically identified by the University in the product purchase specifications as “Equipment Installation Construction”.

When the Purchase Contract includes Equipment Installation Construction, the term “Supplier” as used in these Terms and Conditions shall include subcontractors of all tiers, hired by the Supplier for the delivery, prep work, installation, finish work, commissioning and testing where it would be reasonable in the context of its usage.

- A. Delivery. The Supplier is solely responsible, unless otherwise agreed to by University, to (i) schedule deliveries of equipment, tools, materials and supplies at a time that is mutually agreed upon by University and Supplier; (ii) provide personnel, equipment and tools as needed to properly and safely offload each delivery or arrange for another, qualified person(s), with University’s approval, to properly and safely offload each delivery; and (iii) inspect each delivery to verify acceptability and/or conformance to project specifications.
- B. Performance and Payment Bonds. If the Purchase Contract sum is \$50,000 or greater, Performance and Labor and Material Payment Bonds are required. The Performance Bond is security for the faithful performance of the contract, and the Labor and Material Payment Bond, including both wages and fringe benefits for subcontractors’ employees, as security for the payment of all persons performing labor and furnishing materials in connection with installation as required by the contract. Bonds in the full amount of the Purchase Contract sum are required. Bonds must reference the University as “The Regents of the University of Michigan” and all bonds and sureties must be deemed acceptable to the University.
- C. Safety Requirements. The Supplier acknowledges that it, and not the Owner, is solely in control of their equipment installation, including access to and egress from the site while materials and equipment are being transported, and solely responsible, not only for implementing and assuring compliance with the requirements set forth in the current revision of “The University of Michigan Construction Safety Guidelines”, located at the following URL: <http://www.oseh.umich.edu/pdf/ContractorSafetyGuidelines.pdf>, but also for taking, at its expense, whatever action may be necessary or appropriate to fully protect persons and property from any and all loss, damage or injury that may arise out of, or in connection with the Work. The Supplier shall take all necessary precautions to ensure the safety of passersby, employees, and visitors on, about or adjacent to the Project Site. When so directed, the Supplier may also be required to coordinate with and comply with additional site safety requirements when another contractor is in control of the site.

The following revisions supersede and take precedence over the Construction Safety Requirements noted above:

- 1) Under “I. Definitions” replace the term “General Contractor/Construction Manager” with “Supplier”.
- 2) Under “III. Safety Management System”:
  - a) Section A. Supplier does not need to submit referenced prequalification forms. All other terms apply.

- b) Under Section B, "Contractor Safety Representatives", DELETE the first paragraph. Also, DELETE the first sentence of the second paragraph (Project Safety Representative) and REPLACE with: *"The designated project safety representative shall have completed safety training from a state or nationally recognized program that is consistent with the tasks to be performed in the course of the Work."*
- c) Unless specified otherwise in the Contract Documents, the requirements of Section F, "Project-Specific Safety Plan Overview" are waived and replaced with the requirements included in the "Equipment Installation Construction – Safety Checklist", attached hereto.

- D. Prevailing Wage. The rates of wages and fringe benefits to be paid by Supplier to personnel performing installation as required by the contract shall not be less than the wage and fringe benefit rates prevailing in the locality in which the work is to be performed, as determined from time to time by the Michigan Department of Consumer & Industry Services, Bureau of Safety & regulation, Wage Hour Division. The Supplier shall keep posted on the installation site, in a conspicuous place, a copy of all prevailing wage and fringe benefit rates and shall keep an accurate record showing the name and occupation of and the actual wages and benefits paid to Workers employed in the installation of the equipment. This record shall be available for reasonable inspection. Upon request, the Supplier shall promptly submit to the University their monthly certified payroll records and any other information requested by the University to complete a Prevailing Wage Act compliance audit. The University, by written notice to the Supplier and to the surety of the Supplier, may terminate the Supplier's right to proceed with that part of the Contract for which less than the prevailing rates of wages and fringe benefits have been or will be paid, and may proceed to complete to Contract by separate agreement with another supplier or otherwise, and the original Supplier and the Supplier's surety shall be liable to the University for any excess costs occasioned thereby, including all University audit costs.
- E. Commencement and Completion Requirements. Supplier must furnish the required project specific liability insurance and bonds to the University's AEC Project Controls Office and commence active work on the project, all within thirty (30) days after date of the official Purchase Contract unless a longer period is stated in the Contract Documents. Time is of the essence of this contract.

