

SECTION 01 35 13.32
DETENTION PROJECT PROCEDURES
For Work At Non-Institutional Areas

PART 1 - GENERAL

1.01 SECTION INCLUDES

General administrative, security procedural requirements and restrictions for Contractors regarding access to and use of the Tennessee Department of Correction property and surrounding areas; and security procedures for Contractor tools, materials, and individuals for projects that do not require access to operating institutional properties or have only limited impact on institutional operations.

1.02 DEFINITIONS

- A.** OWNER – State Of Tennessee, Department Of General Services for the Department Of Correction.
- B.** Owner’s Construction Representative – For SBC projects the representative will be the Project Manager assigned by STREAM (State of Tennessee Real Estate Asset Management).
- C.** State of Emergency – Event or condition impacting the security of the facility or safety of staff, inmates or Contractors.
- D.** TDOC – Tennessee Department of Correction.

1.03 SUPERVISION

- A.** Contractor shall provide on-site supervision of construction personnel at all times.
- B.** Contractor shall at all times have a minimum of one person at each separate work site or work crew capable of communication in English with the TDOC staff.

1.04 PROJECT/SITE CONDITIONS/REQUIREMENTS

- A.** Prior to mobilization of construction personnel to the site, Contractor shall ensure that personnel, subcontractors, material suppliers, etc. review the requirements of this Section.
- B.** The Contractor shall require that all personnel, subcontractors, material suppliers, etc. who will enter TDOC property certify their awareness of and familiarity with the requirements of this Section during orientation to the institution.
- C.** The Director of Facilities, Planning and Construction (FPC) is the chief administrator of the Project site. The Director of FPC has full and final supervision over all site operations and the Contractor usage of the site. The Director of FPC may delegate certain responsibilities held, as presented in this Section, to one or more designees identified by the Director of FPC.
- D.** The Director of FPC/designee may provide the Contractor's Superintendent with an institutional radio for communication. Superintendent shall turn in radio to designated staff upon leaving the premises each day
- E.** The Contractor shall provide to the Director of FPC primary and alternate emergency contact information of individuals (Superintendent and/or foreman) to be notified during non-working hours if an event impacting the Project has occurred which warrants their notification.
- F.** Security Procedures Orientation
 - 1.** Each individual who enters the site on behalf of the Contractor, including but not limited to, subcontractors and material suppliers may, at the Director of FPC's discretion, receive a Security Procedures Orientation for the Project. The Director of FPC/designee will provide the orientation. Prior orientation in the course of another project cannot substitute for orientation for this Project
 - 2.** Contractor shall coordinate scheduling individuals for orientation.

3. Director of FPC will determine duration of the orientation and its agenda.
 4. Contractor shall provide an interpreter, if required.
- G.** Contractor shall not request direction, Project documents clarification, or approval from institution staff, security escorts or other on-site personnel. The Owner's Project Manager is the Owner's designated on-site representative during construction and is the only party authorized to direct changes to the scope, cost or Contract time of the Project.

1.05 EMERGENCIES

- A.** If the Director of FPC/designee declares a state of emergency, Contractor may be:
1. Required to leave premises, or
 2. Confined to a specific area for duration of emergency.
- B.** Emergencies that may impact access to the institution include, but not limited to:
1. Fog, inclement weather or natural disaster;
 2. Food, medical, or transportation emergencies;
 3. Disturbance, inmate work stoppage, inmate escape, inmate hunger strike or hostage situation; and,
 4. Bomb threat, chemical spill, fire, or institution evacuation.
- C.** At the Director of FPC's discretion and depending on the level of emergency, the Contractor may be permitted to work at the job-site trailer/staging area(s) or other institution areas outside the secure perimeter.
- D.** Any incident requiring police or ambulance service should be reported to the Director of FPC/designee immediately following the notification of emergency responders.

1.06 ACCESS TO SITE

- A.** Access is normally restricted to the period from 7:00 AM to 7:00 PM every weekday during daylight hours only. The Director of FPC may vary these hours at their discretion. Contractor shall provide the Director of FPC a minimum of 48 hours notice before working on Saturdays, Sundays or State of Tennessee holidays. If the institution is officially closed due to an emergency condition or other State of Tennessee requirement, the Contractor will not be allowed to work.
- B.** The Director of FPC/designee will endeavor to notify the Contractor as soon as possible if a situation exists which may preclude timely access to or use of the Project site.

1.07 SECURITY

- A.** Security Escort (as applicable):
1. Normal Schedule – 7:00 AM to 7:00 PM during daylight hours as approved by the Director of FPC. The Director of FPC will establish a Construction Security Contact person to work with the Contractor and serve as security escort. This staff security officer will be provided for normal contractor work hours.
 2. Normal Work Hours – Access to security escorts shall be provided during business work hours.
 3. Extended Schedule – All extended hours requested by the Contractor may be approved by the Director of FPC on a case-by-case basis to extend work during hours of darkness or on weekends or holidays. The Contractor shall submit a written request to the Director of FPC or designee for use of these officers a minimum of 48 hours prior to their intended use.
 4. The Contractor shall be responsible for the costs of a full time security escort in the following time increments in compliance with the following:

- a. The Contractor shall have a TDOC security escort present whenever there are employees, subcontractors, vendors, etc. at the job site, no exceptions allowed;
 - b. Payment(s) for the security escort shall be made directly to the work site institution (or as otherwise determined by the Director of FPC) by the Contractor on a monthly basis in the following block rates:

4 hours =	\$	95.00
8 hours =	\$	189.00
10 hours =	\$	237.00
 - c. Payments shall be made monthly to the institution. Payments over thirty days past due shall incur interest per the contract General Conditions.
 - d. Security escorts required for non-conforming Contract corrective work will not be provided at no-cost to the Contractor. The Contractor shall be responsible for all escort costs in blocks of time as per 1.07 4.b. above.
5. Contractor shall endeavor to notify the Director of FPC of non-workdays.
6. The correctional officer assigned as a security escort has specific TDOC responsibilities to include (but not limited to):
- a. Security of civilian workers;
 - b. Periodic checks of tools and equipment introduced on to TDOC property;
 - c. Monitoring the security of all vehicles and fuels;
 - d. Separation of the inmate general population should workers require access to inmate work areas; and,
 - e. Maintaining communication with the Director of FPC and Central Control.
7. Security escorts shall not participate in construction activities, receive construction materials or remove construction materials, either demolished or surplus, from the Project site. Specifically, this means that any services, parts, pieces, construction materials, supplies, or other goods purchased with State of Tennessee funds, whether directly or indirectly, whether removed from the project site or unused in the completion of the project, are to be disposed of in a manner acceptable to the State of Tennessee and SHALL NOT be diverted to the personal use of ANY persons whether they be a State Employee or not. Any such diversion of State purchased property or State funded services to personal use will be treated as theft in accordance with TCA 39-14-103 or TCA 39-14-104.
- B. The Contractor shall restrict the access of all persons entering upon the Owner's property in connection with the Work to the agreed upon access route, procedures and to the actual site of the Work.
- C. The Contractor shall restrict activities of employees to authorized areas. Contractor employees shall not enter other institution areas or buildings unless it is directly related to the Work of this Project and under security escort if applicable.
- D. The Director of FPC/designee may conduct random vehicle searches on all vehicles entering TDOC property. Institutions restrict prohibited items, i.e., weapons, drugs, alcohol, cell phones, tobacco products, etc. Vehicle searches may be conducted with the use of detection dogs. If weapons, drugs, ammunition, or alcohol are found in a construction worker's vehicle, the owner operator is subject to arrest by local authorities and may be restricted from return to TDOC

property. Persons with valid handgun carry permits may have their weapon on the TDOC property provided the weapon(s) are securely stored and out of sight in the employee's vehicle.

- E.** Individuals, vehicles, and construction facilities are subject to search at discretion of the Director of FPC/designee. Searches of individuals may include strip search at the discretion of the Director of FPC.
- F.** The Contractor shall, at the direction of the Director of FPC/designee, be required to make available keys for any on-site job trailers, storage boxes, equipment containers, etc. The Director of FPC may require searches of these items or facilities at any time.
- G.** All institutional areas are subject to video and audio surveillance at the direction and discretion of the Director of FPC.

