

CITY OF CAMBRIDGE

Amended Temporary Emergency Construction Order

Amendment No. 1 of May 20, 2020

WHEREAS, the 2019 Novel Coronavirus ("COVID-19") is a highly contagious and potentially fatal respiratory disease, the prevalence of which is increasing rapidly throughout the world, inclusive of the United States and the Commonwealth of Massachusetts; and

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency to Respond to COVID-19; and

WHEREAS, on March 11, 2020 the World Health Organization designated the COVID-19 outbreak a Pandemic Health Emergency; and

WHEREAS, on March 13, 2020, the President of the United States announced a national declaration of emergency; and

WHEREAS, on March 18, 2020, the Cambridge Commissioner of Public Health and the Cambridge City Manager, issued the City of Cambridge (the "City") Temporary Emergency Construction Moratorium Order of March 18, 2020 (the "Moratorium Order"), that instituted a construction moratorium on all non-essential or non-exempt construction activity; and

WHEREAS, the Cambridge Commissioner of Public Health and the Cambridge City Manager, in consultation with the Massachusetts Department of Public Health have determined that COVID-19 presents a major disaster which poses an immediate threat to public health, safety, and general welfare of people residing both within and outside of the City of Cambridge, and on March 19, 2020, the Cambridge Commissioner of Public Health and Cambridge City Manager declared that a state of emergency exists in the City of Cambridge (the "State of Emergency"); and

WHEREAS, on May 18, 2020, the Governor of the Commonwealth of Massachusetts announced and implemented Phase I of Reopening Massachusetts and the Governor released the State's Sector Specific Workplace Safety Standards for Construction Sites to Address COVID-19;

NOW THEREFORE, the Cambridge Commissioner of Public Health and the City Manager hereby amend and supersede the Moratorium Order and the City of Cambridge Commissioners of Inspectional Services' and Public Works' Mandatory Guidelines for Construction During COVID-19 Pandemic for Contractors Working during the Moratorium issues April 2, 2020 ("April 2, 2020 Construction Guidelines), and order (the "Amended Emergency Order") as follows:

1. This Amended Emergency Order applies to all construction activity on both public and private property. This is being done to mitigate the impact of COVID-19 and safeguard the health of construction workers and all other workers associated with the construction industry as well as members of the public.
2. While this Amended Emergency Order is in effect, the City will allow construction activity only in compliance with this Amended Emergency Order and the MA Sector Specific Workplace Safety Standards for Construction Sites to Address COVID-19, the MA Safety Standards, and the MA COVID-19 Checklist (issued

May 18, 2020 or as amended) available at www.mass.gov/lists/safety-standards-for-construction. The requirements set forth in the Moratorium Order and the April 2, 2020 Construction Guidelines are no longer applicable to construction activity in the City.

3. Construction activity is permitted only in accordance with the schedule set forth below:

Phase	Work Allowed	Proposed Timeline
Currently Allowed	Essential work, as set forth in Paragraph 4 below, and residential 1, 2, and 3 family units previously permitted.	
Phase 1	Add site safety prep work for projects with existing Inspectional Services Department ("ISD") and/or Department of Public Works ("DPW") permits.	May 25, 2020
Phase 2	Add horizontal construction, city building projects, 100% affordable housing developments, and larger buildings (over 25,000 sq. ft.) with existing ISD and/or DPW permits.	June 1, 2020
Phase 3	Add all remaining construction with existing ISD and/or DPW permits.	6/15/2020 **
Phase 4	Add new permits. Permits may be submitted, and pre-reviews will occur at any time, but permits will not be formally accepted or issued until this date.	6/29/2020 **

**** Outer timelines will be evaluated to determine if schedule needs to be modified.**

4. Essential Work may be allowed to take place at any time if Contractors receive approval for construction from either the Commissioner of Inspectional Services or the Commissioner of Public Works and if the activity is essential as determined by the following guidelines:
- Emergency work in buildings or streets to address leaks or utility failures,
 - Utility connections or repairs if the cessation of such work poses a health or safety hazard,
 - Work essential for maintaining life-safety systems,
 - Work that ensures the safety and connectivity of the transportation network,
 - Emergency work necessary to make a building safe and sanitary, such as repair to a failed heating, electrical or plumbing systems,
 - Work required in connection with the provision of health services related to COVID-19 at hospitals, health care facilities, health clinics and doctors' offices,

- g. Work associated directly with COVID-19 mitigation, such as temporary shelters, temporary health care facilities or related laboratory research,
- h. Work to maintain all make-safe measures previously implemented at job sites,
- i. Authorized building or utility work in order to render occupied buildings habitable,
- j. Work associated with COVID-19 restaurant modification to allow them to safely reopen, and
- k. Work determined by the Commissioner of Inspectional Services or the Commissioner of Public Works as essential but not listed above.

