

HEALTH, SAFETY AND ENVIRONMENT CONDITIONS FOR CONTRACTORS

CHAPTER I. GENERAL

Article 1. Scope of application of HSE conditions

1. Client is a member of the [Governance Code for Safety in Construction \(GCSC\)](#) and actively develops the safety culture on its projects. Safety is a chain responsibility, all obligations from these HSE conditions also apply if you subcontract your work to a subcontractor approved by the Client (Safety in Contracting (SIC) art. 18.5).
2. In addition to these HSE conditions, separate safety documentation may apply which constitutes part of the procurement contract.

Article 2. Contractors' General Safety and Health Obligations

1. To have knowledge of and act upon the provisions in the SIC regarding H&S;
2. To have knowledge of and act in accordance with the applicable laws and regulations and specifically of the employer obligation as described in the legislation (SIC art. 21.2);
3. To promote exemplary attitude and conduct via positive feedback and to conform to our slogan 'Your Safety is My Safety', the 10 BAM safety rules and the principles for attitude and behaviour ([Safety | \(bam.com\)](#)). If the Contractor's Employees do not comply with the Safety Conduct Rules, the Client has the right to refuse the Employees concerned access to the construction site. (SIC art. 21.4)
4. To have a VCA*/** certificate. If not in possession of VCA according to Annexe A, demonstrate that the safety management system is equivalent to VCA*/** (SIC art. 35.1).
 - a. Temporary staff agencies shall hold a VCU certificate.
 - b. Operational employees shall hold a valid B-VCA diploma.
 - c. Operational managers (even if self-employed) shall hold a valid VOL-VCA diploma.
5. Comply with relevant regulations from the GCSC, unless otherwise agreed with the Client (SIC art. 35.2).
6. To conform to the specific construction site regulations, the H&S plan design and implementation phase and all permit requirements that can affect its work (SIC art. 35.3).
7. All staff deployed must be competent and qualified for the work to be carried out. The Contractor shall provide supporting documents at the request of the Client.

Article 3. Safety Culture Ladder - Safety Ladder certification

1. The Contractor declares that it is in possession of and shall remain in possession of the proof required by the Contractor Safety Culture Ladder during the period that the work is carried out [Safety in Contracting \(ViA\)](#) (SIC art. 35.2).
2. In case of re-contracting of works, in accordance with art. 2 paragraph 6d, the Contractor shall submit the ViA obligation to the Subcontractor.

Article 4. Contractors Obligations concerning the H&S Sub-plan

1. The Contractor draws up a project-specific H&S Sub-plan or a project-specific Work Plan including a H&S paragraph. This H&S Sub-plan or Work Plan is drawn up in consultation with the actual executives and also considers the work that is further outsourced by the Contractor (SIC art. 35.4).
2. The obligation for a project-specific H&S Sub-plan or a project-specific Work Plan including a H&S paragraph may lapse, if it is decided in consultation with the Client that there is no (legal) need for this.
3. The H&S Sub-plan or Work Plan shall include at least the following elements:
 - a. A step-by-step description of how the risky work shall be carried out safely.
 - b. Insight into the safety risks and management measures, in accordance with the work hygiene strategy, for the own and hired operational employees.
 - c. A clear description of the interface risks that may arise for other employers and therefore need H&S coordination.
 - d. A clear description of how instruction of operational employees and supervision of the work carried out is organised by the Contractor.
 - e. The Contractor aims to limit the use of CMR. and sensitising substances as much as possible (source approach). If dangerous substances are used, they are included in the H&S Sub-plan and safety data sheets must be available in Dutch.
4. The H&S Sub-plan or Work Plan must be submitted to the Client's H&S Coordinator Implementation Phase (H&SC-IP) in due time for review. Only after approval of the plan and the kick-off working meeting may the work commence.
5. The Contractor shall carry out the activities as described by the Contractor in the H&S plan or work plan.
6. Appoint an H&S contact who is the contact point for the H&SC-IP on the project and authorised to make appointments (SIC art. 35.5). The H&S Coordinator:
 - a. Is proficient in spoken and written Dutch or English language.
 - b. Actively participates in the kick-off meeting and the H&S coordination consultation.
 - c. The daily presence of the HSE Coordinator on the construction site is coordinated with the H&SC-IP. Change of the HSE Coordinator shall be reported to the H&SC-IP in a timely manner.

Article 5. Reporting and access to the construction site

1. At client's workplaces a minimum age of 18 years applies. An exception applies to operational workers aged 16 and 17 if they are engaged in vocational training under the supervision of a teacher or equivalent. The use of operational staff aged 16 and 17 years is first submitted by the Contractor to the Client for acceptance.

