

SECTION 01 41 00  
REGULATORY REQUIREMENTS

PART 1—GENERAL

1.1 SUMMARY

- A. This Section includes requirements for: Codes, Safety Rules, Regulations and Permit Provisions that the Contractor shall comply with.
- B. Related Documents and Sections include:
  - 1. Section 00 72 00 - General Conditions
  - 2. Section 00 73 00 – Supplementary Conditions
  - 3. Section 01 33 00 – Submittal Procedures
  - 4. Section 01 35 49 - Minimum Environmental Procedures
  - 5. Section 01 35 50 - Additional Environmental Procedures
- C. Compliance with the applicable provisions of Federal, State, and local laws, codes, safety rules, and regulations is incidental to the work it pertains to.

1.2 DESCRIPTION

- A. All materials, installation, and construction shall comply with the applicable provisions of current laws, regulations, codes, safety rules, and permits of the City and County of San Francisco, the State of California, the Federal Government, governing utility districts, the California Department of Transportation (Caltrans) and any other applicable authorities having jurisdiction over construction and completion of the Work, including but not limited to, the State Fire Marshall, Cal/OSHA and the State Construction Safety Orders, and the California Labor Code.
- B. Except where noted, the most recent editions of Codes, Standards, and Regulations at the time of the Contract shall apply to the Contract throughout, and it shall be deemed to be incorporated by reference.
- C. The Contractor shall obtain and comply with the conditions of all permits required for the Work or for temporary facilities, including indemnification and insurance requirements, and shall pay all fees and furnish any deposits and bonds required for such permits.
- D. Contractor shall provide sufficient time in its Baseline Schedule to obtain permits. Contractor's failure to provide reasonable estimate of time for permitting agencies to review and approve permit application shall preclude Contractor's claim for demand for additional time or compensation for delay arising from its failure to provide adequate time for permit processing.
- E. Codes referenced in the Contract Documents shall have full force and effect as though set out in full in these Specifications. Nothing in the Contract shall be construed to permit Work not conforming to applicable Code requirements.
- F. The Codes and other authorities referenced in the Contract Documents are not a comprehensive list of all Codes applicable to the Work; the Codes listed in the Contract Documents are referenced for the information and convenience of the Contractor only.

The City does not represent that the all Codes applicable to the Work have been cited or adequately described in the Contract Documents. Contractor is solely responsible for compliance with all Codes applicable to the Work and relevant to the Contractor's means and methods of performing said Work.

- G. Whenever reference is made to "Caltrans Standard Specifications," it shall be understood to be the most recent edition of the State of California, Department of Transportation, Standard Specifications.
- J. Contractor is responsible to comply with all permit requirements, for payment fines, penalties, and all other costs of permit violations within the Contractor's control or responsibility.
- K. The Contractor shall obtain and pay for (unless otherwise noted) all permits, inspections, and service requests to start and complete Work. Permit costs shall include all associated costs for notifications, walk-through, in-progress inspections, final inspections, oversight, and approvals.

### 1.3 CITED CODES AND AUTHORITIES

- A. Nothing contained in this Contract shall relieve Contractor, or any Subcontractor or Supplier, from the obligations set forth above and obligations as required by applicable laws, rules, or regulations. If a provision of this Document conflicts with any applicable provision of this Contract or any federal, state, or local safety regulations, the more stringent requirements that maintain a greater level of safety shall apply.
- B. Contractor shall conform all work of the Contract to meet or exceed the applicable requirements of the latest editions of the applicable codes, laws, ordinances, standards, rules and regulations referenced in the General Provisions including, but are not limited to the following:
  - 1. San Francisco Municipal Codes, including but not limited to the San Francisco Administrative Code, San Francisco Building Code, San Francisco Electrical Code, San Francisco Environment Code, San Francisco Health Code, San Francisco Mechanical Code, San Francisco Plumbing Code, San Francisco Police Code, San Francisco Public Works Code, San Francisco Transportation Code, San Francisco Fire Code, and all department orders adopted pursuant thereto.
    - a. SFMTA Regulations for Working in San Francisco Streets.
    - b. SFMTA Health & Safety Requirements, "Roadway Worker Protection" training, "Track Access Clearance Permit", and overhead contact system rules.
    - c. CCR, Title 8, Subsection 3203 (a)(7) and Muni Procedures SY.PR.034 – Contractor Safety Program and SY.PL.03 – Roadway Worker Protection (RWP) Plan.
    - d. DPW Order 178,940, Regulations for Excavating and Restoring Streets in San Francisco.
    - e. DPW Order 174,878, Regulations and Slip Resistant Standards for Any Manhole, Vault, or Sub-Sidewalk Basement Cover, Grille, Grate on the Public Sidewalk.
    - f. DPW Order 172,596, Guidelines for Processing and Issuance of Special Sidewalk Permits within the Downtown Streetscape Areas.

- g. DPW Order 171,442 Regulation for Excavating and Restoring Streets in San Francisco.
  - h. DPW Order 171,378, Dust Control Order.
  - i. DPW Order 171,333, Dust Generation and Control Regulations.
  - j. DPW Order 167,840, Placement of Barricades at Construction Site.
  - k. DPW Order 135,595, Street Opening and Pavement Restoration Regulations for Non Moratorium City Streets.
  - l. Article 4.1 and 4.2 San Francisco Public Works Code; Industrial Waste Ordinance.
  - m. Article 2.4, San Francisco Public Works Code, Excavation in the Public Right-of-Way.
  - n. Article 29, San Francisco Police Code, Regulation of Noise.
  - o. The San Francisco Building Code Section 106.3.2.6.
2. San Francisco Health Code
- a. Article 21 – Hazardous Materials.
  - b. Article 21A – Risk Management Program.
  - c. Article 22 – Hazardous Waste Management.
  - d. Article 22A – Analyzing Soils for Hazardous Waste (Maher Ordinance).
  - e. Article 22B – Construction Dust Control Ordinance #176-08.
3. San Francisco Department of Building Inspection (SFDBI) Central Permit Bureau – Major Plan Check Division.
4. San Francisco Department of Public Health (SFDPH).
5. Regulations and Policies of the San Francisco Municipal Railway.
6. Clean Construction Ordinance under the SF Administrative Code. Clean Construction Ordinance under the SF Administrative Code, Chapter 6, Section 6.25 and Section 6.67, SF Environment Code, Chapter 4: Section 426 Clean Construction Assistance and Reporting, City Ordinance # 70-07, and City Ordinance # 28-15.
- <http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances15/o0028-15.pdf>
7. California Code of Regulations (CCR) or California Administrative Code, Title 8 - Industrial Relations, Part 1 - Department of Industrial Relations, Chapter 4 - Division of Industrial Safety:
- a. Subchapter 4 - Construction Safety Orders (CSO).
  - b. Subchapter 5 - Electric Safety Orders (ESO).
  - c. Subchapter 7 - General Industry Safety Orders (GISO).
  - d. The Contractor's attention is directed to sections of above Safety Orders, which cover some of the most frequently encountered safety concerns, as follows:
    - I. CSO #1540 – Excavations.
    - II. CSO #1541 - Shoring, Sloping and Benching Systems.
    - III. CSO #1598 - Traffic Control for Public Streets and Highways.

