

PRE-CONSTRUCTION-INFORMATION - PREAMBLE CONSIDERATIONS

Reference BUS003_0081_1.4



General

In addition to the specific performance standards the Contractor accepts to comply with the below requirements as part of the contract:

- i. Furnish all labour and equipment required to perform the Contract in accordance with the specifications contained herein.
- ii. Responsible for the Health and Safety of their employees and the public liability towards occupants to premises service users and the general public. Evidence of compliant health and safety training including Risk Management, and details of training should be held on file by the Contractor and be made available to the Council throughout the duration of the contract should it be requested.
- iii. Ensure that Operatives appointed to work on the Contract are suitable and sufficiently qualified and experienced to perform the activities required under the Contract.
- iv. Provide adequate supervision of Operative staff to ensure that the performance standards are met, and to ensure that they perform their duties in a way that reflects positively on Council as commissioning organisation.
- v. Ensures that none of its employee's smoke or vape in any Council premises or when engaged on delivering services under the contract.
- vi. Maintain its own public liability insurance for the duration of the Contract.
- vii. Ensure that all staff have the relevant training and ability to carry out the tasks set out on the specification.
- viii. Be solely responsible for breakage or theft by the Contractor's employees or agents.

Site for performing the services

The Contractor is made aware that the works are to be performed at a marine environment in an operational and working dry docks, and as such the Contractor must be aware of the following specific hazards:

- Activities and movements by personnel employed by Penzance Dry Docks (PDD) as well as other contractors and visitors permitted onto the site.
- Areas of unprotected edges or changes in heights that present risks of falls.
- Operation of both fixed and mobile equipment in connection with the workings of the docks.
- Operation of cranes and lifting equipment.
- Operation of mechanical equipment with noise and dust.
- Movement of vehicles and plant around the site.
- Flammable materials and / or gases / compressors which could lead to risks of either fire or explosions.
- Volumes of contained water within the docks presenting risks of drowning.

Site Works

As noted, the works are in an operational working dock and adjoining a public highway. Accordingly, the Contractor shall ensure that they undertake an appropriate risk assessment to assess the risks and means of mitigating them and that their operatives are duly aware and briefed.

The Contractors Operatives are therefore required to be mindful of this and be mindful working in locations including how they work safely to protect themselves as well as others, including members of the public.

Storage of Materials and Equipment

The Contractor will be responsible for the safe storage of materials, and equipment including ensuring unauthorised use of access to materials and / or equipment is not permitted.

Provision of Services

The Contractor will be responsible for undertaking all necessary checks and assessments as to services to the premises / site area being worked at and any services leading to them.

Security

As part of their duties the Contractor's Operatives shall be required to report any concerns, and for these concerns to be relayed to the respective Authorised Personnel as soon as practically possible. If the situation or concern is deemed an emergency then the relevant emergency services should be called without delay.

By undertaking their duties, the Contractor's Operatives shall be mindful of their actions in a manner that prevents unauthorised persons access to plant, materials and equipment that may cause harm, theft or damage as a result of their actions.

Contractor Operatives Apparel and Identification

Contractor Operatives will be required to look professional and presentable when working on the premises. Apparel for Contractor Operatives will be practical for the Services performed, but readily distinguish the Operative as an appointed person to work on the premises. To help provide clarity to others, all Operatives will have the same outfit / uniform which includes clear reference to the Contractor's company name / logo.

All Operatives attending any site must carry an identity pass, stating the name and address of the company, the name of the employee and a passport size photograph of that employee.

All qualified personnel should be in possession of valid registration cards at all times whilst on site. Those registered to other Competency schemes should be able to produce similar documentation. Any operational staff unable to produce valid documentation, on request, must be asked to leave site immediately.

On arrival to site the Contractor shall ensure that personnel report in at the Docks and report out to ensure that PDD are aware of their presence onsite.

Health and Safety matters

The Contractor is reminded of their obligations under the Health and Safety at Work Act 1974 and other supplementary Health and Safety Regulation that is relevant.

