NO

The municipality cannot transfer Prime Contractor but can consider whether to **ACCEPT** the Prime Contractor role, after discussion with the site Owner.

Is the municipality the site Owner?

YES

The municipality must **RETAIN / ACCEPT** Prime Contractor role

Do **ANY** of these conditions exist:

1. Municipal workers will be working alongside contracted workers
2. Risk of high impact to municipal operations requires the municipality to co-ordinate work activities between employees and contracted employers
3. The nature of the project presents significant hazards or risks to municipal workers
4. The work site (area) is not easily defined
5. The work is not specialized and is within the municipality’s experience

YES

NO

Will two or more employers be engaged in work at the same site, carry out interrelated work activities and/or have activities that may have a health and safety impact on each other, even if they are not working at the same time?

YES

YES

Will the municipality direct the activities of another employer on the work site?

NO

The municipality may **TRANSFER** the Prime Contractor role and responsibilities to the Contracting Employer

Note

When the Prime Contractor role is **TRANSFERRED**, the municipal Project Manager / contact should consult with health & safety support regarding assistance in management of project H & S aspects:

* Evaluating hazards and risks
* Reviewing project specific plans
* Attending necessary meetings
* Project site inspection and monitoring
* Contracting Employer H & S performance evaluation

The Contracting Employer must complete and pass the *Pre-Qualification for Prime Contractor* process.

Complete and communicate the *Acknowledgement of Prime Contractor Designation.*

Note

The Prime Contractor is responsible for establishing and maintaining compliance with the Alberta OH&S Act, Regulation and Code in respect to the work site [Act Sec 10] to include, but not be limited to: • Report serious injuries and incidents [Act Sec 33] • A system to manage controlled products on site [Code, Part 29] • State work site Health & Safety program [Act Sec 16] • Provide a site specific code of practice and compliance requirements [Act Sec 61 and 62] • Hazard Assessment, Elimination, and Control [Code, Part 2] • Emergency Preparedness & Response Planning [Code, Part 7]

The Prime Contractor must complete and communicate a *Project Specific* *Health and Safety Plan,* that has been accepted by the Municipality.

Note

**Prime Contractor Obligations (excerpt from Alberta OHS Act Section 10, December 2021)**

10(1) Every construction and oil and gas work site or a work site or class of work sites designated by a Director must have a Prime Contractor if there are 2 or more employers or self-employed persons, or one or more employers and one or more self-employed persons involved in work at the work site.

(2) The person in control of the work site shall designate in writing a person as the Prime Contractor of the work site.

(3) The name of the Prime Contractor must be posted in a conspicuous place at the work site.

(4) If the person in control of the work site fails to designate a person as the Prime Contractor as required in subsection (2), the person in control of the work site is deemed to be the Prime Contractor.

(5) The Prime Contractor shall

1. Establish, as far as reasonably practicable to do so, a system or process that will ensure compliance with this Act, the regulations, and the OHS code in respect of the work site,
2. Co-ordinate, organize and oversee the performance of all work at the work site to ensure, as far as it is reasonably practicable to do so, that no person is exposed to hazards arising out of, or in connection with, activities at the work site,
3. (c) conduct the Prime Contractor’s activities in such as way as to ensure, as far as it is reasonably practicable to do so, that no person is exposed to hazards arising out of, or in connection with, activities at the work site,
4. Consult and co-operate with the joint work site health and safety committee or health and safety representative, as applicable, to attempt to resolve any health and safety issues,
5. Co-ordinate the health and safety programs of employers and self-employed persons on the work site, if 2 or more employers or self-employed persons or one or more employers and one or more self-employed persons on the work site have a health and safety program,
6. Co-operate with any other person exercising a duty imposed by this Act, the regulations and the OHS code, and
7. Comply with this Act, the regulations, and the OHS code.

