

City Guideline: Responsibilities of Contractors

(General Conditions of Works, Workplace Safety and Health and Code of Conduct Instructions)

1. Purpose

This document sets out the City of Albany's guidelines for work conducted by contractors on behalf of the City of Albany, and is complementary to other documents relating to the tendering, acceptance and review of contracts and quotations.

The instructions/guidelines contained herein, are intended to complement State Acts and Regulations that apply to all work within the City of Albany (the City).

Contractors engaged by the City will need to comply with these conditions. The City may also require written documented proof (qualifications of personnel, licenses etc.), where applicable, prior to commencement.

2. Scope or Eligibility

This document applies to contractors, their employees and/or sub-contractors, conducting work for, or on behalf of, the City of Albany.

3. General

(1) Legislation

- a. Contractors shall comply with the WA *Occupational Safety and Health Act 1984* and Regulations. The Act and regulations can be accessed online at the following web site: <http://www.commerce.wa.gov.au/WorkSafe>
- b. Failure by any contractor, or their employee, who refuse to comply with the Occupational Safety and Health Act, 1984 and Regulations of WA, or the City of Albany's regulations, may be required to leave the premises, or worksite, and may be refused re-entry. The contract may be terminated.

(2) Contractor Induction

- a. Contractors are required to attend/complete an Occupational Safety and Health Induction prior to starting work for City of Albany. Contractors are required to induct sub-contractors and any visitors to the work site also.
- b. The Contractor Induction Checklist Form can be accessed online on the following link: [City Form: Safety: Contractor Induction Checklist](#) or from the City's website: <http://www.albany.wa.gov.au/a-z-quickfind/forms-database/>

(3) Location of Utilities and Services

It is the Contractor's (including consultants/engineers) responsibility to identify and locate utility services where these services coincide with the work site. Contractors shall keep a copy of the relevant service location documentation on site at all times. The Contractor is responsible for any damage to any services at the work site, and shall bear all costs associated with any repairs.

(4) City’s Representative.

The City’s representative is determined as the Responsible Officer. This Officer will be the person responsible for the management and completion of the project for which the quotation/contract has been sought.

(5) Advice to Residents.

The Contractor is to advise property owners, a minimum of 48 hours prior to the commencement of works, of any restricted access to their property, noise, potential dust problems or any other form of disturbance which may arise during the course of the works, and the anticipated length of time the works will take.

(6) Dust, Sand Drift, Vibration and Other Disturbances.

Nuisance dust and sand drift are to be contained in line with the City of Albany’s “Prevention and Abatement of Sand Drift Local Law” for Property Owners and Occupiers, by either periodic watering or covering with an appropriate medium approved by the City’s Representative. The Contractor shall limit ground vibrations in adjoining buildings and properties by ensuring that ground particle velocities arising from the operation of vibratory or percussion equipment do not exceed any such limit that would result in nuisance or damage to buildings or property. Where vibration or percussion equipment is used in close proximity of buildings/infrastructure, a dilapidation report of all adjacent buildings/infrastructure is to be compiled by the Contractor prior to the operation of such equipment and supplied to and approved by the responsible officer before work commences. Any damages or losses resulting of the above mentioned disturbances will be carried by the Contractor.

(7) Traffic Management.

Traffic shall be managed in accordance with Main Roads WA Traffic Management for Road Works Code of Practice and AS1742.3 Manual of Uniform Traffic Control Devices: Part 3 Traffic Control Devices for Works on Roads. For short term day time only works the traffic management must be in accordance with Standards Australia HB 81.1 2003 and HB 81.2 2003. Where work on existing roads is to be performed, a Traffic Management Plan shall be prepared and signed by an accredited professional. Preparation for the Traffic Management plan must include a recorded site visit by a person holding a current Advanced Worksite Traffic Management (AWTM) accreditation, representing the Contractor. The Contractor shall meet all Traffic Management requirements as per current Australian Standards and the City of Albany’s job Specifications and Responsibilities. All plans must be provided to and approved by the responsible officer.

(8) Environmental Code of Conduct.

Contractors and their sub-contractors shall abide by the City’s Environmental Code of Conduct at all times. Requirements of this Code can be source from: <http://www.albany.wa.gov.au/a-z-quickfind/guidelines-database/>

(9) Work Sites – Commencement and Finalisation

- a. The Contractor will participate in a pre-commencement walk through of the work site prior to the commencement of works.
- b. Where the Contractor envisages that there will be five (5) or more people on the work site at any point in time, the Contractor shall compile and submit a Safety Management Plan to the City’s Responsible Officer for approval in writing prior to the commencement of any work.

