

# **CONTRACTOR/SERVICE PROVIDER HEALTH AND SAFETY REQUIREMENTS**

## **D. High Risk Work - Construction**

**WHSMS Document: WHS 014A-D**

**WHS Addendum to Tender/Quotation Documents**

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## PART 1 – INFORMATION FOR TENDERERS

### 1.1 GENERAL INFORMATION

#### 1.1.1 SCOPE

This document sets out the Health and Safety requirements that are to be demonstrated by any contractor/service provider submitting a tender or quotation for work with Gilgandra Shire Council.

This information is for a scope of work that has been deemed to be **D. High Risk Work – Construction**, as determined using Gilgandra Shire Council’s WHS 014 Contractor & Construction Project Health and Safety Management Procedure.

#### **D. HIGH RISK WORK - CONSTRUCTION**

**This is high risk work that IS classed as construction work  $\geq$ \$250K (1.4) OR high risk construction work (1.4); where the contractor is the Principal Contractor (1.4) of the work OR they will work as part of a construction project where Gilgandra Shire Council is the Principal Contractor.**

#### 1. **PROCUREMENT - COUNCIL RESPONSIBILITY** (As described in Procurement & Disposal Procedures)

- A (sample\*) Site-Specific Safety Management Plan (SSSMP), and associated documentation, is required to be prepared and submitted by the Contractor (using addendum WHS014A-D High Risk Work – Construction) and assessed (using document WHS014B-D High Risk Work - Construction) by Council as part of the tender process.

\* A complete SSSMP that is specific to the project will be required from the successful service provider after the tender has been awarded.

- Council will assist **local** contractors in meeting Council's WHS standards by providing WHS templates and support where/as required.
- **Review Insurances:** For example: Professional Indemnity, Public Liability (\$20 million minimum), Personal Injury/Accident Insurance or Worker's Compensation Insurance, where applicable, are to be vetted by the Risk Management Officer.

- **Contractor induction:** Ensure provision of this induction prior to commencement of work.

**2. HEALTH AND SAFETY REQUIREMENTS - PROJECT  
MANAGER/SUPERINTENDENT RESPONSIBILITIES**

- Contractors are to be provided with the Contractor Induction.
- Contractors are to establish the site and manage WHS as per the submitted Site Specific Safety Management Plan; **OR**

Be inducted in and abide by Gilgandra Shire Council's Site-Specific Safety Management Plan where Council is the Principal Contractor (Refer Section 3).

**3. CONTRACTOR WHS MONITORING - COUNCIL PROJECT  
MANAGER/SUPERINTENDENT RESPONSIBILITY**

The Council Project Manager/Superintendent is to:

- Establish and document actual monitoring dates and activities for the project.
- Monitor health & safety management of the Contractor against the established Site-Specific Safety Management Plan and consult by conducting weekly site observations using WHS 008A "Go See" observation form.
- Conduct monthly project safety management audits using WHS 14L Project Site Safety Inspection Tool, where the project work exceeds 1-month duration.
- WHS performance review to be conducted at the conclusion of contracted work, or annually, whichever is the earliest, and a safety performance report completed using WHS 14M Contractor/Construction Project WHS Performance Report.

**4. HEALTH AND SAFETY PERFORMANCE MANAGEMENT - COUNCIL  
RESPONSIBILITY**

- Notify of all incidents using Gilgandra Shire Council's incident reporting process.
- WHS legislative breaches or non-conformance with Council's expected health and safety standards requires a formal documented meeting with the service provider and a review and possible termination of their contract depending on the non-conformance issue.

### **1.1.2 OBJECTIVE**

The purpose for setting Contractor/Service Provider health and safety requirements is to set a standard for health and safety management and behaviour that is in line with the health and safety values, goals and objectives of Gilgandra Shire Council and responsibilities placed on Persons Conducting a Business or Undertaking by the NSW WHS legislation.

Provision of the health and safety requirements specified within this document (Section 1.2) as part of the tender process is mandatory, no tender application will be considered if this information is not presented for evaluation as part of the tender process.