2. When no BAM Prevention Unit is present, Operational employees report to the H&SC-IP prior to the work and participate in the project mandatory project introduction and are in possession of a [GPI certificate \(Generic Port Instruction\)](#) (SIC art. 35.6).
3. When the Bouwpas Registration System applies, the Contractor ensures that operational employees are registered in the Bouwpas Registration System, at least two working days prior to the work. To do this, the Client's project team sends an invitation by e-mail.
4. In case of re-contracting of works, in accordance with art. 2 paragraph 6d, the Contractor shall submit the Bouwpas obligation to the Subcontractor.

Article 6. (Near) misses and dangerous situations

1. The following obligations apply to the Contractor:
 - a. Immediate reporting of (near) misses and dangerous situations to the H&SC-IP.
 - b. In the event of a default event, the expected period of default (in calendar days) is specified to the Client (SIC art. 35.8);
 - c. To report compulsory accidents at work directly to the Dutch Labour Inspectorate and pass the report on to the Client.
 - d. To actively participate in internal investigations / audits aimed at improving safety awareness and causes of (near) misses and dangerous situations (SIC art. 35.7).

CHAPTER II. SAFE AND HEALTHY IN EXECUTION

Article 7. Personal protective equipment (PPE)

1. At all locations of the Client, wearing the PPE listed below is mandatory. It concerns (SIC art. 35.9):
 - a. a standardised safety helmet in accordance with EN397;
 - b. safety shoes/boots (S3) with heel;
 - c. safe, clean, representative and recognisable workwear suitable for the work (minimum t-shirt and trousers);
 - d. For all ground, road, hydraulic and rail infrastructure works, the wearing of signalling clothing, in accordance with NEN-EN 20471, is mandatory:
 - i. In daylight class II (at least one jacket, CROW Eis SKL-01-05)
 - ii. In case of darkness and other vision-limiting conditions class III (at least one jacket and long RWS version HI VIS safety trousers, CROW Eis SKL-01-06).
 - iii. For near and in the Rail Infrastructure Class III always applies (at least one jacket and long RWS-version HI VIS safety trousers, CROW Eis SKL-01-06).
2. In addition to the requirements of paragraph 1, additional specific requirements may be laid out for the work location.
3. The Contractor specifies additional specific PPE, related to the risks of the work to be performed in its H&S Sub-plan or Work Plan (art. 4 paragraph 3a and b).
4. The Contractor supervises the correct use, condition and maintenance of PPE according to the manufacturer's instructions.

Article 8. Obligations concerning work equipment

1. The equipment to be deployed and the work to be carried out with this equipment shall comply with legal, collective agreements and/or CFP provisions and, as much as possible, shall adhere to the occupational hygiene strategy.
2. The Contractor shall ensure the provision of visibly approved material or tools. This also includes tools to work dust-free (SIC art. 32.1).
3. All personnel employed by the Contractor must be competent for the work to be performed and operation of process equipment, machines and/or vehicles. At the request of the Client, the Contractor shall provide evidence of training of its operational employees.

Article 9. Obligations concerning collision hazards

1. To counter this risk, the Client employs the [driver risk reduction policy](#) of the GCSC. The Contractor is obliged to comply with the policy to reduce the risk of collision when transporting materials by or on behalf of the Contractor.

Article 10. Obligations concerning hoisting work

1. If the Contractor carries out hoisting activities, this is done in consultation with the H&SC-IP and is, in principle, carried out by the hoisting team which is present.
2. If the Contractor has hoisting equipment on the project, it must be certified and have an up-to-date inspection status. Certificates of hoisting equipment and other work equipment, where required, are available on site or are directly available.
3. If employees of the Contractor carry out hoisting activities themselves, they should be trained and recognisable as such in accordance with the project requirements.
4. The way of hoisting (and the means of hoisting) shall be included in the Assembly Plan or Hoisting Plan. The hoisting method, certified/inspected hoisting points and the hoisting equipment to be used must be specifically described for each part to be hoisted. The Assembly Plan or Hoisting Plan. is discussed in advance with the H&SC-IP or (chief) executor, crane operator and the rigger or picker.

Article 11. Obligations for working alone/working outside fixed hours

1. Working alone should be avoided. Conditions under which only work is allowed should be coordinated with the H&SC-IP.
2. Working outside fixed working hours is only possible after consultation and approval of the Client's contact person.

Article 12. Communication and language obligations

1. The official language at client's work locations is Dutch. All security-related information and communication shall be available and communicated in Dutch. If necessary, the Contractor shall arrange for the translation of relevant safety documents, publications, etc.
2. All staff from management to foreman are expected to be proficient in spoken and written Dutch and English. Operational employees who do not speak or understand Dutch or English should receive instructions from the manager in their own language.