The Commissioner of Inspectional Services or the Commissioner of Public Works will review requests for authorization as essential work on a case-by-case basis.

5. In addition to compliance with the MA Sector Specific Workplace Safety Standards for Construction Sites to Address COVID-19, the MA Safety Standards, and the MA COVID-19 Checklist (issued May 18, 2020 or as amended) (available at www.mass.gov/lists/safety-standards-for-construction) all construction activity must also comply with the following:
 - a. The State Required COVID-19 Control Plan and the State Required Compliance Attestation shall be attached to the applicable permit in the Viewpoint permitting portal prior to commencement of construction and maintained and available for inspection at the jobsite. For Essential Work and construction on already permitted 1-3 family residential dwellings, the COVID-19 Control Plan and the State Required Compliance Attestation shall be attached to the applicable permit in the Viewpoint permitting portal by May 25, 2020.
 - b. In addition to the items required by the State, the COVID-19 Control Plan for Cambridge permitted projects shall include:
 - i. **Cleaning and Decontamination Checklist.** The MA COVID-19 Checklist requires that (1) "Each jobsite should develop cleaning and decontamination procedures that are posted and shared. These Procedures must cover all areas including trailers, gates, equipment, vehicles, etc. and shall be posted at all entry points to the sites, and throughout the project site;" and (2) "Clean all high contact surfaces a minimum of twice a day in order to minimize the spread of germs in areas that people touch frequently." In addition, to ensure that the high contact surfaces are properly identified, and cleaning is performed as required, the COVID-19 Control Plan shall include a detailed checklist of all high contact surfaces such as restroom / port-a-potty, handwash stations, offices, trailers, gates, common equipment, vehicles, etc. and cleaning frequency. The MA COVID-19 Checklist shall be used to document cleaning with a place to initial after every cleaning.
 - ii. **Number of Workers** expected on the jobsite on a weekly basis over the course of construction - Unless the contractor develops a detailed work plan, approved by the Commissioner of Inspectional Services or the Commissioner of Public Works, that includes specific details about how to safely accommodate more workers, the number of workers on enclosed projects or portions of enclosed projects, not including delivery persons, code inspectors, or similar persons who require temporary access to the site and are directly engaged in the construction activity, shall be limited to the following:
 - 1) 2,000 square feet or less of enclosed area – 4 people maximum.
 - 2) 1 additional person for each additional 500 square feet of enclosed area over 2,000 square feet.
 Enclosed square footage shall include all areas under roof that are under active construction sites at the time.
 - iii. **No non-essential personnel may be present at the work site.**
 - c. In addition to the required COVID-19 Control Plan, contractors are encouraged to conduct a site-specific risk analysis and enhanced COVID-19 safety plan for more complex projects. The City reserves the right

- c. In addition to the required COVID-19 Control Plan, contractors are encouraged to conduct a site-specific risk analysis and enhanced COVID-19 safety plan for more complex projects. The City reserves the right to require a site-specific risk analysis and enhanced COVID-19 safety plan, which may include additional requirements to address risks specific to the project or type of project.
6. The Commissioner of Public Health, Commissioner of Inspectional Services and Commissioner of Public Works or their designees are authorized to enforce the MA Sector Specific Workplace Safety Standards for Construction Sites to Address COVID-19, the MA Safety Standards, the MA COVID-19 Checklist (issued May 18, 2020 or as amended) and this Amended Emergency Order, and may issue warnings or may require the Owner and/or Contractor to safely secure the site and pause construction activities on such site until a corrective action plan is prepared, submitted and approved by the Commissioner of Public Health, Commissioner of Inspectional Services or the Commissioner of Public Works. All other additional enforcement avenues available pursuant to the MA Sector Specific Workplace Safety Standards for Construction Sites to Address COVID-19, and available at law and equity will be available to the Commissioner of Public Health, Commissioner of Inspectional Services and Commissioner of Public Works or their designees to enforce this Amended Emergency Order.
7. This Amended Emergency Order is effective only for construction work, including building trades, regulated or permitted by the Commissioner of Inspectional Services or the Commissioner of Public Works.

