

Prime Contractor Requirements

Revised: April 2015



Introduction

The University of Lethbridge is committed to promoting the health, safety and well-being of its students, employees, visitors and contractors, as well as providing a safe and healthy environment in which to conduct activities, in accordance with all applicable University of Lethbridge policies and procedures.

The University of Lethbridge will take all reasonable steps to meet or exceed the legislated requirements made under the Alberta Occupational Health and Safety Act, Regulation and Code.

The University requires all service providers, inclusive of contractors, to work in a safe and diligent manner and expects them to meet or exceed the Alberta Occupational Health & Safety Act, Regulation and Code and any and all applicable municipal, provincial and federal regulations in the performance of their work at any University site. In addition to this, the University requires compliance with any and all applicable University policies and procedures.

1.0 Prime Contractor

The Prime Contractor has a legal duty of care to ensure compliance with any and all applicable legislation, inclusive of the Alberta Occupational Health & Safety Act Regulation & Code as well as conformity with all University policies and procedures.

1.1 Assignment of Prime Contractor Status

The University of Lethbridge, as the owner of the worksite, may assign prime contractor designation and associated responsibilities to a contractor by written contractual agreement with the contractor.

The University may assign a specific worksite to a Prime Contractor and transfer, by written agreement, the health & safety responsibilities to that contractor. This work site must be clearly defined. Vehicle and foot traffic between the contractor's worksite and University of Lethbridge must be controlled by a physical barrier and can be treated as a separate "worksite within a worksite".

In situations where the University of Lethbridge assigns Prime Contractor designation to a contractor, the University Contact has the following responsibilities:

- Monitoring the Prime Contractor's Safety Management System on a regular basis - this may include but not be limited to the following: ensures that hazard assessments are completed, inspections are conducted, safety meetings are held, orientations are conducted and incidents are investigated;
- Assist with communications that may impact other areas and activities of the University community, in order to facilitate effective and efficient resolve to address issues or concerns identified or reported by the Prime Contractor.

2.0 Contractor Requirements

2.1 Pre - Qualification

The University of Lethbridge uses a pre-qualification process as an evaluation method for Prime Contractors to verify that they have the capability to be assigned prime contractor responsibilities. This shall include but not be limited to:

- Previous experience in fulfilling prime contractor responsibilities as well as having a solid health and safety management system in place.
- Certificate of Recognition (COR), Small Employer Certificate of Recognition (SECOR) or an active health and safety program that includes a written safety manual.
- Certificate of Insurance confirming the requisite insurance coverage inclusive of the minimum limits mandated by the University considering scope and value of work. The University reserved the right to request higher limits of insurance and additional insurance coverage dependent upon the scope and complexity of the project.
- Clearance Letter verifying coverage from Alberta Workers Compensation Board (WCB) including the company's experience rating assessment. This document must be current within 30 days of application.

2.2 Site Specific Project Management Health and Safety Plan

The Prime Contractor must submit to the University Contact prior to work commencing, a site-specific Health and Safety Management Plan that they will implement on the project. The University Contact is responsible for orientating the Prime Contractor to the University site and any site activities that may impact the work and developments of their site-specific Health and Safety Management Plan.

3.0 Orientation

Prime Contractors must conduct their own orientation designed to inform their subcontractors and employees of their Health and Safety Management Plan. Prime Contractors must work with the University Contact to incorporate relevant safety information pertaining to the University into their site-specific orientation.

4.0 Worksite Assessment

The University Contact will inform the Prime Contractor of known hazards that he/she should be aware of for consideration in their site-specific hazard assessment that identifies existing and potential hazards that may affect the safety of students, employees, staff, the operation, the public or the environment. The hazard assessment must be performed prior to any work beginning at the work site.

5.0 Inspections

The Prime Contractor is required to perform regular worksite safety inspections as per the frequency stated in their Health and Safety Management Plan.

6.0 Incident / Accident Reporting

The Prime Contractor must advise the University Contact of any **reportable** incidents/accidents and/or near miss situations immediately after an incident/accident or near miss situation occurs by submittal of an Incident/Investigation Report to the University Contact. Reportable incidents/accidents and near miss situations include:

- Any incident that could have or did encroach outside the Prime Contractor's worksite
- Any life altering or reportable incident which is reportable to Workplace Health and Safety (formerly OHS) and/or WCB
- Any property damage or losses
- Any incident that may adversely impact the environment which would be reportable to any municipal, provincial or federal authority
- Any incident which caused the Prime Contractor to utilize the University's emergency services
- Any incident that may present an adverse financial or reputational impact to the University.



PRIME CONTRACTOR AGREEMENT

Re: _____ [insert full name of company]

_____ [insert address of company]

(the "Contractor")

Project No: _____ Project Name: _____

Worksite Location & Scope: _____

The Governors of the University of Lethbridge, as owner of the worksite, assigns to the Contractor the "prime contractor" designation and associated responsibilities under and pursuant to the Alberta Occupational Health and Safety Act, Regulation and Code (collectively "OHS") for the work on the Project.

The Contractor hereby acknowledges and accepts this assignment as prime contractor, and shall for the purposes of OHS and for the duration of the Project:

- Be the "prime contractor" for the worksite;
- Establish and maintain a system or process that ensures compliance with OHS to ensure the health and safety of all persons at the worksite;
- Ensure that first aid services, equipment and supplies required by OHS are available at the work site;
- Ensure that any equipment erected or installed by or on behalf of the prime contractor complies with the requirements of OHS as if the prime contractor was the employer;
- Direct all sub-contractors, other contractors, employers, workers and any other persons at the worksite on safety-related matters, to the extent required to fulfill its "prime contractor" responsibilities pursuant to OHS and in accordance with any other applicable legislation and University of Lethbridge policies and procedures;
- Any OHS violation by the Contractor may be considered a breach of contract and may result in suspension or termination of the contract and/or any other actions deemed appropriate at the discretion of the University of Lethbridge;
- Any OHS penalties, sanctions or additional costs levied against the Contractor will be the responsibility of the Contractor.

The University of Lethbridge may at any time during the term of the contract, and on written notice to the Contractor, suspend, limit or terminate any or all of the Contractor's obligations under this Prime Contractor Agreement, as solely determined by the University of Lethbridge.

As an official representative for the Contractor, I fully understand and accept the responsibilities of the prime contractor designation in accordance with the Alberta Occupational Health and Safety Act, Regulation and Code, the University of Lethbridge Prime Contractor Requirements and the terms under this Prime Contractor Agreement.

Signed on behalf of: _____ [insert full name of company]

Name:

Signature:

Date: