

CONSENT ITEM

RE: ASPHALT OVERLAY

DEPARTMENT: PUBLIC WORKS

PROGRAM: STREETS AND SIDEWALKS

RECOMMENDATION: We recommend awarding this unit price contract to the low bidder, Gershenson Construction Co.

EXPLANATION: The 2017 budget provides for asphalt overlay of Caybeth Drive and Country Club Drive. Caybeth Drive consists of asphalt over concrete pavement. Country Club Drive is a concrete street that has never been overlaid. The old asphalt surface on Caybeth will be removed by the slab replacement contractor.

Request for bid notices were sent to 15 contractors and advertised in the St. Louis Business Journal and on the City's website. Bid specifications are on file at the Public Works Department.

The table below summarizes the bids received on January 27, 2017.

ASPHALT OVERLAY	TOTAL BID	BUDGET SURPLUS
Gershenson Construction Co.	\$133,459.80	
N.B. West Contracting Co.	\$142,771.60	
Krupp Construction, Inc.	\$147,867.60	
Ford Asphalt Co., Inc.	\$168,000.00	
Pace Construction Co.	\$170,906.00	
BUDGET	\$151,456.00	\$17,996.20

Gershenson Construction had an OSHA violation within the past five (5) years. Attached is the information from OSHA's website. There were no prevailing wage violations within the past five (5) years. They have successfully completed similar work in 2014 without issues and in a timely manner.

SUBMITTED BY: GARY R. KRAMER, P.E.
CITY ENGINEER/DIRECTOR OF PUBLIC WORKS

DATE: FEBRUARY 3, 2017



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Establishment Search Results

Establishment	Date Range	Office	State
gershenson	01/27/2012 to 01/27/2017	all	all

Please note that inspections which are known to be incomplete will have the identifying Activity Nr shown in italic. Information for these open cases is especially dynamic, e.g., violations may be added or deleted.

Sort By: **Date** | Name | Office | State

[Return to Search](#) ↻

Results 1 - 1 of 1

By Date

	#	Activity	Opened	RID	St	Type	Sc	SIC	NAICS	Vio	Establishment Name
<input type="checkbox"/>	1	952203.015	12/13/2013	0729300	MO	Referral	Partial		237110	7	Gershenson Construction Co., Inc.

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Inspection Detail

Case Status: CLOSED

Inspection: 952203.015 - Gershenson Construction Co., Inc.

Inspection Information - Office: St. Louis

Nr: 952203.015	Report ID: 0729300	Open Date: 12/13/2013
Gershenson Construction Co., Inc. 945 Larkin Williams Road Fenton, MO 63026		Union Status: Union
SIC: NAICS: 237110/Water and Sewer Line and Related Structures Construction Mailing: 2 Truitt Drive, Eureka, MO 63025		
Inspection Type: Referral		
Scope: Partial	Advanced Notice: N	
Ownership: Private		
Safety/Health: Safety	Close Conference: 12/13/2013	
Emphasis: N:Trench, L:Xfallelec	Close Case: 04/30/2015	
Related Activity: Type	ID	Safety
Referral	865583	Yes
		Health

Case Status: CLOSED

Violation Summary

	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations	10	1				11
Current Violations	5			2		7
Initial Penalty	\$54,400	\$56,000				\$110,400
Current Penalty	\$35,000			\$13,000		\$48,000
FTA Amount						

Violation Items

	#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
	1.	01001	Serious	5A0001	06/09/2014	04/01/2015	\$7,000	\$5,600	\$0	06/17/2014	F - Formal Settlement
	2.	01002	Other	19260020 B02	06/09/2014	04/01/2015	\$6,000	\$5,600	\$0	06/17/2014	F - Formal Settlement
	3.	01003	Serious	19260021 B02	06/09/2014	04/01/2015	\$7,000	\$5,600	\$0	06/17/2014	F - Formal Settlement
Deleted	4.	01004	Serious	19260100 A	06/09/2014	06/30/2014	\$0	\$5,600	\$0	06/17/2014	F - Formal Settlement
Deleted	5.	01005	Serious	19260251 A06	06/09/2014	06/30/2014	\$0	\$5,600	\$0	06/17/2014	F - Formal Settlement
	6.	01006	Other	19260251 C16	06/09/2014	04/01/2015	\$7,000	\$4,000	\$0	06/17/2014	F - Formal Settlement
Deleted	7.	01007	Serious	19260600 A06 I	06/09/2014	06/30/2014	\$0	\$5,600	\$0	06/17/2014	F - Formal Settlement
	8.	01008	Serious	19260651 B04	06/09/2014	04/01/2015	\$7,000	\$5,600	\$0	06/17/2014	F - Formal Settlement