The Contractor shall note the following and undertake due measures to ensure Health and Safety Regulations, Codes of Practice and Guidance are duly undertaken and complied with in any resulting contract but not limited to, the following:

- i. Health & Safety at Work Act 1974.
- ii. Management of Health & Safety at Work 1999.
- iii. Provision & Use of Work Equipment Regulations 1998.
- iv. British Standard Codes of Practice.
- v. The Electricity at Work Regulations 1989.
- vi. The Rules and Regulations of the Local Electricity, Gas and Water Authorities.
- vii. The requirements of the Local Fire Authorities.
- viii. Portable Appliance Regulations.
- ix. The requirements of the Construction (Design and Management) Regulations. The [Construction Design and Management \(CDM\) Regulations](#). There is a [short guide](#) on the CDM regulations – See also Appendix 1.

The Contractor will be responsible for ensuring that when applying the relevant and necessary Regulations, Codes of Practice and Guidance that they are following the up to date and current editions the relevant documents.

The Contractor should inform the Council of any unsafe feature or any matter of cause of public concern at any location at which the services are being provided.

During the carrying out of the operations the Contractor is to keep on the site a competent person in charge who shall be empowered to receive and act upon any instructions given by the Council or its representative.

Working at Heights

The Contractor will be mindful that the activities will inevitably require elements of work to be carried out at height. All operations are to be carried out in a manner that wherever possible avoids the need for the operative to gain access to areas via means of steps, platforms or other temporary vertical staging.

Ladder access should not be used without the provision of the correct equipment. In the case where access is required by means of steps, mobile platforms or other temporary vertical staging means, then a work at height assessment should be carried out and agreement of the Council's Authorised Officer obtained.

Where access is required by means of mobile platforms or vertical lifts then the appropriate training of operatives is essential including ensuring that they have correct licence to operate the equipment, e.g. Mobile Elevating Works Platform licence.

In all instances of working from height then a work at height assessment should be carried out and agreement of the Council's Authorised Officer obtained. Access equipment for short duration (e.g. step ladders) must be provided by the Contractor and evidence of suitable training in correct use of equipment may be required. Contractors working unsafely at height will be instructed to cease with immediate effect.

Operatives will need to be mindful that when working from height in order to avoid dropping of materials, equipment and tools and ensure that areas below operations at height are kept clear from persons entering zones directly below those operations.

Trips, slips and falls

The prevention of trips, slips and falls will be a key priority as part of the Services being performed, especially considering the Services being carried out in both operational areas and around others working.

When undertaking the works, suitable warning signage shall be prominently displayed at approach points to the Services being carried out, along with suitable signage / protection being in place around areas being worked on, and protection of leads / cables to appliances that can cause hazards to others in the area.

To remain effective and ensure premises users do not become complacent, hazard warning signs must be removed as soon as practicable after the hazard is eliminated.

The Contractor must also be mindful that the works are being performed to old and unstable areas of roofing and as such working operations to perform these tasks safely for operatives and others onsite must be undertaken.

Care must also be taken to avoid risks around falling materials.

Personnel Protective Equipment (PPE)

The Contractor will ensure that the Contractor's Employees are provided with, and use, required PPE when undertaking their duties. When working in external sites, where there is likely other personnel and / or vehicular access in the vicinity then the Operatives shall be required to wear class 2 high visibility vests.

Due to the nature of the works required e.g. working from height and risk of falling materials operatives will be required to wear hard hats to BS EN 397, gloves and eye protection.

Risk Assessment

It will be the responsibility of the Contractor to undertake Risk Assessment for the programmed inspection works and any resulting repairs post inspections in line with the Management of Health and Safety at Work Regulations 1999 (<https://www.hse.gov.uk/simple-health-safety/risk/index.htm>).

Where applicable a record to be kept of all risk assessments and Control of Substances Hazardous to Health (COSHH) data and to supply a copy to the Council upon request.

Electrical Equipment

All electrical equipment used shall have suitable safety checks (including Portable Appliance Testing – PAT where they apply) and certification and used in compliance with manufacturer's instructions.

Training

New and existing Operatives shall be suitable trained and have appropriate refresher training in relation to Health and Safety. In the event of lone working the Contractor shall have a clear policy in how this is to be operated.

Working around stakeholders / General Environment

As highlighted, the Services are to be carried out in an operational environment with mixed stakeholders and hazards and care must be taken to avoid risk to both operatives working in the premises and overall public safety.