- c. The Contractor will not deviate from the work site plan or drawing specifications, unless the designated Responsible Officer has granted permission.
- d. The Contractor shall ensure that the work site is properly fenced off and that safe, easily trafficable detours are provided to road users, cyclists and pedestrians at all times where the works impair any existing course.
- e. All worksites shall be kept in as neat and clean condition as possible. Stockpiled materials must be placed in such a manner as to not create a barrier or obstruct pedestrian or vehicular traffic.
- f. Formwork left set up overnight will be suitably delineated using reflective cones, bollards or bunting as well as suitable signage. Vehicular and pedestrian access to private property must not be impaired unless the property owner has been advised or consulted prior to the event.
- g. Normal working hours for construction work shall be 7.00am to 6.00pm Monday to Friday, 7.00am to 1.00pm Saturday, excluding public holidays. No work shall be undertaken outside these hours without prior approval from the designated Responsible Officer and the Environmental Health Team. Construction work includes deliveries to the site of the works and the on-site servicing and fueling of machinery. Any application for work outside of normal hours shall demonstrate that it is reasonably necessary to perform the work outside of normal hours and additional neighbourhood consultation is required.
- h. At the Completion of the works, the Contractor shall arrange a final inspection with the designated Responsible Officer. Final payment will not be released until the Responsible Officer is satisfied that the works are complete.

(10) Insurance

- a. Every Contractor shall obtain adequate insurance coverage for the job undertaken. This coverage must be maintained throughout the term of the contract/job.
- b. Insurances required may consist of any, or all of the following:
 - Workers' Compensation (as required by Law)
 - Motor Vehicles and Mobile Equipment
 - Personal Accident or Income Protection (self-employed Contractors only)
 - Public Liability (\$10 million minimum for duration of the contract unless otherwise specified in the contract)
 - Professional Indemnity (minimum of \$5 million unless otherwise stated)
 - Product Liability (minimum of \$10 million unless otherwise stated)
 - Contract Works Insurance (for the value of the contract)
- c. Copies of relevant documentation are to be supplied to the City of Albany's Responsible Officer on request or provided to the Procurement Officer, if the project is a Major Quotation or Tender.

(11) Qualifications and Licences

a. Contractors' Obligations.

Contractors are to ensure that any task requiring a qualification or licence is allocated to a person or persons who can clearly identify themselves as having such qualification or licence necessary to perform the task.

- b. If designated plant is to be used, it must have a current licence or certification.

Information about this process can be found at:

http://www.docep.wa.gov.au/WorkSafe/Content/Services/Certification_registration_and/index.htm

- c. **Contractors Must Identify any Licences Required.**

Evidence of these may be required and must be produced on the request of the City of Albany Responsible Officer.

- d. **Vehicles and Plant.**

All vehicles and plant that are subject to licensing must be roadworthy in accordance with Occupational Safety and Health legislation and Road Transport requirements, appropriately licensed and carry a minimum of third party insurance coverage.

(12) Delivery of Material and Equipment

- a. **Equipment**

- Contractors are to make all arrangements with the Responsible Officer for delivery, off-loading and storage of equipment etc., prior to its arrival on site. The City will not be responsible for off-loading or delays in equipment delivery, unless prior arrangements have been made.
- All delivery documents for equipment and services charged directly to the City of Albany must be handed to the Responsible Officer, to confirm receipt.

- b. **Materials.**

The Contractor will be issued with a copy of a Purchase Order issued to suppliers, for supply of materials for the specified job. When ordering materials, the Purchase Order Number must be quoted to the supplier at the time of ordering. Contractors are not to source materials from alternative suppliers, without the express approval of the Responsible Officer.

(13) Tools and Equipment

- a. **Provision and Maintenance.**

Contractors will provide the equipment necessary for the performance of the contract works. All tools and machinery will be maintained in good working order in accordance with national and state safety legislation, Codes of Practice and Australian Standards. The Contractor acknowledges that the City of Albany will not be responsible for the loss or damage to any of the Contractor's equipment.

- b. **Electrical Equipment.**

Electrical leads and equipment, used on construction work, shall be tested and tagged in accordance with Australian Standards and Western Australian Occupational Safety and Health Act and Regulations.