- IV. CSO #1599 – Flaggers.
  - V. GISO #3380 - Personal Protective Devices.
  - VI. GISO #3381 - Head Protection.
  - VII. GISO #3395 –Heat Illness Prevention Standards.
  - VIII. GISO #3646 - Operating Instructions (Elevated Work Platforms).
  - IX. GISO #3648 - Operating Instructions (Aerial Devices).
  - X. GISO #5003, #5006, #5021, #5022, #5024, #5025 – Cranes.
  - XI. ESO #2940.2 – Clearances.
  - XII. ESO #2940.7 - Mechanical Equipment.
  - XIII. ESO #2941 - Work On or In Proximity of Overhead High Voltage Lines.
  - XIV. ESO #2946 - Provisions for Preventing Accidents due to Proximity of Overhead Lines.
- 8. CCR Title 17, Public Health, including the Final Regulation Order of 07/22/2002, in Section 93105, on Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations (<http://www.arb.ca.gov/toxics/atcm/asb2atcm.htm>).
  - 9. Cal/OSHA Construction Asbestos Standard, 8 CCR all applicable Sections and Section 1529, including those for naturally occurring asbestos.
  - 10. Respirable Crystalline Silica OSHA Regulation 29 CFR 1926.1153, and California Code of Regulations, [Title 8, section 1532.3](#), 1530.1, and 5155.
  - 11. Cal/OSHA Lead in Construction Standard 8 CCR 1532.1.
  - 12. USEPA's Lead Renovation, Repair and Painting Rule (RRP Rule, <https://www.epa.gov/lead/fqs-rrp-rule>), and Lead-Safe Work Practices to work safely with lead-based paints.
  - 13. The San Francisco Department of Building Inspection, Work Practices for Disturbance and Removal of Lead-Based Paint on Pre-1979 Buildings and Steel Structures.
  - 14. CCR Title 19, Public Safety.
  - 15. CCR Title 22, Social Security, Division 4, Environmental Health, and Division 4.5, Environmental Health Standards for the Management of Hazardous Waste.
  - 16. CCR Title 24, California Building Standards Code – 2016
    - a. Part 1, California Building Standards Administrative Code.
    - b. Part 2, California Building Code.
    - c. Part 3, California Electrical Code.
    - d. Part 4, California Mechanical Code.
    - e. Part 5, California Plumbing Code.
    - f. Part 6, California Energy Code.
    - g. Part 7, NOT USED.
    - h. Part 8, California Historic Building Code.
    - i. Part 9, California Fire Code.

- j. Part 10, California Existing Building Code.
- k. Part 11, California Green Building Standard Code.
- l. Part 12, California Reference Standards Code.
- 17. CCR Title 24, Americans with Disabilities Act – Accessibility Guidelines for Buildings and Facilities.
- 18. CCR Title 26, Toxics.
- 19. CCR Article 4.8 Section 2449 General Requirements for In-Use off Road Diesel fueled fleets, ARB AB 1085.  
(<http://www.arb.ca.gov/msprog/ordiesel/knowcenter.htm>)
- 20. California Division of Industrial Safety.
- 21. California Department of Transportation – Right-Of-Way Cooperative Agreement Procedures and California Manual on Uniform Traffic Control Devices (MUTCD).
- 22. California Labor Code.
- 23. California State Vehicle Code.
- 24. California Public Utilities Code Section 29037.
- 25. State of California Public Utilities Commission.
  - a. General Order No. 26D, Regulations Governing Clearances on Railroads and Street Railroads with Reference to Side and Overhead Structures, Parallel Tracks, Crossings of Public Roads, Highways and Streets.
  - b. General Order No. 95, Rules for Overhead Line Construction.
  - c. General Order No. 128, Rules for Construction of Underground Electric Supply and Communication Systems.
  - d. General Order No. 143B, Safety Rules and Regulations governing Light Rail Transit.
  - e. State of California Public Utilities Commission, General Order No. 172, Rules and Regulations Governing the Use of Personal Electronic Devices by Employees of Rail Transit Agencies and Fixed Guideway Systems.
  - f. The State of California Wireless Communications Device Law (effective January 1, 2009) makes it an infraction to write, send, or read text-based communication on an electronic wireless communications device, such as a cell phone, while driving a motor vehicle.
- 26. California Health and Safety Code.
- 27. California Occupational Safety and Health Administration (CAL/OSHA).
- 28. California Storm Water Municipal and Construction Activity BMP Handbooks.
- 29. California Regional Water Quality Control Board (RWQCB).
- 30. State Water Resources Control Board.
- 31. California Air Resources Board (CARB) regulations.
- 32. Bay Area Air Quality Management District (BAAQMD) regulations.
- 33. Construction General Permit (CGP).
  - a. Order 2009-0009 DWQ of the Clean Water Act.

