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## Special Contract Conditions For Construction Projects in Occupied Student Housing

### Purpose

These Special Contract Conditions are required because this project involves construction within or adjacent to student residences. As such, the Contractor, all workers, subcontractors, deliverymen and anyone else coming on to the work site must be informed of the requirements to respect the students' privacy and enjoyment of their residence halls or apartments. The work must be done in a manner that maintains the security of the residence halls or apartments, limits contact with the students, provides advance notice of any work that may affect the residents, and limits communications about the project to those persons designated by the University.

### General Rules

1. Contractor is required to comply with the University of Colorado's Sexual Harassment Policy, copy attached hereto and incorporated herein. Contractor's personnel must adhere to the University of Colorado policy and conduct themselves in a manner that does not constitute sexual harassment (as defined in the policy) as a result of interacting with and around the University of Colorado faculty, staff and students.

Contractor is required to inform each subcontractor of the University's policy prohibiting sexual harassment. **Subcontractors, if any, are required to inform subcontractor personnel of the University's policy prohibiting sexual harassment and to provide all subcontractor personnel copies of the University of Colorado Sexual Harassment Policy.**

2. No smoking in any residence hall or apartment building spaces. This includes living and dining spaces, restrooms, circulation areas, attics, mechanical rooms, basements and/or crawl spaces. **The University of Colorado Boulder is now a non-smoking campus.**
3. The Contractor is required to ensure that noise prior to the daily official start of work does not disrupt students. These noise concerns may include, but are not limited to, equipment warm up, radios and voice noise within the construction site that can be heard within the residence hall room or apartment, and the arrival of early morning deliveries of equipment, concrete, supplies, etc.

With the exception of certain dates during the academic calendar year, working hours for construction adjacent to or in occupied-building construction are 8:00 A.M. to 5:00 P.M. Monday through Friday. The University may stipulate per bid and Request For Proposal (RFP) documents, the opportunity to work for extended periods of time. The hours established in the RFP/bid supersede this document. This will be standard

unless specifically stated otherwise in the contract. Any request to work during additional hours must be made at least 72 hours in advance of the work and is subject to approval of the Project Manager.

4. No eating, drinking, music or radios are allowed outside designated construction areas in the residence hall building or apartment areas. Prior to the start of work, and with the approval of the University Project Manager, if space is available, one area may be designated for meal and coffee breaks. Eating and drinking in any other part of the facility are prohibited. Wrappers, cups and other trash shall be properly disposed of in receptacles after each break. No trash is to be left in the designated eating area.
5. The Contractor is not to use any of the building furnishings at any time for any reason. In the event furniture has to be moved for access, the contractor must notify the University Project Manager and return the furniture in good condition to its original location immediately after the work is done.
6. Construction personnel are not authorized to be in any Housing Department space outside the construction site/work area. Requests for permission to be outside the construction site/work area for business purposes should be directed to the University Project Manager in order to enter these areas.
7. The Project Manager retains the right to require the Contractor to remove a worker from the project, if the Project Manager determines, in his/her sole discretion, that the worker violated a provision of the Agreement. The worker has the right to a meeting with the Project Manager and the Contractor at which time the Project Manager will inform the worker of the allegations made against him/her. The worker will be given the opportunity to present his/her response before a final decision is made.

**THESE GENERAL RULES ARE SUBJECT TO REVISION AND CHANGE WITHOUT QUALIFICATION. CHANGES AND REVISIONS WILL BE COMMUNICATED TO CONTRACTORS WHEN THEY ARE MADE.**

### **Security Requirements**

1. University Keys / Cardkeys
  - a. Security of housing facilities is of paramount concern. If keys are required, the contractor must check out and sign for all keys at the housing Lock Shop. *Keys to student rooms, student living areas, student use areas (lounges, classrooms, recreation areas, common bathrooms, etc.) will be issued only for special circumstances where their use is absolutely required by the contractor. These keys must be checked out at the start of the work day and returned at the end of the work day, every day.* Keys not directly accessing student living areas (e.g. mechanical room keys) may be checked out for the duration of the project, with the permission of the University project manager.
  - b. Master keys accessing multiple student living areas will not be issued to contractors.