(14) Operating Equipment.

- a. Contractors' employees are not permitted to operate City of Albany equipment unless authorised by the Responsible Officer, and ONLY after being inducted.

- b. All machinery, or mobile equipment that is subject to licence or certificates of competency, will not be operated on site, unless the operators have the appropriate endorsements.

(15) Gas Cylinders.

Ensure all gas cylinders are stored and secured in a safe place and condition, in an upright position away from heat and tied, or secured to prevent falling.

(16) Chemicals

- a. The Contractor shall supply a list of all chemicals to be used for the performance of the contract, together with a copy of the Material Safety Data Sheets (MSDS), for each chemical, before bringing them on site. No other chemicals shall be used without prior approval of the Responsible Officer and provision of an MSDS.
- b. All requirements for safe use of each chemical, including wearing of personal protective equipment and clothing, shall be complied with.

(17) Chainsaws and Elevated Platforms.

Only Contractors, or their employees who have completed and passed an approved training course, shall use chainsaws or elevated platforms.

(18) Safety.

Please refer to the following General Conditions of Works, Workplace Safety and Health and Code of Conduct Instructions:

a. First Aid

- Contractors are required to provide their own First Aid facilities and suitably trained personnel.
- All injuries and Work Safe Notices must be reported immediately to the Responsible Officer.

b. Fire Protection

- Contractors will ensure the appropriate storage and use of flammables.
- In the event of fire, contractors shall attempt to control it only if safe to do so. Contractors shall ensure the safety of people and alert the emergency services.
- Fire extinguishers, hydrants and hose reels are situated throughout Council premises. Contractors shall be aware of the location of these, the type of fire they are designed to fight, and their method of operation.
- Fire extinguishers must be kept free from obstruction at all times.
- If a City provided fire extinguisher is used, report it to the City's Responsible Officer, so that a replacement may be arranged.
- Fire hoses must not be used for any other purposes.
- All fires must be reported to the City's Responsible Officer.

c. Electrical.

All electrical work to be conducted on a City of Albany site will be carried out in accordance with Australian Standards, Codes of Practice and Occupational Safety and Health Acts and Regulations. Only authorised electricians are permitted to inspect or repair electrical faults.

d. Welding and Cutting

- The Contractor shall ensure that all work requiring the use of welding, gas, cutting, grinding or naked flames is done in accordance with Occupational Safety and Health Act and Regulations.
- The Contractor must comply with all of the rules covering permits, fire watch personnel, flammable material, screening and protective equipment in accordance with the Occupational Safety and Health Act and Regulations.

e. Vehicles, Plant and Equipment

- Machinery, plant and vehicles must be stationary, with the park brake engaged, and safe to work on before greasing, refueling or cleaning is carried out.
- All drivers and passengers must be seated, and no part of the body is to project beyond the vehicle.
- NEVER walk or work under a suspended load.
- If work is to be carried out on any hazardous plant or machinery, locks and/or appropriate tags shall be used to isolate such plant or machinery.
- All operating machinery shall be adequately protected by guards, which are sound and in place, and comply with the Occupational Safety and Health Act and Regulations.

f. Scaffolding and Ladders.

All scaffolds and ladders will be constructed and maintained in good order and condition and used in accordance with Australian Standards, Codes of Practice and the Occupational Safety and Health Act and Regulations.

g. Confined Spaces.

Before entry into a confined space is permitted, the Contractor must ensure that all the appropriate isolation and entry procedures are carried out in accordance with the Occupational Safety and Health Regulations, Australian Standards and the Responsible Officer has been notified prior to entry.

h. Sharps.

Only trained employees shall handle sharps. A toggle pick-up stick shall be used where possible or gloves worn. Sharps shall be placed in an approved container, disposed of in the appropriate manner and reported to the City's Responsible Officer who then needs to report to the Health Department.

i. Work Sites.

