

## CONTRACTOR PREQUALIFICATION RESPONSIBILITY DETERMINATION WORKSHEET INSTRUCTIONS

The following items from the contractor/lower tier contractor shall be attached to , and submitted to the BUYER along with Site Form [A-6004-289](#), *Contractor Safety Pre-Qualification Responsibility Determination Worksheet*.

1. Workers' Compensation risk ratings of Experience Modification Rates (EMR) (*on provider's letterhead*) for the past 3 years, *including the current year*, of for as many years as the company has been in existence up to 3 years covering employees in the legal entity.
2. OSHA 300A Summary (*or equal*) - signed and dated by a contractor representative - for each of the past 3 years, or for as many years as the contractor has been in existence up to 3 years. If further review is deemed necessary/appropriate, actual OSHA 300 Logs may be requested by MSA. Upon such request, the contractor will submit them with personal identifiers redacted or removed.

**NOTE:** Contractors who have less than 10 employees at any time during a year, and contractors in certain other NAICS codes are "exempt" from OSHA recordkeeping standards. If this is the case, the contractor must complete the prequalification form based on OSHA recordkeeping requirements; this is, properly classifying and annotating the record ability level of occupational injuries/illnesses, with the appropriate number of days of restricted or lost work associated with each case included.

3. Total hours worked by contractor employees in the legal entity for each of the past 3 years, or for as many years as the contractor has been in existence up to 3 years (*this information should already be on the OSHA 300A Summary*).
4. Copies of transmittal letters (*describing the outcome and number of citations if any*) from each OSHA/State Plan inspection in the past 3 years. If no inspections have ever been performed, a signed statement to this effect on contractor letterhead is required.

**NOTE:** This Prequalification for contractors/lower tiers is an annual qualification. The annual qualification period starts February 1st of each year. The general contractor (BOAS) needs to be approved before a job is award to them. If a job has started out in the field and it will continue past February 1st, then the contractor/lower tiers do not need to be qualified again if they have already been prequalified for that job only.

### A. DETERMINING IF A CONTRACTOR IS APPROVED TO WORK FOR MSA

The responsibility for completion of MSA *Contractor Safety Prequalification Responsibility Determination Worksheet* rests with the Contractor. MSA Safety will review the information and signed the completed forms.

#### Workers' Compensation Risk Ratings/EMR

- Calculate a combined average from all years submitted.
- Compare the combined average to the "target" on page 2 of form.
- The "target" for this element of the prequalification is a 3-year average at or below 1.0.
- Mark the appropriate outcome (*"target is met" or target is exceeded*) on page 1 of form.

#### Incidence Rates - 3-Year Averages

- Total the employee hours from the submittals and calculate an Overall Average - document on page 2 of form.
- Identify and document the following categories on page 2 of form from the OSHA 300A Summaries (*or equal*) submitted by the contractor/lower tier contractor:
  - Number of total recordable CASES (*the "TRC" rate*).
  - Total CASES involving days away from work AND days of restricted work (*the "DART" rate*).
  - Total CASES involving ONLY days away from work (*the "DART-L" rate*).
- Average the totals from each of the 3 years, in the each category, identify overall averages for each category. Document on page 2 of the form.
- Multiply the overall average in each category by 200,000 - divide the products by the overall average of employee hours. The result is the 3-year average incidence rate for each category. Document on page 2 of the form.

The target for the "TRC" rate is a 3-year average below the national average (*that is, 100% or less of the average*), as published by the Bureau of Labor Statistics - most current version - for the NAICS code being used by the contractor.

The target for the "DART" rate is a 3-year average below the national average (*that is, 100% or less of the average*), as published by the Bureau of Labor Statistics - most current version - for the NAICS code being used by the contractor.

The target for the "DART-L" rate is a 3-year average below the national average (*that is, 100% or less of the average*), as published by the Bureau of Labor Statistics - most current version - for the NAICS code being used by the contractor.

Mark the appropriate outcome (*"target is met" or "target is exceeded"*) on page 1 or form for each of these 3 elements.

## CONTRACTOR PREQUALIFICATION RESPONSIBILITY DETERMINATION WORKSHEET INSTRUCTIONS (Continued)

### Fatalities

- ZERO fatalities is the target. Mark the appropriate outcome ("target is met" or "target is exceeded") on page 1 of the form for this element.

### Average Number of Serious/Repeated Violations per OSHA and State Plan Inspections

- Add the number of serious and repeat violations described in the transmittal letters submitted. Do not include "willful," "other than serious," or "de minimis" violations.

**NOTE:** A review/comparison of transmittal letters submitted is performed against inspection data contained in the "OSHA inspection/violation" database located on the Internet at: <http://www.osha.gov/pls/imis/establishment.html>.

Divide the total number of serious and repeat violations by the total number of inspections. The result is the number of violations per inspections. The target for this element is 0.7 or below. Mark the appropriate outcome ("*target is met*" or "*target is exceeded*") on page 1 of the form for this element.

### Willful Violations

- ZERO willful violations is the target. Mark the appropriate outcome ("*target is met*" or "*target is exceeded*") on page 1 of the form for this element.

### Responsibility Determination

- For items 2a, b, and c; and item 3 on the form, up to two targets can be "not met" for the contractor to still potentially be identified as responsible.
- If more than two targets are not met for items 2 (*a, b, and c*) and 3 - or if target is not met for item 4 or 2d - the contractor will be deemed "not responsible."

The form is signed by the person who prepared this form from the contractor and the person who reviewed this form from MSA Safety. A communication describing the results will be transmitted from MSA Safety to the BTR and the contractor who has submitted the information. If a Contractor is deemed "not responsible," then the project's BTR Vice President needs to approve that contractor for that project.