- c. When a contractor signs for a key, they take full responsibility for that key. A lost key may result in re-keying an entire building or complex, the cost of which will be charged to the contractor. Doors are not to be propped open at any time. Contractors working in a secured building are not to let anyone in. When leaving a facility at the end of a work day, the contractor must make sure that the construction site is secure.
  - d. Requests for exceptions to the key policy must be made, in writing, to the University project manager, who will consult with the affected Housing Assistant/Associate Director of Housing prior to determining keys to be issued to the contractor.
2. Except for emergencies, special security arrangements must be made at least 72 hours in advance with the University Project Manager in order to enter any occupied residential space, including a student room or apartment, or remove anything from a student's room or apartment. Special care is to be exercised when access is required into students' rooms or apartments or any other area outside the construction site. The University Project Manager or their designee must be notified in advance of this need and the Contractor is required to ensure compliance with all University safety and security standards and regulations. Should items need to be removed from a student occupied room or apartment the University Project Manager or his designee will assist with and /or oversee the removal and replacement of the item.
3. Seventy-Two hour notice must be given prior to any work being started or removal of any items. All of the above rules pertaining to smoking, food and drink, furnishings and housekeeping apply when working in a student's room or apartment. Furnishings shall not be used for construction purposes. **Everything in a student's room or apartment is a personal belonging and must be respected as such.**
4. The contractor is required to ensure that all personnel, including subcontractors and their personnel, wear University issued identification badges. Jackets and/or shirts with company names and logos are helpful but all workers are required to obtain and display the required University issued ID. Badges will be authorized by the University project manager or appropriate Housing Department personnel.
5. Contractor and University Project Manager are responsible to respond immediately to security and safety concerns, report to campus Police and notify owner for immediate response and action.
6. It is strongly recommended that contractors and subcontractors work in pairs (not alone) in occupied residence housing or dining space unless approval is granted by the University Project Manager.
7. For projects occurring within or adjacent to Security Sensitive HDS facility areas, as defined by campus policy, [campus buildings where students and faculty reside (e.g. residence halls)], all employees of the selected contracting firm that works in Housing & Dining Facilities must pass a background check using a national criminal database standard for the industry.
  - a. Contractor Responsibility for Conducting Background Check

Contractors are solely responsible for conducting background checks on all employees, agents, and subcontractors that provide services to CU-Boulder and, upon CU-Boulder request, certifying that such employees and agents have satisfactorily completed the Background Check. It is HDS expectation that background checks would be reviewed and cleared on a case by case basis for the following at a minimum.

- Not a registered sex offender
- No convictions (felony or misdemeanor) in the past 3 years for drug use/distribution
- No convictions (felony or misdemeanor) in the past 3 years for serious or violent crimes, including but not limited to homicide or sexual assault
- No convictions (felony or misdemeanor) in the past 3 years for theft or destruction of property

b. Required Contract Provision

Pursuant to campus policy, the following provision shall be included in all contracts with Security Sensitive contractors:

*Contractor acknowledges that Contractor's activities involve heightened risks as a result of access or exposure by Contractor's employees or agents to one or more Security Sensitive environments. Contractor expressly acknowledges that Contractor shall take all commercially reasonable measures to mitigate any such risks, which measures shall include but are not limited to conducting criminal history checks, financial background checks when appropriate, and reference checks on all employees or agents who will be performing work at the University. Upon University request, Contractor shall certify in writing that it has complied with this provision and that all employees, agents, and subcontractors performing work hereunder have satisfactorily completed Contractor's background check.*

- c. The contractor shall submit to the University HDS Project Manager the names of the individuals proposed for the project and a confirmation for each that these individuals have passed the required background check. This list must be certified by an officer of the company by signature. Questions in regards to the results of the background check should be addressed to the CU representative for the project who will then escalate internally as necessary.

### **Scheduling and Planning**

1. Weekly construction meetings will review contractor's need to access residential space, approximate dates, locations, time periods and define specific space where contractors need access.

2. University shall provide dates in which no construction shall take place, or times of work that need to be modified temporarily.
3. Contractor shall refer to General Rules, Section 3, when establishing their planning and scheduling of the project.

### **Communication**

1. The Project Architect and/or person responsible for weekly construction meeting minutes is required to record security, Fire & Life Safety, Environmental Health & Safety, scheduling and student service concerns in the minutes. In addition, a separate meeting may be held as required between the residents and Department of Housing during construction. The notes from these meetings shall also be attached to the weekly construction meeting minutes. It is the responsibility of the contractor to respond promptly to correct any identified security issues and provide the University Project Manager with an update regarding the status within 24 hours of notification.

Weekly construction meetings will require the contractor to review all required residential access processes and shut down of utilities for upcoming work required. Contractor will be required to provide times, dates and location of work and what impact if any to the student residents. Appropriate security will be required and will need to be coordinated with the University Project Manager.

2. The Contractor, Architect and University Project Manager shall all use their best efforts to inform all workers, subcontractors, deliverymen and anyone else coming on to the work site that matters about the project and related security issues should first be communicated to the Contractor's Superintendent. The Contractor's Superintendent should then only discuss the issues with the University Project Manager and/or his/her designate. Such communications should not be addressed to students or employees of the residence hall or apartment complex. The University Project Manager shall be responsible for communicating matters to the residence hall's or apartment's staff, as necessary or appropriate.

**RECEIPT OF SPECIAL CONTRACT CONDITIONS  
FOR  
CONSTRUCTION PROJECTS IN OCCUPIED STUDENT HOUSING**

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Project Name

Project Number

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Project Location

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University Project Manager (Print Name)

I acknowledge receipt of the Special Contract Conditions for Construction Projects in Occupied Student Housing. I also acknowledge receipt of the University of Colorado Sexual Harassment Policy.

I understand it is my responsibility to abide by the provisions described in this document.

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Name (Print)

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Company

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Signature

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Date