(6) If a requirement in this Act, the regulations or the OHS code imposes a duty on an employer or a self-employed person with respect to equipment, work site infrastructure, or an excavation, and the equipment or infrastructure is designed, constructed, erected or installed, or the excavation is conducted by or on behalf of a Prime Contractor, the Prime Contractor shall comply with the requirement as if the requirement were directly imposed on the Prime Contractor.

(7) Subsection (6) does not relieve the employer, self-employed person, or Prime Contractor from fulfilling other responsibilities under this Act, the regulations, and the OHS code.

**Alberta OHS Legislation Updates, December 1, 2021:**

* Added definition of a construction site as a work site where any of the following are conducted:
	+ the building, demolition, repair, alteration, extension, or renovation of a structure.
	+ site development or building and repair of roads, highways, pipelines, sewage systems, drainage systems, electrical transmission lines or systems, or telecommunication transmission lines or systems.
	+ digging, working in, or filling a trench or excavation.
	+ land clearing, earthmoving, grading, boring, drilling, abrasive blasting, or concreting.
* The person in control of a work site not required to have a Prime Contractor can enter into an agreement to designate a Prime Contractor.
* If a Prime Contractor has been designated, the requirement for a mandatory Health & Safety Committee or Representative is replaced with a requirement to provide a contact to co-ordinate health and safety issues between workers and employers.

**Note:** When **TRANSFERING** Prime Contractor responsibilities, the Municipal Site Representative is advised to contact health and safety professionals and/or occupational hygienists for support as needed, especially for projects with higher risk activities (as defined in the Owner / Employer’s Risk Management Process). Support can include for example:

**Planning Stage**

* Completing an initial health and safety risk assessment for the project activities.

**Project Initiation / Kick-Off Stage**

* Incorporate health and safety considerations into the project charter, procurement documents (i.e., Bid Tenders, RFPs, etc.).
* Evaluate bid submissions by first reviewing the Go, No-Go reviews, (typically done by the Procurement Department or personnel).
* Evaluate the submitted Health & Safety Plan by successful bidders, using the Project Specific Health & Safety Plan Review, Technical Review of Health & Safety Plan, and Project Experience template.
* The Owner / Employer Site Representative may request specific documentation (before or during project execution) to confirm compliance with the Project Specific Health and Safety Plan. Documents may include, but are not limited to:
	+ Site sign-in reports
	+ Site-specific hazard assessment reports (also known as Field Level Hazard Assessments)
	+ Orientation records
	+ Inspection reports (for the site, equipment, vehicles, etc.)
	+ Personal Protective Equipment (PPE) certification where needed
	+ Key training records for certified equipment (i.e., cranes, powered tools, etc.)
	+ Preventative Maintenance records for critical equipment or tools
	+ Incident and investigation reports, including specific incidents of harassment or violence
	+ Health and Safety meeting minutes, including attendance records
	+ Emergency Response Plan exercises
	+ Evaluations of Contracting Employer(s) health and safety performance (ongoing or end of the job)

**Project Execution Stage**

* Supporting site inspections from a health and safety perspective.
* Reviewing incident notifications and investigation reports.
* Reviewing *Contracting Employer Health & Safety Performance Reports*.

**Project Close-Out Stage**

* Supporting completion of the *Contractor Health & Safety Performance Evaluation* form.