Disposal of Waste

Disposal of waste arising from the Contractors operations in delivery of the Services and the safe disposal of such waste will form part of the Contractor's responsibilities under the Contract.

In the event that any of that waste is hazardous waste the Contractor shall ensure that such waste is appropriately disposed of.

The Contractor shall ensure that to dispose of any waste arising from the it must be undertaken under an appropriate Waste Carrier's Licence.

Fixings and Anchor Points

The Contractor shall ensure that all fixing points are robust and secure prior to using as part of the displays. Any concerns must be reported to the Council's Authorised Officer as soon as possible ahead of using.

Similarly, fixings from items to be installed as part of the display must be robust and fit for purpose, noting that the external environment will be subject to seasonal climatic conditions.

Contractor Operatives

The Contractor will be responsible for providing suitably trained and qualified Operatives to fulfil the requirements of the Contract, this includes requirements, Health and Safety.

External Environment:

The Contractor will be mindful that the works are installed in an external environment and as such will be responsible for ensuring safe operations are carried out both for operatives and members of the public.

Key risks associated with this which will need to be considered, mitigated and managed in fulfilment of the services could be, but not limited to:

- Working in limited lighting conditions / darkness
- Wind and rain
- Cold (including frost, ice / snow)

The Contractor shall also be mindful that the site is within a marine environment which is in an extremely aggressive environment when considering sea and the risk of corrosion to metals. Due care should be taken to this when considering suitable fixtures and fittings but also when checking suitability of existing fixtures intended for use.

Electrical Works (where applicable)

Electrical works must only be carried out by qualified electrical technicians, in line with suitable trade body such as National Inspection Council for Electrical Installation Contracting (NICEIC) <https://niceic.com/>.

Prior to connecting with any electrical supplies all necessary checks and tests must be carried out.

Substances

The Contractor shall comply with all aspects of Control of Substances Hazardous to Health (COSHH) Regulations, with all substances being handled, used and ultimately disposed of in line with manufacturer's recommendations and COSHH Regulations.

COSHH Assessments and Material Safety Data Sheets for all substances used on Council premises will need to be made available to the Council by the successful applicant. COSHH folders should be made available to all staff carrying activity on the facilities who will also be provided with appropriate training.

In addition, Operatives will as part of delivery of the services, be required to work with substances that at variable temperatures may become hazardous, such as hot water for through cleaning, and as such due precautions shall be taken.

Asbestos

PDD are not aware of any asbestos within the working space of the roofing. The Contractor shall undertake any due diligence to ensure it confirms this position.

Protection of Existing and Adjoining Building etc.

The Contractor shall ensure nothing to be done that is liable to injure the stability of existing buildings or any portion thereof, boundary walls, fences or railings. The Contractor will be held responsible for all damage arising through carelessness or inadvertence in this respect. Every effort is to be taken by the Contractor to avoid damage to other parts of the site as to cause the minimum of interference to the persons occupying or using the existing or adjacent or adjoining premises.

Liaison with Other Contractors

The Contractor is to note that other works may be carried out concurrently with the Contract and the Contractor is to allow for working in conjunction with and liaising with the Employer and any other contractor. Any costs incurred in complying with this requirement are deemed to be included in the Contractor's tender.

Reporting of Accidents and Dangerous Occurrences

The Contractor shall make adequate arrangements for reporting accidents and dangerous occurrences as required by The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, (RIDDOR 95) and any amendments, modifications or substitution of/for those Regulations. In addition, accidents and dangerous occurrences must be reported to the Contract Administrator.

If a Health and Safety incident occurs resulting in injury or not then this shall be reported as soon as practically possible by the Contractor to the Employer's Premises Manager. This does not forgo any wider

responsibilities and duties that the Contractor may have under the Health and Safety Legislation such as notifiable incidents.

