

Part 1 - General

1.01 Description

- .1 This Section specifies health and safety administrative requirements for contractors performing work for the Region of Durham.

1.02 Region of Durham Health and Safety Policy

- .1 Comply with the Region of Durham Corporate Healthy Workplace policy.
- .2 Ensure all Subcontractors and suppliers are aware of and comply with all Region of Durham Health and Safety Programs as requested by the Contract Administrator.
- .3 Provide a copy of Contractor's current Health and Safety Policies and Program, to be implemented prior to the commencement of construction.
- .4 Comply with all Federal, Provincial and Lower Tier Municipality Health and Safety Acts, Regulations and By-Laws and with all applicable industry safety standards.
- .5 Comply with Ontario Regulation 213/91 (Construction Projects) made under the Occupational Health and Safety Act (OHSA) and all amendments thereto. Copies of the Regulations may be obtained from the Ministry of Labour at their Whitby office, Publications Ontario at 880 Bay Street, Toronto, Ontario M7A 1N8 (Tel. 416-326-5300), or from the Works Department's Safety Office.
- .6 Provide any and all personal protective equipment for Contractor's own workers where prescribed.
- .7 If any worker fails to comply with any policy, program, or request regarding health and safety, the Region reserves the right to remove that person(s) from the Work.

1.03 Material Safety Data Sheets

- .1 Provide the Region's Project Manager with a list of Designated Substances that will be brought to the site prior to commencing work. Materials Safety Data Sheets (MSDS) and the hazardous material inventory for each substance listed must be kept on the Project.

1.04 List of Designated Substances at the Site

- .1 In accordance with the requirements of Section 30(1) of the Occupational Health and Safety Act, the Bidder is hereby advised that the designated substances listed in the Contract Documents are or may be present on the site and within the limits of this Contract:
- .2 The Contractor shall comply with the governing Ministry of Labour Regulations respecting protection of workers, removal, handling and disposition of any Designated Substances encountered in carrying out the Work proposed on this contract.
- .3 Prior to commencement of this work, provide written notification to the Ministry of the Environment at their York-Durham District Office, 230 Westney Rd. S., 5th floor, Ajax, Ontario L1S 7J5, of the location(s) proposed for disposal of Designated Substances. Provide a copy of the notification to the Consultant a minimum of two weeks in advance of such work starting.
- .4 In the event that the Ministry of the Environment has concerns with any proposed disposal location, further notification shall be provided until the Ministry of the Environment's concerns have been addressed.
- .5 Should a Designated Substance not identified in the Contract Documents be encountered the Contractor shall immediately notify the Contract Administrator of their findings. Management of such substance shall be treated as Extra Work.

1.05 Health and Safety Warnings

- .1 The Consultant and the Region shall have the right to document all Contractors for all health and safety warnings and/or to stop any Contractor's work if the Contractor fails to comply with any requirements under this Section.
- .2 Similarly, the Consultant and the Region shall have the right to issue warnings and/or to stop work for any Contractor violations of the contract including Regional health and safety policy, programs, rules and/or if the Contractor creates a health or safety hazard.
- .3 Written warnings and/or stop work orders shall be given to the Contractor using the Region's Contractor Health and Safety Warning / Stop Work Order Form.
- .4 The Owner reserves the right to immediately have a hazard corrected at the Contractor's expense.

1.06 Notice of Project

- .1 Notify all regulatory bodies required for construction activities, (i.e., Notice of Project, employer notification, etc.). Notifications shall include, but not be limited to, the notification requirements laid out in OHS Act Sec 51-53 and the requirements of Ontario Regulation 213/91 for Construction Projects, Sections 5, 6 and 7. For the purpose of this contract the Contractor shall be the “Constructor”.

1.07 Contractor’s Field Office

- .1 The Contractor shall post/provide the following in the Contractor’s Site Office:
- Health and Safety policy and program (Occupational Health and Safety Act (Section 25.2)
 - Occupational Health and Safety Act and Construction Regulations (Section 25.2)
 - M.O.L. Notice of Project (Regulation Section 6.3)
 - Name of Occupational Health and Safety Representative (if there is one) (Regulation Section 13.1)
 - Names of Joint Health and Safety Committee members (if there is a committee) (Regulation Section 13.1)
 - Names of Worker Trade Committee members (if there is a committee) (Regulation Section 10.1)
 - Sub-Contractor registration (Regulation Section 5.1)
 - Emergency procedures (Regulation Section 131)
 - Material Safety Data Sheets (or location) (O.H.S.A. Section 17.1)
 - First aid certificate(s)
 - W.S.I.B. Form 82
 - First Aid kit (or location)
 - Map to local Hospital
 - Fire Extinguisher readily accessible and locations marked (Regulation Section 52.1)

1.08 Indemnify Owner from Legal Fees

- .1 Continuously save, keep harmless and fully indemnify the Region, its elected officials, employees and agents and successors and assigns, from and against all actions, claims, and demands whatsoever which may be brought against or made upon the Region and against all types of losses, liabilities, claims, expenses, costs (including, but not limited to legal fees) which the Region may incur resulting from or arising out of the Contractor's failure to exercise reasonable care, skill or diligence in their performance or rendering of work or service required hereunder to be performed or rendered by the Contractor, pursuant to the contract.
- .2 The Region shall have the right to retain, out of any monies payable by the Region to the Contractor, the total amount from time to time outstanding of all damage claims by third parties arising out of this Contract, which have not been settled by the Contractor or its insurers.

1.09 Health and Safety Confirmation Form

- .1 The Contractor shall complete and submit the "Confirmation of Favourable Health and Safety Practice Form" within 10 Working Days of being requested to do so by the Region.

END OF SECTION