

5.5. Appendix 5 – Constructor Designation and Responsibilities

Constructor Designation and Responsibilities

Note: This form applies to contract work that qualifies as a construction project as defined in Section 1(1) of the Occupational Health and Safety Act.

Department / Work Location: _____

CU Contractor Representative/Project Manager: _____

Start Date of Project: _____ Estimated Completion Date: _____

(dd / mm / yy)

(dd / mm / yy)

Location of Project: _____ Project No.: _____

Description of Project: _____

Who is the Constructor?

☐ Carleton University (department, school)

CU Contractor Representative/Project Manager: _____ Telephone: _____

Site Supervisor: _____ Telephone: _____

☐ Contractor or Third-Party Representative (Company):

Representative: _____ Telephone: _____

Site Supervisor: _____ Telephone: _____

The Constructor must fulfill the responsibilities listed in this Form

DEFINITIONS

Owner: Includes a trustee, receiver, mortgagee in possession, tenant, lessee, or occupier of any lands or premises used or to be used as a workplace, and a person who acts for or on behalf of an owner as an agent or delegate. Carleton University is the Owner for the purposes of this document.

Prime contractor/constructor: Means an individual or company who undertakes 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.

DESIGNATION

By signing this agreement, the Contractor agrees to assume the responsibilities of a Constructor as outlined in the Ontario Occupational Health and Safety Act and its Regulations.

As a Contractor signing this agreement with Carleton University, you are agreeing that your company, management staff, supervisory staff, and workers will comply with the Ontario Occupational Health and Safety Act and applicable Regulations including those provisions specifically relevant to Constructors.

It is also understood that Carleton University will still hold duties as the Site Owner^{*}, regardless of whether they are the Constructor, and those duties as Owner will be respected by the Constructor

This appointment will endure until the completion of the project unless written confirmation and agreement are established to revoke this appointment.

Carleton University, CU contractor Representative: _____ Date: _____
Constructor Representative: _____ Date: _____

Duties of the Constructor*: (Confirm the following prior to job start-up)

Constructor Responsibilities	Yes	No
Is a Notice of Project Required? (Refer to s.6(1) of O.Reg. 213/91)		
If yes, has it been filed with the Ontario Ministry of Labour and posted at the Project Site?		
Has a completed MOL Form 1000 registration for the constructor and all contractors associated with the project been submitted to Carleton University		
Are you familiar with and prepared to comply with all applicable health, safety, and environmental legislation?		
Has the constructor provided a hazard analysis for the work and control of access to the site?		
Has the constructor provided to Carleton University– A WSIB Clearance Certificate and a Certificate of Insurance		
Are all workers hired to perform work on the project competent in the work they are hired to perform (i.e. all necessary training, certifications, knowledge of hazards, experience)?		
Has the constructor provided contact information and a list of competent supervisors appointed to oversee the work at all times?		

Has a copy of the constructor's Health & Safety Program been provided to Carleton University?		
Has the constructor provided emergency contact information to the CU contractor Representative and posted emergency contact information at the project location?		
Will the constructor disturb any building materials or materials known to contain a designated substance?		
If yes, has Carleton University provided a copy of a Designated Substances Survey? Have all employees been made aware of the contents of the survey?		
Are you aware that as the Constructor, you are taking on sole control and responsibility for the health and safety of everyone working on the Project?		
Has a list of contractors and subcontractors that will be working on the project been provided to Carleton University?		
Although it is not the intent of Carleton University to interfere with the duties of the Constructor, are you aware and in agreement that Carleton University reserves the right and responsibility as site Owner to communicate to you any health and safety concerns that may be observed regarding work being performed on the Project? (if no, work cannot be initiated until agreement acknowledged)		

Note: As the site Owner, Carleton University reserves the right to have authorized personnel access the project in collaboration with the Constructor/Supervisor to review and assess safety performance periodically during the project.