# The University of Michigan

## EQUIPMENT INSTALLATION CONSTRUCTION - SAFETY CHECKLIST

**GENERAL:** All equipment installation construction performed on The University of Michigan premises shall comply with Michigan OSHA requirements as well as the current University of Michigan Construction Safety Guidelines located at the following URL: <http://www.oseh.umich.edu/pdf/ContractorSafetyGuidelines.pdf>. The Supplier shall comply with all other requirements, with the major items listed in this checklist acknowledged below.

- ☐ **SUPPLIER SAFETY REPRESENTATIVE:** The Supplier shall designate an on-site Supplier Safety Representative responsible for implementing the Supplier's safety plan and enforcing all safety rules while on site. The Supplier Safety Representative shall have a current 30-hour OSHA training or equivalent based on the specific tasks being performed, and shall be responsible for daily inspection of the project site, and orientation of all workers.
- ☐ **WORKER SAFETY ORIENTATION AND TRAINING:** The Supplier shall provide a project specific orientation for all workers in order to familiarize them with project safety requirements and specific safety risks. The Supplier shall verify adequate training for all workers using construction equipment such as cranes, hoists, aerial lifts, and other material handling equipment.
- ☐ **PERSONAL PROTECTIVE EQUIPMENT:** All workers shall utilize personal protective equipment at all times including hard hats, safety glasses, long pants, sleeved shirts and work boots.
- ☐ **FALL PROTECTION:** All workers will be tied off when working with a fall exposure of six feet or greater, and will be tied off when working in aerial lifts. Workers shall not stand on the top rung of a ladder.
- ☐ **ELECTRICAL SAFETY:** All temporary 120v power circuits shall be protected with ground fault circuit interrupters. All extension cords shall be heavy duty three wire, and shall be protected from damage. Any required power shutdowns shall be coordinated through the University of Michigan Project Manager.
- ☐ **NO-SMOKING POLICY:** The Supplier shall observe the University's campus-wide no-smoking policy.
- ☐ **HOUSEKEEPING:** The Supplier shall maintain a clean jobsite, free of debris, trash, and packing material. Corridors and walkways will be maintained free of any obstructions.
- ☐ **FIRE PREVENTION:** The Supplier shall maintain fire extinguishers at the jobsite, and shall utilize the University's hot work permit process. Flammable liquids shall be stored in appropriate containers outside of building structures.
- ☐ **PROTECTION OF THE PUBLIC:** The Supplier shall take all necessary precautions to prevent injury to the U of M community and general public. This shall include appropriate barricades, fencing, and warning signage.
- ☐ **ACCIDENT NOTIFICATION:** The Supplier shall immediately notify the University of Michigan Project Manager in the case of any OSHA recordable injury on the jobsite, and shall follow-up with an Initial Incident Report within twenty-four hours.
- ☐ **JOB HAZARD ANALYSIS:** The Supplier shall complete a Job Hazard Analysis for work being performed on site. The JHA shall identify specific hazards and indicate measures taken to eliminate or control the hazard.

## SUPPLIER INFORMATION & ACKNOWLEDGEMENT

Project Name: \_\_\_\_\_

Supplier: \_\_\_\_\_

\_\_\_\_\_  
Supplier Project Manager (print)

\_\_\_\_\_  
Cell Phone

\_\_\_\_\_  
Supplier Project Safety Representative (print)

\_\_\_\_\_  
Cell Phone

\_\_\_\_\_  
Supplier Acknowledgement (sign)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date