|  |
| --- |
| **Project Name / Location:**  |
| **Prime Contractor:** |
| **Prime Contractor Representative:** |
| **Project Start Date:** |
| **Checklist Completed By:**  | **Date:**  |
| **Planning Stage (Before the start of work)** |
| The Municipal Site Representative: |
| * Confirms that the selected Contracting Employer has been pre-qualified for the Prime Contractor role.
 |
| * Communicates known and foreseeable hazards to the Prime Contractor.
 |
| * Accepts the *Specific Health and Safety Plan*, following a review by a Health & Safety Advisor.
 |
| * Completes a health and safety review with the Prime Contractor before issuing the *Notice to Proceed*.
 |
| * Schedules and oversees the pre-project meeting for all site personnel, which includes a review of the project Health & Safety requirements, such as but not limited to orientation process, hazard assessment documentation, site inspections procedures, emergency response plans, incident reporting requirements, performance evaluation process. The meeting is facilitated by the Prime Contractor, and they keep documentation of the meeting with project records.
 |
| * Ensures that the Prime Contractor communicates the *Specific Health and Safety Plan* and makes it readily available at the work site.
 |
| * Exchanges contact information for key site personnel with the Prime Contractor.
 |
| * Ensures that Municipal employees involved in work at the site, complete a *Site-Specific Orientation* before going to the site.
 |
|  **Execution Stage (During the work)** |
| The Municipal Site Representative: |
| * Implements the Owner / Employer’s Contracting Employer Management Program to verify that all aspects of the *Specific Health and Safety Plan* are followed by the Prime Contractor, including security measures for sign-in/out of the work site.

The intent is to ensure that the Prime Contractor co-ordinates all work site activities to ensure the protection of health and safety of all persons on the work site as well as those in the vicinity of the work site, by avoiding work site parties creating hazards for other work site parties. |
| * Ensures that the work site under the Prime Contractor’s management:

Is properly delineated, including signage and fencing if required.Has secure and safe access.Has the *Notice of Designated Prime Contractor and Emergency Contact* sign is posted |
| * Ensures that the Prime Contractor has provided copies of the current Alberta OHS legislation, and other legislation as applicable to the planned work.
 |
| * Provides updates to the Prime Contractor on relevant Municipal procedures, policies, identified hazards, or other information, as required.
 |
| * Completes the site inspection procedures outlined in the Owner / Employer’s Contractor Management Program*,* including documentation of corrective actions and request for the Prime Contractor to address deficiencies and follow up on closure.
 |
| * Ensures that the Prime Contractor implements the Owner / Employer’s procedures for communication with the public affected by the project and specific health and safety measures, if any, related to the protection of the public and others in the vicinity of the work site.
 |
| * Reviews regular health and safety reports from the Prime Contractor and follows up in a timely manner, on concerns or deficiencies.
 |
| * Works with a contact for health and safety issues, if requested by the Prime Contractor.
 |
| * Performs regular health and safety evaluations of the Prime Contractor and provides feedback from the evaluations.
 |
| **Close-out Stage (After completion of work – Completed for each work site party)** |
| The Municipal Site Representative: |
| * Ensures that the Prime Contractor has all work site parties remove and properly dispose of any hazardous materials used on the work site.
 |
| * Ensures that the Prime Contractor has all work site parties remove all tools, equipment, debris, and waste from the site.
 |
| * Ensures that the Prime Contractor has all work site parties restore locked-out equipment/systems to their original status.
 |
| * Ensures that the Prime Contractor has all signage, fencing, barriers, and access points removed.
 |
| * Ensures that the Prime Contractor has each work site party clean and restore their portion of the site to a clean, safe state.
 |
| * Completes the *Notice of Designated Prime Contractor* form with the complete information.
 |
| * Completes the *Prime Contractor Health & Safety Performance Evaluation* form and files it with the other project records.
 |

##

**Note:** When **RETAINING** Prime Contractor responsibilities, the Owner / Employer Site Representative is advised to contact health and safety professionals and/or occupational hygienists for support as needed, especially for projects with higher risk activities (as defined in the Owner / Employer’s Risk Management Process). Support can include for example:

**Planning Stage**

* Completing an initial health and safety risk assessment for the project activities.

**Project Initiation / Kick-Off Stage**

* Incorporating health and safety considerations into the project charter, procurement documents (i.e., Bid Tenders, RFPs, etc).
* Evaluating bid submissions by first reviewing the Go, No-Go reviews, (typically done by the Procurement Department or personnel).
* Evaluating the Specific Health & Safety Plan submitted by successful bidders, using the *Specific Health & Safety Plan Review, Technical Review of Health & Safety Plan,* and *Project Experience* template.