- Where the provision of barriers, site protection for danger areas and overhead protection of workers is required, it will be carried out in accordance with City of Albany requirements and Australian Standards, Codes of Practice and Occupational Safety and Health Acts and Regulations.
- Excavations will be discussed with the Responsible Officer, and checks against site plans confirmed, before digging will be permitted to commence. Shoring of excavations will comply with Australian Standards, Occupational Safety and Health and Work Safe Acts and Regulations.

j. **Personal and Protective Equipment (PPE)**

- The Contractor shall ensure that all employees and sub-contractors are provided with, and trained, in the proper use of all necessary protective equipment, appropriate to the type and nature of work they are undertaking under the contract.
- Appropriate PPE is to be worn according to Australian Standards, Codes of Practice and Occupational Safety and Health Acts and Regulations at all times by all Personnel, Contractors, Employees and Site Visitors whilst on any City of Albany work site, including:
 - **Safety Helmets.** Safety helmets must be worn in any areas where there is a risk of falling objects, as well as designated by the City, including construction, trenching and tree lopping work sites.
 - **Eye Safety Wear.** Safety glasses must be worn. All construction sites are eye protection areas.
 - **Footwear.** Safety protective footwear must be worn at all times on work site.
 - **Clothing.** Employees must be suitably dressed for the job. Protective clothing shall be worn, and this may be as directed by the Responsible Officer. All workers at the work site shall wear approved high visibility clothing or vests.
 - **Hearing Conservation.** Hearing protection, such as earmuffs or plugs, are to be worn whenever noise exceeds the threshold level.
The Contractor will be required to comply with the requirement of the Environmental Protection (Noise) Regulations 1997, pertaining to noise associated with Construction Sites.
 - **Sun (Ultra Violet) Protection.** A broad brim hat, long sleeves and long pants shall be worn. SPF 30+ broad-spectrum sunscreen shall be available and used on exposed skin.

(19) **Code of Conduct**

a. **Housekeeping.**

All work places shall be kept in as clean, tidy and safe condition as possible at all times.

b. **Behaviour.**

The Contractor shall ensure that all employees behave in a socially acceptable manner. Rude, offensive behaviour, inappropriate gestures and language and confrontational attitudes towards fellow workers, or members of the public, will not be tolerated.

c. **Intoxicating Liquor and Drugs.**

Contractors/employees will not be permitted to enter sites with any intoxicating liquor or drugs at any time, nor will they be permitted onto work sites at any time if they are believed to be under the influence, or adversely affected, by intoxicating liquor or drugs. All persons found to be under the influence of liquor or drugs will be directed to leave the site immediately. The City of Albany reserves the right to conduct workplace testing of any contractor/employee at any time.

d. **Practical Jokes.**

“Practical Jokes” and skylarking are strictly prohibited at all City of Albany work sites and work places.

e. **Smoking.**

Smoking is only permitted in the open or when 'sidestream' smoke will not affect anyone else. Smoking is not permitted in City of Albany buildings, vehicles, offices, etc. and designated "No Smoking" areas.

(20) Accident Prevention, Hazard and Incident Reporting and Investigation

a. To prevent accidents, Contractors and their employees are requested to:

- Observe safety regulations and standards;
- Always be alert and observant;
- Think before acting;
- Consider the outcomes of actions;
- Consider those working nearby;
- Make proper use of protective clothing and equipment;
- Carefully follow the instructions from the City representative;
- Keep the work area tidy and leave the job in a safe, tidy condition;
- Adopt a positive attitude to safe working; and
- Be alert for changing or unusual conditions.

b. Hazards and Incidents are to be reported immediately using City of Albany Hazard and Incident Reporting Forms (which will be provided at the time of the induction) to the Responsible Officer for action.

(21) Assessment

a. In accordance with the Contractor Management Policy the City of Albany will advise our contractors of our expectations and continually monitor contractor management and safety performance. This process may entail:

- Site and equipment inspections;
- The use of audit checklists;
- Observation of workings; and
- Performance and evaluation checklists

(22) Breaches of Safety/Non Conformances

a. In the event that a contractor being observed or reported to be operating in an unsafe manner will be referred to the Responsible Officer for investigation. The contractor will be advised and is required to take immediate action. The Responsible Officer may instruct the contractor to cease work until the situation has been rectified and the procedures, work area and task are considered safe to continue.

b. Non-compliance with the Responsible Officers instructions or failure to comply with the requirements within the specified time frame may result in:

- Termination of the contract due to a breach of contract;
- Removal of the non-compliant contractor from site;
- Removal of the contractor from the preferred contractor list; and
- Reporting to WorkSafe WA, depending on the severity of the breach.

c. Hazards and Incidents are to be reported immediately using City of Albany Hazard and Incident Reporting Forms (which will be provided at the time of the induction) to the Responsible Officer for action.

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