1.08 IDENTIFICATION OF CONTRACTOR'S PERSONNEL

- A.** All personnel shall be subject to a fingerprint background check conducted by the Department prior to being permitted to enter the institution. If requested by the Director of FPC, the Contractor/employee shall complete a Contractor Pre-Access Questionnaire form completing all indicated background check information. Additionally, the Contractor/employee will be available to the institution to be fingerprinted as scheduled by the institution. Background check forms provided by the Director of FPC/designee must be completed prior to Contractor's mobilization to the site. Fingerprint background checks will be performed on employees, delivery drivers and vehicle operators employed by the Contractor, subcontractors and vendors. Any consistent driver that frequents the Project site will require a background check. Contractor should assume that background checks will take a minimum of seven business days to complete. The Contractor shall notify the Director of FPC and complete the background check forms for all replacement and/or new employees, drivers, etc. not identified in the initial list of site personnel. Background checks may be repeated on any employee at any time. Any subsequent information, such as a recent arrest, may result in denial of access.
- B.** A valid driver's license number, social security number, date of birth and/or other similar information is required for a background check. Background information will not be disclosed to or discussed with the Contractor. Per applicable laws and TDOC policy, background information will remain confidential.
- C.** The Contractor shall identify for the Director of FPC, promptly upon their employ, persons who have been previously convicted of a felony, incarcerated, or who have a family member currently incarcerated in an institution managed by the Tennessee Department of Correction. Director of FPC may require such persons to be excluded from working on the premises.
- D.** Denial of access decisions by the Director of FPC will be final and non-negotiable.
- E.** The Contractor shall notify the Director of FPC immediately upon dismissal or arrest of an employee, but no later than forty-eight hours from the time the Contractor is informed. The Director of FPC shall determine whether the employee may continue to have access to institutional property.
- F.** An identification card (or pass) may be provided to each construction worker who enters the confines of the institution. Workers will be required to show a valid government issued photo identification card in order for a card to be issued. Identification cards shall be worn in plain sight at all times. If lost or stolen, report to the Director of FPC/designee for issuance of a new card. Identification cards shall be returned to the Director of FPC/designee upon completion of work or termination of employment. The cost of replacement cards/ identification shall be the Contractor's responsibility.
- G.** Construction Worker Apparel
 - 1.** Construction workers may be required to wear appropriate identification and clothing at correctional facilities, which may consist of or be limited by:
 - a.** Headwear of a specific color,
 - b.** Shirt and/or vest of a specific color,

- c. Other appropriate apparel as designated by the Director of FPC/designee, and
 - d. The use or wearing of camouflaged clothing is subject to approval by the Director of FPC.
2. Apparel depicting gang colors or symbols, contraband or inappropriate activity is not permitted. (An example would be a shirt or hat advertising beer or drug paraphernalia, etc.)

1.09 JOB CONDITIONS

- A. Items that are not required for performance of Work are not permitted. All unnecessary items must be removed from vehicles so that searches may proceed quickly.
- B. Association with inmates
 - 1. Interaction with inmates is not permitted.
 - 2. Trafficking or trading in goods with inmates is not permitted.
 - 3. The Department of Correction adheres to a policy of Zero Tolerance regarding workplace relationships with inmates; see TN Code Annotated 41-21-241.
- C. Tobacco Products, Alcoholic Beverages, Cell Phones, Weapons, and Drugs
 - 1. All areas within the TDOC property are designated as NO SMOKING/TOBACCO FREE areas. The Contractor shall not allow any workers to use or to have in their possession tobacco products or tobacco related paraphernalia on TDOC property. All tobacco related items must remain locked in the workers vehicle while on TDOC property.
 - 2. Alcoholic beverages, non-permitted weapons, and illegal drugs are not allowed on TDOC property. Persons caught introducing illegal or banned items onto the grounds of a TDOC institution are subject to confiscation of the disallowed items, removal from the site, termination of site access privileges and prosecution.
 - 3. Individuals requiring prescription medications during the workday will be required to carry the medication in the original packaging from the pharmacy with the prescription name and dosage (see TCA 39-16-201) and fill out a form, suitable to Director of FPC, identifying them and their medication(s). Notify the Director of FPC if any worker needs to bring prescription drugs on to TDOC property. The Contractor's Superintendent shall maintain a copy of the form(s) on file. Approval from the Director of FPC/designee must be received before the medication(s) are allowed on site. Director of FPC may require verification of prescription(s) / medication(s). Director of FPC may refuse to permit prescription/medications on site. Only enough medication for one day may be brought on site. Contractor's Superintendent shall keep a copy of the form on file. It is highly encouraged, if possible, that medications be taken at a time that allows for medications to be left outside the secure perimeter. Narcotic medications will not be allowed on the secure compound.
- D. No computers, laptops, PDA's, cameras, or similar computer electronic devices will be allowed on site without written approval of the Director of FPC or designee.
- E. Contractor required construction photographs and videos, digital or otherwise, taken at TDOC facilities or of the Project site and buildings shall become the property of TDOC and shall not be used for purposes other than as progress documentation and other than construction related reports without the express written permission of the Director of FPC/designee. Any photographs and videos, digital and print that include inmate faces shall be immediately destroyed and not used or printed for any purpose. These requirements shall include photographs taken or construction photos used by the Contractor's subcontractors, vendors, etc. Use of finished construction photographs and videos, to include web-based use, will not be allowed unless approved in advance by the TDOC Director of FPC/designee.