- b. Order 2010-0014 DWQ Adopted Order that amends Order 2009-0009 DQQ of the Clean Water Act.
- 34. Code of Federal Regulations (CFR):
  - a. CFR Title 29, Labor - Labor Environmental Health and Safety Plan (EHASP).
  - b. CFR Title 40, Protection of Environment.
  - c. CFR Title 49, Transportation.
- 35. Federal Transit Administration (FTA) Regulations and Best Practices Manual.
- 36. Federal Clean Air Act.
- 37. Federal Clean Water Act.
- 38. Federal Railroad Administration (FRA)
  - a. Roadway Protection Rule (49 CFR Part 214C).
- 39. Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities.
- 40. National Fire Protection Association (NFPA) code:
  - a. NFPA 70, National Electrical Code.
  - b. NFPA 92B, Standard for Smoke Management Systems in Malls, Atria, and Large Spaces.
  - c. NFPA 130 - 2007, Standard for Fixed Guideway Transit and Passenger Rail Systems.
- 41. National Electric Code (NEC).
- 42. Uniform Fire Code.
- 43. The Work Hours and Safety Standards Act (40 U.S.C. 327 et seq.).
- 44. Americans with Disabilities Act Guidelines.
- 45. AWWA C651-92, Standard for Disinfecting Water Mains.
- 46. Department of Toxic Substances Control (DTSC) Advisory Note for Clean Imported Material.
- 47. Regional Water Quality Control Board (RWQCB)'s Environmental Screening Levels (ESLs), Tier 1 levels.
- 48. Caltrans Standard Specification Manual and all revisions as published by the State of California, Department of Transportation.

#### 1.4 PERMITS TO BE OBTAINED BY CONTRACTOR

- A. At no cost to the City, the Contractor shall obtain the following permits as applicable but not limited to, and as needed:
  - 1. State, County, and City Transportation vehicle permits for construction related vehicles that are over width, over length, overweight, overload.
  - 2. State Industrial Safety Orders/Construction Safety Orders: Training and Certification of Workers – Confined Spaces (Confined Space Entry Plan and Permit as per CCR Title 8, and local requirements), Welding, High Voltage Electrical.

3. CAL/OSHA permits:
  - a. Construction permits:
    - I. Trenches/Excavations five feet and deeper.
    - II. Building, structure, scaffolding or false work 36 feet and higher.
    - III. Demolition of building, structure 36 feet and higher.
    - IV. Erection, dismantling of vertical shoring 36 feet and higher.
    - V. Tower cranes: fixed and mobile.
  - b. Tunneling permits that include usage of diesel engines in the station caverns.
  - c. Elevator permits for temporary hoisting and lifting equipment.
4. The Contractor shall obtain all Bay Area Air Quality Management District (BAAQMD) and the California Air Resources Board (CARB) applications, permits, and notifications, and pay for the BAAQMD Regulation 3 Fees as required. For information on the permit requirements and application forms check the web page at [www.baaqmd.gov](http://www.baaqmd.gov), or [http://www.baaqmd.gov/enf/compliance\\_assistance/index](http://www.baaqmd.gov/enf/compliance_assistance/index), or call the compliance assistance hotline at (415) 749-4999. For asbestos <http://www.baaqmd.gov/enf/asbestos/index.htm> or call the district's Asbestos Program at (415) 749-4762.
  - a. The following BAAQMD permits forms shall be completed for work involving screening, crushing or grinding, and use of abatement devices:
    - I. Form P-201: General information.
    - II. Form P-101B: General information.
    - III. Form G: Emission Source (crusher or grinder).
    - IV. Form A: Abatement Devices: Wet Spray System.
  - b. Contractor is hereby notified that screening or crushing operations of excavated materials cannot proceed without the appropriate BAAQMD, and Cal-EPA/DTSC permits.
  - c. Contractor is hereby notified that diesel exhaust pollutants requirements under ARB 1085 for In-use off- road diesel fueled fleet are in effect to minimize diesel exhaust emissions. Contractor shall register and obtain an Equipment Identification Number (EIN) per vehicle/equipment over 25 horsepower with the Air Resources Board (<http://www.arb.ca.gov/msprog/ordiesel/knowcenter.htm>).
  - d. Prior to start of any asbestos abatement work, the Contractor shall file the Bay Area Air Quality Management District (BAAQMD) Notification Form (under Demolition Regulation 11, Rule 2) and obtain a J#.
5. Cal/EPA, Department of Toxic Substances Control (DTSC) permits and notifications, including but not limited to permit-by-rule, hazardous waste facilities permit, transportable treatment unit (TTU), and treatment storage and disposal facility (TSDF) permits.
6. The Regional Water Quality Control Board (RWQCB), San Francisco Bay Region, and the California State Water Resource Control Board (SWRCB) permits and notifications, and not limited to:
  - a. National Pollutant Discharge Elimination System (NPDES) Permit – for sewer connections direct to Bay during construction.