### **1.1.3 EVALUATION**

Health and Safety documentation will be evaluated for adequacy. Feedback to the Contractor/Service Provider on the results of evaluation will be provided along with any request for additional information should this be required. The Contractor/Service Provider will be able to resubmit documents, where requested, within a specified timeframe.

Gilgandra Shire Council is able to provide advice and assistance, upon request, in the development of WHS risk management strategies for those who have not been able to provide evidence of the documents requested, please contact Council's Risk Management Officer or the Contract/Project Manager/Superintendent for assistance.

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## **1.2. WHS EXPECTATIONS AND RESPONSIBILITIES**

### **1.2.1 WHS EXPECTATIONS**

Contractors/Service Providers should be familiar with the requirements of relevant sections of the NSW WHS Act and Regulation.

The Contractor/Service Provider must ensure that the service, plant, chemical or equipment provided/used is safe and without risk to health and safety of any persons exposed or in the vicinity of a workplace.

The Contractor/Service Provider must ensure that its workers are suitably qualified and can provide records of competency/relevant training or qualifications upon request.

The Contractor/Service Provider must ensure they provide for the welfare of their workers and ensure that workers have access to suitable facilities when at work.

The Contractor/Service Provider has appropriate WHS risk management strategies in place that provide for the health and safety of workers, and those exposed to the work being undertaken in the workplace.

The Contractor/Service Provider is to ensure that their WHS management systems and/or processes are reviewed periodically and are relevant to the work being undertaken and will provide Gilgandra Shire Council with any relevant WHS document updates as they occur.

### **1.2.2 WHS RESPONSIBILITIES**

By submitting the required information requested within this document,

Contractors/Service Providers agree to:

1. Take care of their own health and safety while at work.
2. Abide by any reasonably notified Council policies and procedures.
3. Undertake the Contractor Induction programme.
4. Undertake any relevant project or site-specific induction as required.
5. Ensure and demonstrate that all workers have undergone the General Construction Induction Training (White Card) and hold a current card.
6. Follow any health and safety instruction given by a Gilgandra Shire Council delegate.

7. Abide by any Site-Specific Project Specific Safety Management Plans that may be in place.
8. Cooperate with Gilgandra Shire Council’s health and safety workplace risk assessments, inspections, observations or audits as required.
9. Comply with any requested health and safety corrective actions as requested by Gilgandra Shire Council.
10. Comply with the Contractor responsibilities specified in WHS 002 WHS Responsibilities procedure and this Proforma 1 (within this document).

Figure 1: Extract from WHSMS Document WHS 002 WHS Responsibilities.

<b>Category 10: Contractors</b>	
<b>Contractors/Services Providers are to comply with, and ensure Council’s workers, subcontractors and agents comply with, any Acts, Regulations, local laws and by-laws, Codes of Practice, Australian Standards and RMS policy and procedures which are in any way applicable to this contract or the performance of services under this Contractor and where appropriate comply with the WHS Responsibilities, WHS Authority requirements and WHS Accountabilities stated below.</b>	
<b>Responsibility</b>	<b>Performance Measure</b>
1. WHS Responsibilities.	<ul style="list-style-type: none"> <li>• Ensure relevant risk control documentation is in place and has been approved by Council.</li> <li>• Follow Council policies and procedures including the Council’s Contract and Services Tendering Agreement Procedure.</li> <li>• Comply with all site rules.</li> <li>• Attend and actively participate in all required inductions and risk assessments.</li> <li>• Maintain safe plant and equipment.</li> <li>• Ensure licenses and certificates are current and valid.</li> <li>• Contractors must comply with all relevant WHS legislation, standards and codes of practice.</li> <li>• Contractors must not, through their acts or omissions, do anything that could put at risk their own, or others, health or safety.</li> <li>• Follow direction and instruction of the nominated Council officer.</li> <li>• Report all incidents and injuries to the nominated Council officer immediately.</li> </ul>