1.10 TOOLS AND MATERIALS

- A.** A Class A tool is defined as any instrument that could be utilized:
 - 1. To attempt an escape,
 - 2. As a weapon, and
 - 3. To fabricate other materials into a weapon.
- B.** Contractor shall make a concerted effort to introduce only necessary Class A tools on to TDOC property, and in the least possible number.
- C.** Hand tools shall be kept in Contractor's possession at all times when not properly stored. Tools shall be removed or placed in a locked toolbox, shed, trailer, or similar tool storage area at the end of each workday. Ramset tools may be stored on site; however, "shots" shall be removed daily and all spent shot accounted for by the Contractor.
- D.** Storage of hand tools on site will be permitted but such tools are to be securely stored in a manner acceptable to the Director of FPC. Contractor shall provide a tool storage container and lock, a tool inventory; provide a key to the Director of FPC/designee until removal of container. An inventory of storage containers may be conducted at any time as determined necessary by the Director of FPC/designee.
- E.** Workers shall not accept anything from an inmate or provide any tools or supplies to an inmate. Inmates are not permitted access to construction documents and related papers. Any theft shall be reported immediately.
- F.** Report lost tools, devices, cell-phones, etc. to the Director of FPC/designee no later than the end of the day.
- G.** Contractor shall be required to submit Safety Data Sheets (SDS) to the Facility Safety Officer (FSO) for any product, chemicals, and materials brought onto TDOC property. Contractor shall review SDS information and requirements for SDS data submittal to the TDOC Facility Safety Officer prior to the start of Work.

1.11 CONTRACTOR USE OF PREMISES AND PRISON OCCUPANCY

- A.** Use of the premises by Contractor will be limited to the 'Site/Project Boundaries' as identified in the Contract Documents to include temporary facilities, and reasonable access thereto. Space for staging Work, employee parking and related operations of Contractor and Contractor's employees may be provided, subject to availability. Coordinate use of premises under direction of the Director of FPC.
- B.** The Contractor is advised that the Project site(s) is or will be active correctional facility or other prison related area, and shall take all necessary precautions to assure the safety of the staff and inmates, State employees, visitors and other contractors day and night. The Contractor shall at all time conduct operations as to insure the least inconvenience and the greatest amount of safety and security for the State's use of other nearby areas by inmates, State employees and the general public. The Contractor acknowledges that there are inherent dangers involved while working at a prison and TDOC will use ordinary care to keep the premises reasonably safe during the Contractor's access to the Work site.
- C.** The Contractor shall schedule and carry out its work such that the normal operations of the facility are given first priority. This applies particularly to noise, utility, and security systems outages and restriction of access.
- D.** Provide and erect before any work begins, and maintain during the progress of the Work, all necessary protective and security barriers, and warning signal. The extent of this work and details of construction shall be in accordance with the requirements of all Federal, State, and local ordinances, codes and requirements; and shall meet the approval of all authorities having jurisdiction and the Director of FPC.