10.	01010	Serious	19260652 G02	06/09/2014	04/01/2015	\$7,000	\$5,600	\$0	06/17/2014	F - Formal Settlement
11.	02001	Serious	19260652 A01	06/09/2014	04/01/2015	\$7,000	\$56,000	\$0	06/17/2014	F - Formal Settlement

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Violation Detail

Standard Cited: 5A0001 OSH Act General Duty Paragraph

Violation Items

Nr: 952203.015	Citation: 01001	Issuance: 06/09/2014	ReportingID: 0729300
Viol Type: Serious	NrInstances: 1	Contest Date: 06/17/2014	
Abatement Date: 04/01/2015	2	Nr Exposed: 2	Final Order: 03/12/2015
Initial Penalty: \$5,600.00	REC: R	Emphasis:	
Current Penalty: \$7,000.00	Gravity: 10	Haz Category:	

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$5,600.00	07/22/2014	Serious	
Penalty	:	06/18/2014	\$5,600.00	07/22/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$7,000.00	04/01/2015	Serious	

Text For Citation: 01 Item/Group: 001 Hazard:

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that **employees were exposed to the hazards of being struck by the load during material handling operations:** At the Riverside & Yarnell Sanitary Relief Sewer construction project, at or near the intersection of Henderson Road and Larkin Williams Road in Fenton, MO 63026, on or about 12/13/2013, **an employee was exposed to the hazard of being struck-by the partially suspended load maneuvered by the Komatsu Hydraulic Excavator, m/n PC400LC, s/n A86713.** The employee was struck-by one end of a 12-foot long section of a 42-inch in diameter sewer pipe and fell to the bottom of the 13-foot deep trench. One method of abatement is for the employer to ensure that employees do not stand next to loads as they are being lifted or maneuvered by excavators. This is not intended to prevent employees from, among other things, approaching the bucket of the excavator in order to place or remove a sling or other piece of equipment on the bucket. Disclaimer: a) The employer is not limited to the abatement method(s) suggested by OSHA. b) The employer is responsible for selecting and implementing an effective abatement method.

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Violation Detail

Standard Cited:19260020 B02 *General safety and health provisions.***Violation Items**

Nr: 952203.015 Citation: 01002 Issuance: 06/09/2014 ReportingID: 0729300

Viol Type: Other NrInstances: 1 Contest Date: 06/17/2014

Abatement Date: 04/01/2015 2 Nr Exposed: 5 Final Order: 03/12/2015

Initial Penalty: \$5,600.00 REC: Emphasis:

Current Penalty: \$6,000.00 Gravity: Haz Category:

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$5,600.00	06/30/2014	Serious	
Penalty	:	06/18/2014	\$5,600.00	06/30/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$6,000.00	04/01/2015	Other	

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Violation Detail

Standard Cited:19260021 B02 *Safety training and education.*

Violation Items

Nr: 952203.015 Citation: 01003 Issuance: 06/09/2014 ReportingID: 0729300
 Viol Type: Serious NrInstances: 1 Contest Date: 06/17/2014
 Abatement Date: 04/01/2015 2 Nr Exposed: 6 Final Order: 03/12/2015
 Initial Penalty: \$5,600.00 REC: Emphasis:
 Current Penalty: \$7,000.00 Gravity: 10 Haz Category:

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$5,600.00	07/22/2014	Serious	
Penalty	:	06/18/2014	\$5,600.00	07/22/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$7,000.00	04/01/2015	Serious	

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Violation Detail

Standard Cited: 19260100 A *Head protection.*

This violation item has been deleted.

Violation Items

Nr: 952203.015 Citation: 01004 Issuance: 06/09/2014 ReportingID: 0729300
 Viol Type: Serious NrInstances: 2 Contest Date: 06/17/2014
 Abatement Date: 06/30/2014 Nr Exposed: 2 Final Order: 03/12/2015
 Initial Penalty: \$5,600.00 REC: Emphasis:
 Current Penalty: Gravity: 10 Haz Category:

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$5,600.00	06/30/2014	Serious	
Penalty	:	06/18/2014	\$5,600.00	06/30/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$5,600.00	06/30/2014	Serious	

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Violation Detail

Standard Cited: 19260251 A06 *Rigging equipment for material handling.*

This violation item has been deleted.

