



Caltrans Local Assistance

RESIDENT ENGINEER ACADEMY

Module 6

Legal Relations & Responsibility to the Public

January 2025

Legal Relations - Objectives

Be able to...

- List laws, regulations, orders and decrees to which the Contractor must comply
- Understand the Contractor's obligation to minimize inconvenience to the public or property owners
- Enforce public safety requirements

Legal Relations & Responsibility to the Public: Laws

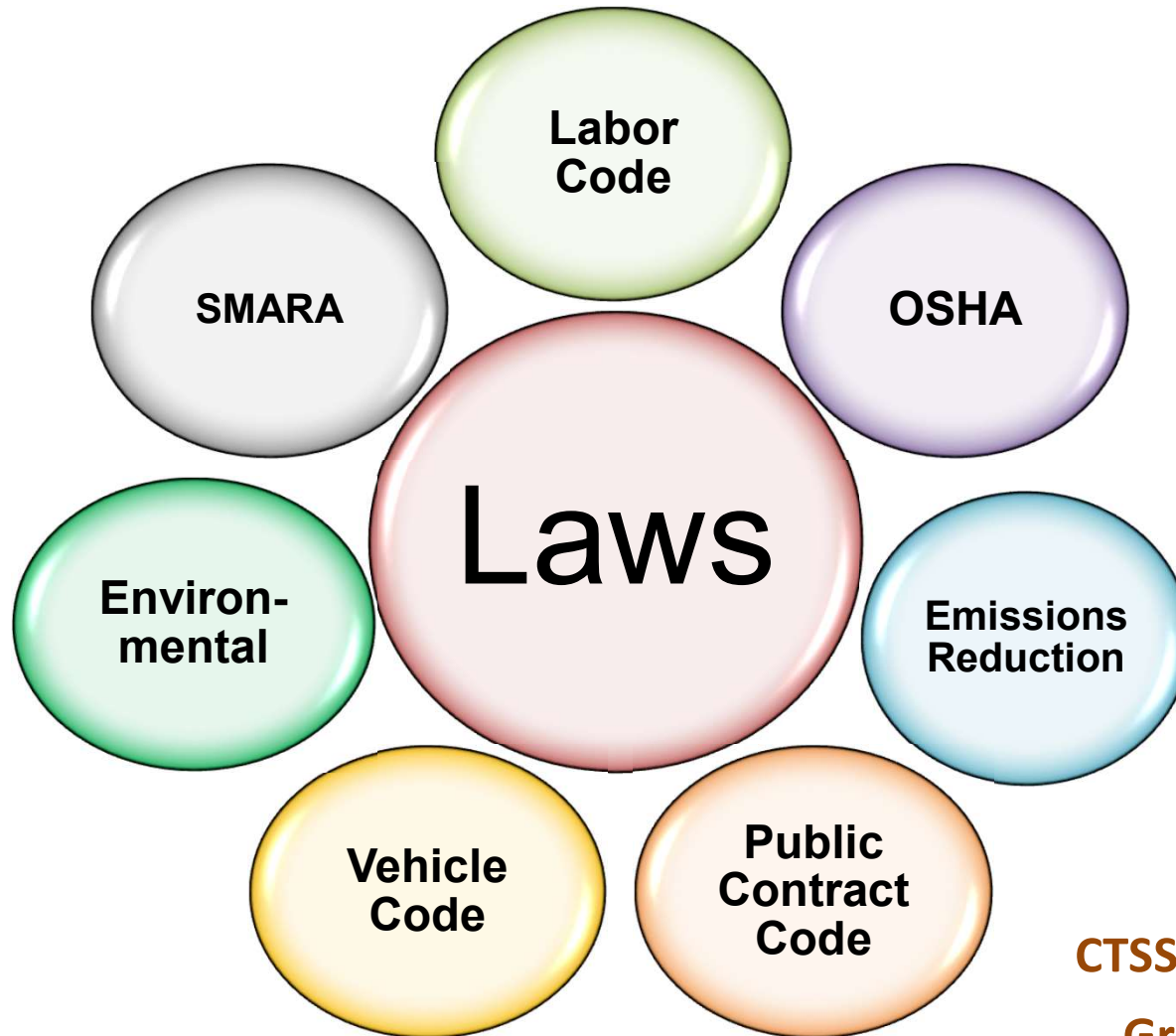
Contractor must comply with...

- All Laws
- Regulations
- Orders or
- Decrees Applicable to the Project

CTSS 7-1.02, Laws

Green Book 5-1

Laws



CTSS 7-1.02, Laws
Green Book 5-1

Laws

Example: Vehicle Code

Contractor must comply with size and weight limitations on...

- Treated base or pavement *under construction*
- Completed or existing:
 - Base
 - Pavement
 - Structures
- Culverts and pipes

CTSS 5-1.37B Load Limits
CM 3-701C
CVC Section 35550-35558

Laws

Occupational Safety & Health Administration (OSHA) Example:

- Contractor must
 - Comply with Federal, State, and local health, safety and sanitary laws
 - Provide and follow a company Code of Safe Practices
- RE must
 - Enforce
 - Report serious violations to Cal/OSHA
 - Cooperate with investigations

**CTSS 7-1.02K(6) Occupational Safety
and Health Standards
Green Book 5-7.1 Work Site Safety**

Laws

Example of some Cal/OSHA Regulations



**Cal/OSHA SubChapter4:
Construction Safety Orders**

Public Convenience

Contractor must *schedule* and *conduct* work to *avoid unnecessary inconvenience* to the public and abutting property owners.

**Maintain access
to driveways,
houses,
businesses**

**Provide smooth
surface**

**Prevent or alleviate
dust**

**Provide signs
and flaggers as
necessary**

Repair damage

CTSS 7-1.03

CM 3-702

Green Book 5-7/302-10.4

Public Safety

Temporary Traffic Control (TTC) Plan:

- *Required* for each Federal-aid project
- Before work begins, TTC plans must be approved by the Engineer or the Engineer's designee of the public agency
 - A. TTC Plan in PS&E, or
 - B. Provisions that allow the contractor to develop/modify the TTC Plan

**LAPM 16.15 Traffic Safety in Highway
and Street Work Zones**

Cal MUTCD, Part 6

Greenbook 5-7

Public Safety

Local Agency designates a TTC Plan and safety person:

- Ensure implementation
- Require revisions as necessary

**LAPM 16.15 Traffic Safety in Highway
and Street Work Zones**

Public Safety

The contractor is responsible to provide for public safety.

- Keep existing signals and lighting in operation
- Enter and leave highway safely
- Remove hauling spillage/control dust
- Use TTC devices that comply with Manual on Uniform Traffic Control Devices ([MUTCD](#))
- Provide flagging as necessary



CTSS 7-1.04, Public Safety
CM 3-703, Public Safety
Green Book 5-7

Legal Relations & Responsibility

Remember...

- The Contractor must comply all laws, regulations, orders, and decrees.
- The Contractor is obligated to minimize inconvenience to the public or property owners.
- Public safety requirements are to be enforced.