- E.** Control traffic to/from the Work area(s) and occupied area(s) to prevent disruptions to the normal facility operation.
- F.** Exercise the utmost care to protect existing site features and landscaping etc. from damage. Contractor shall report damage immediately, but no later than the end of the workday, to the Director of FPC. Repair of security system cabling and cameras, lighting systems, fiber optic cabling and other critical systems shall be made immediately, and the costs of temporary replacement systems and TDOC labor, as needed, shall be the responsibility of the Contractor.
- G.** Institutional staff shall not receive deliveries for the Contractor or for the Project. The Contractor shall receive all Project related materials at their job site office or off-site, as required. Schedule deliveries to minimize use of site driveways and entrances.

1.12 TRANSPORTATION FACILITIES

- A.** Provide adequate protection for lawns, curbs, and sidewalks over which trucks and equipment pass to reach the Project site(s).
- B.** Contractor shall provide flagmen and traffic control management while using areas of the Project site or outside the Project limits. The Contractor shall be responsible for maintaining vehicular traffic on local roads adjacent to and directly leading to and/or through the areas that are affected by the construction Project. Prior to changing any traffic patterns, the Contractor shall submit a Maintenance-of-Traffic Plan identifying how the vehicular and pedestrian traffic flows will be modified, subject to the review and approval by the Director of FPC, and authorities having jurisdiction. The Contractor shall provide proper signage and personnel to identify and manage temporary roadway relocations or locations where traffic may be impacted.
- C.** Contractor's Vehicles
 - 1.** Personal vehicles for Contractor's employees shall be parked at an area as designated by the Director of FPC. Parking permits may be required for all construction personnel and business vehicles.
 - 2.** Do not permit Contractor related vehicles to park on any street or other area of the State's property except in the area(s) so designated by the Director of FPC/designee.
 - 3.** Work trucks, with logos and company names clearly visible, necessary to the progress of the Project (as determined by the Director of FPC) will be permitted on-site as needed if they are capable of being fully locked, including fuel tanks and tool compartments.
 - 4.** All vehicles shall be locked at all times. Any vehicle determined by the Director of FPC to be a security threat or represent what could be a threat will not be allowed on state property.
 - 5.** All drivers shall have a valid driver's license. Vehicle drivers without a valid driver's license will not be granted access to TDOC property and may be banned from the site and subject to arrest by local authorities.

1.13 WORK SEQUENCE

- A.** The Work shall be executed to minimize disruption of activities at the Project site(s) or buildings. Contractor shall submit a written and graphic plan for staging of work, and the layout and location of material staging areas.
- B.** The Director of FPC/designee shall be notified in writing 72 hours prior to any utility, communication, or electronic security device(s) cut-off. The required notification of a cut-off or interruptions shall include, but not be limited to, service(s) to be cut-off, the expected impact on the facility, the date and time of the cut-off and the anticipated duration of the cut-off. Notification shall pertain to all or any portion of the Project site(s), institution buildings, adjacent State sites, or private properties required by the progress of the Work. The Director of FPC shall have final approval of the exact time for and duration of any proposed shutdown.

1.14 JOB SIGNS AND PUBLICITY RELEASES

- A.** Advertising Signage: The use or installation of Contractor or subcontractor advertising signage is prohibited. Do not display such advertising or job signs except as may be required for identification and deliveries.
- B.** Owner-Furnished Warning Signs: Whenever required by the TDOC On-site Representative, TDOC furnished warning signs shall be posted as directed.
- C.** The Contractor, subcontractors, vendors, material suppliers, etc. shall not release any information, story, photograph, plan or drawing-relating information about the Project to anyone, including the press or other public communications mediums.

1.15 PRISON RAPE ELIMINATION ACT – PREA

- D.** TDOC follows PREA's zero tolerance for sexual contact or sexual misconduct. If the Contractor's employee(s) engage in sexual contact or sexual misconduct with staff or inmates, they will be referred for criminal prosecution when applicable.
- E.** If a contractor's employees witnesses sexual contact and/or sexual misconduct, they are required to report such incident immediately to the on-duty TDOC shift commander or the warden/superintendent.

END OF SECTION