



Township of Algonquin Highlands

## Contractor Policy Schedule "A"

Approved by By-Law Number: 2012-56

### **Purpose:**

To outline the health and safety considerations when tendering contracts, evaluating proposals and managing contractors hired to provide work or services for the Township of Algonquin Highlands and to assist the Township in fulfilling its statutory obligations under the Occupational Health and Safety Act when contracting work or services.

This policy will also provide a system to assist the Township in establishing a due diligence defense.

### **Administration of Policy:**

This policy will be implemented at the department level by the Department Heads and will be overseen by the CAO.

### **Definitions:**

#### **Contract/Project:**

Any verbal or written agreement between the Township of Algonquin Highlands and a constructor/contractor.

#### **Service Provider:**

Any constructor/contractor, external to the Township of Algonquin Highlands, hired by the Township of Algonquin Highlands to perform work or provide services.

#### **Constructor/Contractor:**

Any person who undertakes construction, maintenance or provision of services for a project for an owner and includes an owner who undertakes all or part of a project by himself or by more than one employer.

#### **Contract Administrator:**

An individual acting on behalf of the Township of Algonquin Highlands to oversee the contract.

The Township will, in the majority of cases, be considered an owner under the Occupational Health and Safety Act and depending on the classification of work, the Township could also assume the role of an employer.

In the case of a construction project, the Township of Algonquin Highlands may be able to limit its liability to that of an owner under the OHS Act and, given certain criteria are satisfied, transfer the responsibilities of the constructor to the construction contractor (ie: constructor).

## **Due Diligence:**

When contracting for work the Township of Algonquin Highlands shall ensure that all reasonable precautions taken are the same for both the direct employer (municipality) and the extended employer (contractor or service provider).

For example, the Township of Algonquin Highlands directly provides health and safety training to its workers and implements policies and programs to comply with the 'direct' employer role under the Act. When contracting for work/services, it is reasonable for the Township of Algonquin Highlands to review and ensure that the Contractor/Constructor has in place health and safety policies that protect their workers.

The Township of Algonquin Highlands shall adhere to the following with regard to contract administration:

- Specifications and tenders shall be available for larger contracts.
- Contract administrators shall receive orientation training such as:
  - Review of all known and potential hazards in the area
  - WHIMIS training
  - Site specific emergency procedures
- Contractors/Constructors shall be given a copy of this policy prior to commencement of the contract.
- All Contractors/Constructors shall ensure their employees have been trained in Health and Safety as per the Ontario Health and Safety Act and any other applicable legislation.
- All Contractors/Constructors shall ensure that their employees are protected while working on the project as per the Ontario Health and Safety Act and any other applicable legislation as pertains to their industry.
- Contractors/Constructors must have the appropriate health and safety training to be included in the bidding list.
- All agreements shall include a Contractor Health and Safety Responsibility statement acknowledging this policy prior to the commencement of any work to be performed.
- The Contract Administrator shall review the work plans and advise of any hazards.
- The Contractor/Constructor shall allow access to the worksite on demand to representatives of the Corporation to inspect worksites to ensure compliance with the Act and Regulations and Corporate policies and procedures.
- The staff representative shall include health and safety as an agenda item at any meetings held to review progress on the contract work.
- All Contractors/Constructors who have previously or are currently working on a project for the Township of Algonquin Highlands shall provide proof of liability insurance, kept in full force and effect for the duration of the contract/project and a WSIB Clearance Certificate and sign a Contractor Policy Acknowledgement Statement.



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### Contractor Policy Acknowledgement Statement

To: The Corporation of the Township of Algonquin Highlands

Re: Contractor Policy (the "Policy")

The undersigned, representing (print name of Company) \_\_\_\_\_  
acknowledges the following:

1. I/We have been provided a copy of the Township's Contractor Policy.
2. I have had satisfactory opportunity to read and ask questions about the Policy, and am comfortable in my understanding of its requirements.
3. The Policy is now in effect, and I am required to comply with the Policy and any amendments to the Policy of which I receive notice.
4. I have the authority to bind the Corporation.

DATED at the Township of Algonquin Highlands this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signing Authority for the Contractor (Print Name) \_\_\_\_\_

Signing Authority for the Contractor (Signature) \_\_\_\_\_