2. WHS Authorities.	<ul style="list-style-type: none"> <li>Contractors have authority to make decisions and act on WHS matters within the contractor’s area of responsibility and within the scope of the relevant contract.</li> </ul>
3. WHS Accountabilities Mechanism.	<ul style="list-style-type: none"> <li>Contractor Pre-qualification.</li> <li>Contractor and Council project meetings.</li> <li>Contractor/Project monitoring processes.</li> <li>Onsite audit.</li> <li>Injury/incident statistics.</li> <li>Safety performance evaluation.</li> </ul>

### 1.2.3 INSTRUCTION FOR SUBMISSIONS.

Using the Proformas provided in Part 2 of this document the Contractor/Service Provider must provide evidence of the following as part of the Tender/Quotation Submission.

1. Acceptance of Gilgandra Shire Council’s WHS Expectations and Responsibilities (Proforma 01).
2. Provide a **sample** Site Specific Safety Management Plan (SSSMP), for a similar project scope. (Proforma 02 SSSMP checklist, is provided as a guideline to the minimum requirements for content of the SSSMP).
3. Provide a copy of the Business’s current WHS Policy Statement.
4. Provide an outline of the Business’s Work Health and Safety Management System or Integrated Management System whichever is applicable.
5. Provide copies of certificates of currency and insurance schedule for relevant insurances.



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## **PART 2 – WHS PROFORMAS**

To be completed and returned with the Service Provider's Tender submission

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Contractor/Service Provider Tender/Quotation WHS014A-D **PROFORMA 01**

# **WHS Expectations and Responsibilities Agreement**

The undersigned agrees to abide by the WHS requirements listed below and WHS expectations detailed in Part 1.2.1 of this document, when working for or on behalf of Gilgandra Shire Council. The undersigned will also promote, and lead by example, the Worker responsibilities as described in Figure 1 below.

By submitting the required information requested within this document, the Contractor/Service Provider agrees to:

1. Take care of their own health and safety while at work.
2. Abide by any reasonably notified Council policies and procedures.
3. Undertake the Contractor Induction programme.
4. Undertake any project or site-specific induction as required.
5. Ensure and demonstrate that all workers have undergone the General Construction Induction Training (White Card) and hold a current card.
6. Follow any health and safety instruction given by a Gilgandra Shire Council delegate.
7. Abide by any Site-Specific Project Specific Safety Management Plans that may be in place.
8. Cooperate with Gilgandra Shire Council's health and safety workplace, risk assessments, inspections, observations or audits as required.
9. Comply with any requested health and safety corrective actions as requested by Gilgandra Shire Council.
10. Comply with the Contractor responsibilities specified in Gilgandra Shire Council's Work Health and Safety Management System document WHS 002 WHS Responsibilities (Extract provided below).

**Figure 1: Extract from WHSMS Document WHS 002 WHS Responsibilities.**

<b>Category 10: Contractors</b>	
<p><b>Contractors/Services Providers are to comply with, and ensure Council’s workers, subcontractors and agents comply with, any Acts, Regulations, local laws and by-laws, Codes of Practice, Australian Standards and RMS policy and procedures which are in any way applicable to this contract or the performance of services under this Contractor and where appropriate comply with the WHS Responsibilities, WHS Authority requirements and WHS Accountabilities stated below.</b></p>	
<b>Responsibility</b>	<b>Performance Measure</b>
1. WHS Responsibilities.	<ul style="list-style-type: none"> <li>• Ensure relevant risk control documentation is in place and has been approved by Council.</li> <li>• Follow Council policies and procedures including the Council’s Contract and Services Tendering Agreement Procedure.</li> <li>• Comply with all site rules.</li> <li>• Attend and actively participate in all required inductions and risk assessments.</li> <li>• Maintain safe plant and equipment.</li> <li>• Ensure licenses and certificates are current and valid.</li> <li>• Contractors must comply with all relevant WHS legislation, standards and codes of practice.</li> <li>• Contractors must not, through their acts or omissions, do anything that could put at risk their own, or others, health or safety.</li> <li>• Follow direction and instruction of the nominated Council officer.</li> <li>• Report all incidents and injuries to the nominated Council officer immediately.</li> </ul>
2. WHS Authorities.	<ul style="list-style-type: none"> <li>• Contractors have authority to make decisions and act on WHS matters within the contractor’s area of responsibility and within the scope of the relevant contract.</li> </ul>
3. WHS Accountabilities Mechanism.	<ul style="list-style-type: none"> <li>• Contractor Pre-qualification.</li> <li>• Contractor and Council project meetings.</li> <li>• Contractor/Project monitoring processes.</li> <li>• Onsite audit.</li> <li>• Injury/incident statistics.</li> <li>• Safety performance evaluation.</li> </ul>