**Project Execution Stage**

* Supporting site inspections from a health and safety perspective.
* Reviewing incident notifications and investigation reports.
* Reviewing *Contractor Health & Safety Performance Reports*.

**Project Close-Out Stage**

* Supporting completion of the *Contractor Health & Safety Performance Evaluation* form.

|  |
| --- |
| **Project Name / Location:**  |
| **Contracting Employer Name(s):** |
| **Project Start Date:** |
| **Checklist Completed By:**  | **Date:**  |
| **Planning Stage (Before the start of work)** |
| The Municipal Site Representative: |
| * Communicates known and foreseeable hazards to the Contracting Employer(s).
 |
| * Prepares the *Specific Health and Safety Plan*, using information from the Contracting Employer(s) and advice from a Health & Safety Advisor.
 |
| * Schedules and facilitates the pre-project meeting which includes a review of the project Health & Safety requirements, such as but not limited to orientation process, hazard assessment documentation, site inspections procedures, emergency response plans, incident reporting requirements, performance evaluation process.
 |
| * Communicates the *Specific Health and Safety Plan* and makes it readily available at the work site.
 |
| * Exchanges contact information for key site personnel with the Contracting Employer(s) and Sub-contractors as appropriate.
 |
| * Ensures that a pre-job health and safety meeting is held with all site personnel to review known and potential/foreseeable hazards specific to the site and planned activities. Ensures that the meeting minutes are maintained with project documentation files.
 |
| * Ensures that Municipal departments involved in work at the site, complete a *Site-Specific Orientation* before going to the site.
 |
|  **Execution Stage (During the work)** |
| The Municipal Site Representative: |
| * Implements the Owner / Employer’s Contractor Health and Safety Management Program to verify that all aspects of the *Project Specific Health and Safety Plan* are followed by all work site parties, including security measures for sign-in/out of the work site.

The intent is to co-ordinate all work site activities to ensure the protection of health and safety of all persons on the work site as well as those in the vicinity of the work site, by avoiding work site parties creating hazards for other work site parties. |
| * Ensures that the work site under Prime Contractor management:

Is properly delineated, including signage and fencing if required.Has secure and safe access.Has the *Notice of Designated Prime Contractor and Emergency Contact* sign is posted |
| * Provides copies of the Owner / Employer’s health and safety manuals or procedures as needed, the current Alberta OHS legislation, and other legislation as applicable to the planned work.
 |
| * Completes the site inspection procedures outlined in the *Specific Health and Safety Plan,* including documentation of corrective actions.
 |
| * Implements the Owner / Employer’s procedures for communication with the public affected by the project and specific health and safety measures, if any, related to the protection of the public and others in the vicinity of the work site.
 |
| * Reviews regular health and safety reports from the Contracting Employer(s) and follows up in a timely manner, on concerns or deficiencies.
 |
| * Establishes and co-operates with a health and safety contact, if needed.
 |
| * Reports serious injuries and incidents to Alberta OHS (Act Section 33) as required.
 |
| * Performs regular health and safety evaluations of the Contracting Employer(s) and provides feedback from the evaluations.
 |
| **Close-out Stage (After completion of work – Completed for each work site party)** |
| The Municipal Site Representative: |
| * Ensures that all work site parties remove and properly dispose of any hazardous materials used on the work site.
 |
| * Ensures that all work site parties remove all tools, equipment, debris, and waste from the site.
 |
| * Ensures that all work site parties restore locked-out equipment/systems to their original status.
 |
| * Ensures that all signage, fencing, barriers, and access points are removed from the site.
 |
| * Ensures that each work site party cleans and restores their portion of the site to a clean, safe state.
 |
| * Completes the *Contractor Health & Safety Performance Evaluation* form and files it with the other project records.
 |