7. San Francisco Department of Public Health (SFDPH) – Hazardous Materials Unified Program Agency permits:
  - a. Hazardous Materials Certificate of Registration: As deemed necessary, the Contractor shall obtain and keep current a hazardous materials certificate of registration and implement the hazardous materials plan submitted with the registration application, in accordance with Articles 21, 21A, and 22 of the San Francisco Public Health Code. Contact the SFDPH/HMUPA at (415) 252-3900. The Hazardous Materials Certificate of Registration includes and is not limited to:
    - I. A chemical inventory
    - II. An emergency response plan
    - III. A training program for employees in safety procedures in the event of a release or a threatened release of hazardous materials.
    - IV. A site map showing where the hazardous materials are located
  - b. Well Construction/Decommissioning or Soil Borings Permit: As deemed necessary, a permit is required to construct or operate an environmental or geotechnical well or soil boring. These wells include, but are not limited to, cone penetrometers, inclinometers, piezometers, cathodic wells, exploratory wells, extraction wells, recovery wells, monitoring wells, temporary wells, irrigation wells, industrial wells, dewatering wells, wick drains, hydropunch soil borings, and soil borings drilled for geotechnical or environmental purposes (whether or not groundwater is encountered). This information is not intended as a substitute for familiarity with applicable laws and regulations. The Contractor shall use a driller with a C-57 state license. Contact the SFDPH, Monitoring Well Section at least 15 Working Days in advance of drilling at (415) 252-3947.
  - c. Underground Storage Tank (UST) Permit: As deemed necessary, all modifications, repairs, removals and installation of USTs shall require approval of the SFDPH, compliance with Articles 21, 21A and 22 of the San Francisco Public Health Code, and its implementing regulations, compliance with applicable provisions of Chapters 6.7 and 6.75 of the California Health and Safety Code, Section 25280 et al. Contact the SFDPH/HMUPA at (415) 252-3900.
8. SFDPW permits:
  - a. Encroachment (minor and major) permits for sidewalks.
  - b. Street Excavation Permit.
  - c. Street Improvement Permit.
  - d. Utility Excavation Permit.
  - e. Street Space Permit.
  - f. Temporary Occupancy Permit.
  - g. Sidewalk Legislation Permit – Temporary by Contractor.
  - h. Sidewalk Permit – Temporary by Contractor.
  - i. Surface Mounted Facility Permit – Temporary by Contractor.
  - j. Parking Legislation Permit – Temporary by Contractor.



- k. Debris Box Permit.
  - l. Removal of City Survey Benchmarks Permit needed for removal of existing survey benchmarks.
  - m. Pipe Barrier Permit.
  - n. Personal Wireless Permit.
  - o. Side sewer connection Permit.
  - p. Boring/Monitoring Wells Permit.
  - q. Underground Storage Tank Removal Permit.
9. Excavation, street space, side sewer, and street improvements permits from the San Francisco Public Works, Bureau of Street Use and Mapping (BSM), 49 South Van Ness, San Francisco.
- a. Contractor shall contact DPW/BSM at (415) 558-4400 for all requirements for applying for the permit and the cost of the fees. City Representative will not allow any Work on the street without an Excavation Permit.
  - b. Contractor shall be the applicant of the permit, comply with all permit requirements, pay all costs, and be responsible for fines resulting from non-compliance to the permit requirements.
  - c. Contractor shall pay all permit fees requested by DPW/BSM.
  - d. It is the responsibility of the Contractor to determine the number of calendar days to complete the Work in the permit application.
  - e. It is the responsibility of the Contractor to keep permits valid for the entire period of construction including periods of extension or delay. All work and costs incurred to apply for and obtain the excavation permit, and keeping a valid permit shall be Incidental Work, and no separate payment shall be made to the Contractor, except as provided below.
10. Rockwheel Permit.
11. Electrical permits.
12. Permits as required by the SFMTA, 1 South Van Ness Avenue, 7<sup>th</sup> floor, San Francisco, telephone (415) 701 4500
13. San Francisco Public Utilities Commission (SFPUC) Permits. Waste Water Enterprise, Collection System Division (WWE-CSD), 3<sup>rd</sup> Street, Suite 600, San Francisco, or the San Francisco Permit Center, 49 S. Van Ness Avenue, Suite 200, San Francisco
- a. Batch wastewater discharge permit. Telephone (415) 695-7321
  - b. Construction Site Runoff Control Permit, Telephone (415) 695-7339
14. San Francisco PUC/WWE-CSD use of reclaimed water permit. Contact WWE-CSD at (415) 648-6882 x1378.
15. San Francisco PUC/Water Department/City Distribution Division permits and service requests for water and meters.
16. San Francisco PUC/Bureau of Light, Heat, and Power (BLHP) permit and notification for removal of all street lighting.
17. San Francisco PUC/ Hetch Hetchy Water & Power (HHWP) application and notification for electrical service connection to PG&E. Contact HHWP at (415) 554-1596.