Business Name: \_\_\_\_\_

Delegate Name: \_\_\_\_\_

Delegate Position: \_\_\_\_\_

Delegate Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## SSSMP Minimum Requirements Checklist

Criteria – The Site Safety Management Plan includes:	✓IX
Details of work site identification are included in the plan: Contractor's name, contact no.s, location of site office, visible from outside the workplace.	
Names and positions of all persons whose positions or roles involve specific H&S responsibilities in connection with the construction project.	
Details of participative (consultation) arrangements between all parties involved in the construction project.	
Details of arrangements for managing WHS incidents/accidents and the investigation of the same.	
A set of Site specific Safety rules are detailed, including guidelines for implementation.	
A process for access to, and review of, SWMSs/JSAs/SOPs for the construction work.	
A WHS risk register for the planned scope of work showing identified hazards, risk assessments and risk controls relevant to all stages of the project. High risk work, as defined under the WHS Regulation (noise, hazardous manual tasks, confined spaces, falls, abrasive blasting, electrical work, diving work, hazardous chemicals, high risk plant) must be included.	
A process for continuous periodic review of the Safety Management Plan has been specified including the process to communicate any changes in the plan to stakeholders.	
Guidelines for record keeping in relation to the Safety Management Plan; and display/accessibility of the plan at the work site.	
A process for storage, movement and disposal of construction materials and waste at the construction site.	
Guidelines for storage of plant not in use on the work site and monitoring of plant that is present on the site.	
A traffic management plan and vehicle movement plan for the construction site has been specified including provisions for pedestrian and vehicular traffic control.	
A system for work site security to prevent unauthorized access has been specified. This may include induction, site access cards, sign on procedures, fencing and sign posting, security monitoring.	
A system to ensure access and egress from the work site is maintained to allow persons to enter and exit the workplace without risk to H&S both under normal circumstances and emergency situations and kept under review. E.g. this may include clean areas, wash down areas to control contamination risks.	

Criteria – The Site Safety Management Plan includes:	✓/X
The plan indicates that the design of the work site takes into account adequate space to conduct work, work surfaces, lighting, ventilation, heat/cold and essential services.	
The plan details the provision of facilities including toilets, drinking water, washing facilities, eating facilities and the process for maintaining these.	
A process to provide, wear, store and maintain PPE under the control of the Contractor. Provision for clear PPE signage around the site <b>MUST</b> be included in the safety management plan. The requirement to wear PPE on site may be part of the site safety rules.	
Details of First Aid provision including: equipment, signage, administration that suits the size, nature and location of the construction work. Names and contact details of workers who will provide First Aid should be included.	
An emergency risk register and detailed emergency plans should form part of the Safety Management Plan. It should include: emergency response, evacuation procedures, notification of emergency services, medical treatment/assistance, communication strategies, testing of emergency procedures (drills), provision of information and training, maintenance process for emergency procedures, emergency contact numbers.	
A site induction process has been established in the plan, including recording requirements.	
A plant & equipment risk register (where applicable) documenting risks and controls for safe use and records/details/dates of maintenance/testing/inspection of plant & equipment.	
A Chemical register (where applicable) documenting risks and controls for safe use and copies of current SDSs.	
Details of worker training, competence and experience relevant to the work being undertaken and where copies of these documents will be stored for verification purposes.	

**\*Should any of the provided WHS procedures or information change, updated documents should be forwarded to Gilgandra Shire Council as soon as practicable.**