This Emergency Order shall remain in effect until further notice.

Dated: May 20, 2020

By:


Louis A. DePasquale, City Manager

By:


Assaad J. Sayah, M.D., Commissioner of Public Health

By:



Ranjit Singanayagam, Commissioner of Inspectional Services
(ranjits@cambridgema.gov; 617-349-6104)

By:



Owen O'Riordan, Commissioner of Public Works
(ooriordan@cambridgema.gov; 617-349-4802)

ADDITIONAL CONTACTS:

At Department of Inspectional Services: Sisia Daglian, Assistant Commissioner
(sdaglian@cambridgema.gov; 617-349-6107)

At Department of Public Works: Kathy Watkins, City Engineer / Assistant Commissioner

The following laminated posters (or similar messaging) shall be posted on site in English and other languages, as appropriate, to ensure messages are accessible to employees who speak English as a second language.

1. Symptoms of COVID-19 / Stay Home From Work

English https://www.cdc.gov/coronavirus/2019-ncov/downloads/StayHomeFromWork_Horizontal.pdf

Spanish https://www.cdc.gov/coronavirus/2019-ncov/downloads/316129-A-StayHomeFromWork_Horizontal_ESP.pdf



2. Handwashing

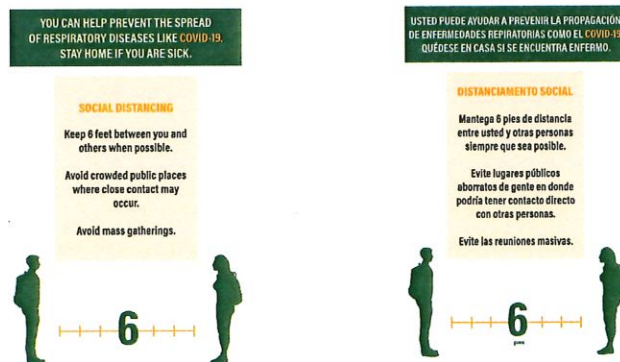
English <https://www.cdc.gov/handwashing/pdf/wash-your-hands-poster-english-508.pdf>

Spanish <https://www.cdc.gov/handwashing/pdf/wash-your-hands-poster-spanish-508.pdf>

Portuguese <https://www.cdc.gov/handwashing/pdf/wash-your-hands-poster-portuguese-pt-508.pdf>



3. Social Distancing



4. MA Safety Standards and Compliance Attestation

www.mass.gov/doc/employee-reopening-poster/download

www.mass.gov/doc/compliance-attestation/download

RULES TO KEEP YOU SAFE AT WORK

Mandatory safety standards for workplaces

SOCIAL DISTANCING

Remain at least six feet apart from others in the personal service industry, both inside and outside workplaces.

Follow established protocols to ensure social distancing.

Reduce capacity for work and social activities.

Use other meeting areas not at offices.

HYGIENE PROTOCOLS

Ensure there are handwashing capabilities throughout the workplace.

Work surfaces frequently and regularly.

Provide regular sanitation of high touch areas, such as workstations, equipment, and other disinfectants, restrooms, etc.

STAFFING & OPERATIONS

Assign work to staff, ensuring the social distancing and hygiene protocols.

Direct report to staff if you are displaying COVID-19 like symptoms.

Comply with plan for employees getting COVID-19 at work, and return to work plan.

CLEANING & DISINFECTING

Conduct procedures and protocols specific to the business.

Ensure that cleaning and disinfecting is performed after an action, employees to be disposed with COVID-19.

Disinfect all common and shared public places of interest, specifically for social workplaces.

Welcome

Please know that we take our responsibility to keep Massachusetts safe very seriously. Be assured we have taken the following steps to comply with state mandatory safety standards for workplaces:

☐

Workers are wearing face coverings and we've put social distancing measures in place

☐

We provide hand washing capabilities and we are regularly sanitizing high-touch areas

☐

Our staff has received training regarding social distancing and hygiene protocols

☐

We have established thorough cleaning and disinfecting protocols

We ask you to do your part as well by wearing your face mask and maintaining social distance. Thanks—and we hope to see you again soon.

Signature

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