18. Other than the San Francisco Department of Building Inspection (DBI) Building Permit), the Contractor shall obtain and pay for other DBI permits to start and complete the Work.
  - a. For other DBI permits (including but not limited to Demolition, Electrical, Mechanical, and Plumbing):
    - i. Contractor shall obtain all other required permits from DBI, and shall pay for any additional costs related to the permits that were not covered by the Building Permits, prior to the start of permitted work.
    - ii. Contractor shall not start Work Site without the appropriate and valid DBI Job Cards (to record sign-offs by building inspectors upon satisfactory in-progress inspections and final inspection) on site.
    - iii. Contractor shall be responsible for obtaining the appropriate and valid DBI Job Cards and DBI approved sets of Contract Drawings and Specifications, prior to the planned or actual start of permitted work.
    - iv. Contractor shall be responsible for arranging and coordinating periodic and final inspections by DBI, and satisfying all other requirements of DBI, including securing for City Temporary Certificates of Occupancy, if requested by City, and the Certificates of Final Completion and Occupancy from the DBI as required.
19. San Francisco Fire Department permits, including but not limited to:
  - a. The flammable or combustible material storage permit. Contact the SFFD, Bureau of Fire Prevention at (415) 558-3300.
  - b. Permit and notification for AWSS relocation.
  - c. Permit and notification for removal and installation of fuel or chemical storage tanks.
20. San Francisco Police Department permits, including noise permits.
21. San Francisco City Planning permits and approvals.
22. San Francisco Recreation and Parks Department permits
23. San Francisco Municipal Transportation Agency (SFMTA) permits.
24. Utility Service Alert (USA) permits and clearance at 1- (800) 642-2444.
25. Any other permit required to perform the Work not listed in Paragraph 1.4, above.

#### 1.5 SUBMITTALS

- A. A copy of each permit that the Contractor obtains shall be provided to the City Representative for information prior to commencing Work covered by such permit.

#### 1.6 RESOLUTION OF CONFLICTS

- A. If the Contractor is aware that the Specifications or Drawings are at variance with permits, laws, or regulations, the Contractor shall give the City Representative prompt written notice thereof and the City Representative will resolve the conflict in accordance

with the General Conditions. If the Contractor performs Work knowing or having reasons to know that it is contrary to such permits, Codes and safety rules, and without such notice to the City Representative, the Contractor shall bear all responsibility and costs arising there from including all costs of demolition correction and completing the nonconforming Work.

#### 1.7 SEISMIC LOADING DESIGN PROVISIONS

- A. Contractor shall be responsible for the design of all supports and anchorages for all nonstructural components including mechanical and electrical equipment, pumps, and piping to be constructed or installed by Contractor.
- B. The Contractor shall provide the services of a civil or structural engineer registered in the State of California for preparing such designs, which shall be in accordance with the seismic loading provisions of the current edition of the San Francisco Building Code, using an importance factor of 1.0 or greater.
- C. Shop drawings and supporting calculations of all supports and anchorages shall bear the seal, signature and license expiration date of the engineer hired by the Contractor.

PART 2 - PRODUCTS (NOT USED)

PART 3 - EXECUTION (NOT USED)

END OF SECTION