Other obligations:

- The Contractor shall have full regard throughout the performance of the Contract for the safety of all persons who may be affected by the Contract and keep all sites, plant, vehicles and machinery under control in an orderly and safe state and maintain at no cost to the Employer all guards, barriers, warning signs or anything provided in the interests of health, safety and welfare in pursuance of the relevant statutory requirements and where necessary or required by the client or by any competent statutory or other authority for the protection or for the safety and convenience of others.
- The Contractor is to include within the tender for all costs incurred in complying with all health, safety and welfare regulations required relating to all of their employees (including those employed by any sub-contractors who may have been employed by the Employer) employed during the execution of the Contract, or all persons who may be affected by the Contract.
- Provide the Contract Administrator before the commencement of the Contract with a copy of the Contractor's Health and Safety Policy, together with Codes of Practice, Operational Guidelines, Provisions and Procedures relating to all activities undertaken in connection with the Contract and provide such other information and documents which will require the compliance of the Employer or their representative when visiting the site.
- Provide the client with copies of all method statements and risk assessments without which Work will not be allowed to commence.
- Nominate a person to be responsible for Health and Safety matters and notify Contract Administrator of the name of that nominated person, together with details of recognised professional health and safety qualifications e.g. Member of the Institution of Occupational Safety and Health, Member of the International Institution of Risk and Safety Management or equivalent and provide details of their relevant experience.
- Provide an experienced Safety Supervisor who shall be available at all times during the execution of the Contract.
- The Contractor's Health and Safety Officer/Supervisor will carry out safety checks at regular intervals of the Contractor's operations during the Contract Period.
- Provide the Contract Administrator with a copy of the Contractor's Health and Safety Officer's.
- Take such steps as are necessary to ensure that operatives engaged upon the Contract, and those of Sub-Contractors so engaged are competent to carry out their respective tasks with due regard to the Contractor's obligations under the aforementioned Acts and other instruments, and in the interests of the health and safety of other persons engaged in, and all persons who may be affected by the said activities.
- In pursuance of its duties under the Health and Safety at Work Act 1974, an authorised member of the Employer's safety personnel or management team may make discretionary visits to the site in order to assess, audit and monitor Contractor's health, safety and welfare performance. These inspections will not relieve the Contractor of their responsibility for undertaking their own regular inspections.

Noise Control

The attention of the Contractor is drawn to the provisions of the Control of Pollution Act 1974, with reference to the control of noise and the need, particularly where such Works are adjacent to occupied property where a high sensitivity to noise may be anticipated, to ascertain from the Local Authority what requirements or restrictions, if any, shall apply to the Works in this respect.

The restrictions may relate to the type of plant used, the methods of working to be adopted, the hours of working permissible and may in addition impose a maximum noise level at the site boundary which must not be exceeded.

The attention of the Contractor is also drawn to the provision of Section 61 of the Control of Pollution Act 1974, with reference to the issue of prior consent and any application under that section should be made to the Local Authority on the appropriate form available from them.

The Contractor is to be held responsible for complying with such requirements, restrictions, or consents together with any other stipulations to which their attention may be drawn from time to time by the competent Authorities and is to allow in the tender for any costs or expenses arising from such compliance. No instruction issued to the Contractor by the Contract Administrator or their authorised representative shall relieve the Contractor from compliance with the Control of Pollution Act 1974.

The playing of radios, cassette/cd players and the like together with the use of mobile phones and the like for personal use is not permitted on the sites. No personal belongings are to be kept/stored in any storage areas provided by the Employer or at/on any other Employer's locations. These provisions are to apply to all the Contractor's servants, agents, employees and Sub-Contractors.

Environmental Policy

The Contractor shall implement a comprehensive Environmental Policy in recognition of its responsibility to contribute to improving the quality of the environment through delivery of services/materials.

The Contractor's Environmental Policy or statement of intent towards environmental issues shall be compatible with the Employer's environmental objectives and the Contractor must be able to demonstrate, if required, that they operate in harmony and compliance with the Employer's objective.

Reporting of defects

The Contractor shall be responsible for reporting any defects in relation to the premises that may affect the ability to effectively fulfil the requirements of the Contract. Any reports should be made as soon as practically possible of this becoming to the attention of the Contractor. If the defect presents a danger or Health and Safety concern, then this shall be reported at the first available opportunity.

As part of day-to-day operations of the Contractor's Operatives where noticing areas of maintenance requirements then this should also be raised with the appropriate Authorised Personnel for that site.