Violation Items

Nr: 952203.015 Citation: 01005 Issuance: 06/09/2014 ReportingID: 0729300
 Viol Type: Serious NrInstances: 2 Contest Date: 06/17/2014
 Abatement Date: 06/30/2014 Nr Exposed: 5 Final Order: 03/12/2015
 Initial Penalty: \$5,600.00 REC: Emphasis:
 Current Penalty: Gravity: 10 Haz Category:

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$5,600.00	06/30/2014	Serious	
Penalty	:	06/18/2014	\$5,600.00	06/30/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$5,600.00	06/30/2014	Serious	

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Violation Detail

Standard Cited:19260251 C16 *Rigging equipment for material handling.*

Violation Items

Nr: 952203.015 Citation: 01006 Issuance: 06/09/2014 ReportingID: 0729300
 Viol Type: Other NrInstances: 2 Contest Date: 06/17/2014
 Abatement Date: 04/01/2015 2 Nr Exposed: 5 Final Order: 03/12/2015
 Initial Penalty: \$4,000.00 REC: Emphasis:
 Current Penalty: \$7,000.00 Gravity: Haz Category:

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$4,000.00	06/30/2014	Serious	
Penalty	:	06/18/2014	\$4,000.00	06/30/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$7,000.00	04/01/2015	Other	

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Violation Detail

Standard Cited:19260600 A06 I *Equipment.*

This violation item has been deleted.

Violation Items

Nr: 952203.015 Citation: 01007 Issuance: 06/09/2014 ReportingID: 0729300
 Viol Type: Serious NrInstances: 1 Contest Date: 06/17/2014
 Abatement Date: 06/30/2014 Nr Exposed: 5 Final Order: 03/12/2015
 Initial Penalty: \$5,600.00 REC: Emphasis:
 Current Penalty: Gravity: 10 Haz Category:

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$5,600.00	06/30/2014	Serious	
Penalty	:	06/18/2014	\$5,600.00	06/30/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$5,600.00	06/30/2014	Serious	

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Violation Detail

Standard Cited: 19260651 B04 *Specific Excavation Requirements.*

Violation Items

Nr: 952203.015 Citation: 01008 Issuance: 06/09/2014 ReportingID: 0729300
 Viol Type: Serious NrInstances: 1 Contest Date: 06/17/2014
 Abatement Date: 04/01/2015 2 Nr Exposed: 5 Final Order: 03/12/2015
 Initial Penalty: \$5,600.00 REC: Emphasis:
 Current Penalty: \$7,000.00 Gravity: 10 Haz Category:

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$5,600.00	07/22/2014	Serious	
Penalty	:	06/18/2014	\$5,600.00	07/22/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$7,000.00	04/01/2015	Serious	

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Violation Detail

Standard Cited: 19260651 K02 *Specific Excavation Requirements.*

This violation item has been deleted.

Violation Items

Nr: 952203.015 Citation: 01009 Issuance: 06/09/2014 ReportingID: 0729300

Viol Type: Serious NrInstances: 1 Contest Date: 06/17/2014

Abatement Date: 06/30/2014 Nr Exposed: 2 Final Order: 03/12/2015

Initial Penalty: \$5,600.00 REC: Emphasis:

Current Penalty: Gravity: 10 Haz Category:

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$5,600.00	06/30/2014	Serious	
Penalty	:	06/18/2014	\$5,600.00	06/30/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$5,600.00	06/30/2014	Serious	

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Violation Detail

Standard Cited: 19260652 G02 *Requirements for protective systems.*

Violation Items

Nr: 952203.015 Citation: 01010 Issuance: 06/09/2014 ReportingID: 0729300
 Viol Type: Serious NrInstances: 2 Contest Date: 06/17/2014
 Abatement Date: 04/01/2015 2 Nr Exposed: 1 Final Order: 03/12/2015
 Initial Penalty: \$5,600.00 REC: Emphasis:
 Current Penalty: \$7,000.00 Gravity: 10 Haz Category:

Penalty and Failure to Abate Event History

Type	Event	Date	Penalty	Abatement	Type	FTA Insp
Penalty	Z: Issued	06/09/2014	\$5,600.00	06/16/2014	Serious	
Penalty	:	06/18/2014	\$5,600.00	06/16/2014	Serious	
Penalty	F: Formal Settlement	03/12/2015	\$7,000.00	04/01/2015	Serious	

UNITED STATES
DEPARTMENT OF LABOR

Occupational Safety and Health Administration
 200 Constitution Ave., NW,
 Washington, DC 20210
 ☎ 800-321-6742 (OSHA)
 TTY
 www.OSHA.gov

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 Affordable Care Act
 Disaster Recovery Assistance
 USA.gov
 Disability.gov
 Plain Writing Act
 Recovery Act
 No Fear Act
 U.S. Office of Special Counsel

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