CHAPTER III. CONTRACTORS' ENVIRONMENTAL OBLIGATIONS**Article 13 General**

1. The Contractor pursues a policy of improving the quality of products and services where zero emissions, reduction of CO2 emissions and waste management are priorities.
2. The Contractor shall, in accordance with the life-cycle perspective, incorporate the environmental requirements into its design and/or development process for the product or service at each stage of the life cycle of the product or service.
3. At the first written request of the Client, on its behalf, the Contractor shall submit to the Client the CO2 emission inventory of his company, in accordance with ISO 14064-1, for the year in which the Performance under the Agreement has taken place and the preceding year. The CO2 emissions inventory shall be accompanied by a statement of verification from a certification body (CB). As a minimum, this statement from the CI must meet the requirements set out in ISO 14064-3 under 'validation and verification statement' (SIC art 23).

Article 14 (Environmentally) hazardous substances

1. All operations likely to release environmentally hazardous substances must be preceded by measures to prevent any spread of such substances.
2. Unless otherwise agreed by contract, the Contractor shall provide appropriate storage facilities for environmentally hazardous substances in accordance with legal regulations, PGS and safety or product information.

Article 15 Waste (SIC art. 33)

1. The Client and the Contractor shall promote re-use of materials and limit waste quantities and waste streams as much as possible.
2. The Contractor shall keep the construction site clean and deliver it clean.
3. The Contractor shall process packaging, debris and waste in accordance with the H&S plan, laws and regulations, the Environmental Management Act and the Soil Protection Act.
4. The prices of the Contractor mentioned in the Agreement also include the costs of separate disposal and/or processing, respectively disposal and/or storage of all waste resulting from the Contractor's work.
5. The Contractor is obliged to properly dispose of waste related to the Performance in the interim, unless a derogation to this is agreed with the Client, in writing.
6. The Contractor is obliged to provide the Client with copies of the notification forms under the Environmental Management Act. The Client is entitled to suspend its payment until the obligations arising from the Environmental Management Act and/or other environmental laws have been fulfilled.
7. If the disposal of waste does not take place on the first notice of the Client, the Client has the right to have the relevant waste removed at the Contractor's expense and risk.

CHAPTER IV. RAILWAY SAFETY**Article 16. Scope of application**

1. This chapter applies when the Contractor carries out work which has interfaces with rail within the Dutch borders. This should include work on, under, or next to a railway environment. This refers to a (local) railway track, station, emplacement, accordion, railway installations, etc.
2. Safety in/near the rail infrastructure is dominated by two hazards:
 - a. Risk of collision with regular rail traffic, (rail-related) equipment and regular road traffic
 - b. Electrocutation hazard

Article 17. Exceptions

1. Contractors carrying out rail transport work under the Safety Certificate A and B of the Environment and Transport Inspectorate (ETI) are subject to other specific requirements and exceptions. If applicable, contact the Railway Safety Department of BAM Infra OV.
2. Contractors who carry out work within a local railway environment (tram and/or metro) are subject to different requirements. If applicable, contact shall be made with the Railway Safety Department of BAM Infra OV.

Article 18. Track access

1. Access to railway premises requires the possession of:
 - a. Valid identification;
 - b. Personal Digital Security Passport (DSP) or
 - c. Day1 pass (maximum 10 per calendar year, per person).

¹ The combination of a day pass and the instruction "Task own Security" - ToS is not permitted at BAM.

2. The DSP card (or a photograph of it on the mobile phone) or Day pass is only valid if it is physically present with the pass holder in combination with a demonstrable safety instruction given by a certified Standard Standards Framework Safe Working Officer of a recognised workplace security company.

Article 19. Training

1. In order to obtain a DSP, you must follow the preparation assignment + exam and the 'Spoor jij wel' Safety Training at the Railcenter (available in different languages). After the training, the participant shall be examined and after successful completion the participant shall be in possession of a DSP. For more information see www.b-t-c.nl.
2. For some tracks there are additional training/instructions, below two examples:
 - a. High-speed line: www.toegangtotdehsl.nl
 - b. Regiotram Utrecht: <https://vctu-api.provincie-utrecht.nl/>

Article 20. Obligatory Personal Protective Equipment (PPE)

1. Operational workers must wear a Safe Working Standards Framework (SWSF) compliant HI-VIS vest outside the standard PPE at all times in a railway environment. Within the railway there is specific regulation available on the carrying of the right PPE in the railway environment, which can be found in the:
 - a. Standards framework Safe working (available via the website of Stichting RailAlert)
 - b. Prescription Safe Working Train (available via the website of Stichting RailAlert)
 - c. ProRail House Rules (available on the ProRail website).
2. In addition, HI-VIS safety trousers must be worn at all times. HI-VIS clothing shall be clean, clearly visible, provided with company name or logo of the Contractor.

Article 21. Vehicle requirements and driving

1. The requirements of vehicles in a decommissioning phase can be found in the SWSF. Vehicles on in-service tracks shall comply with the Railway Act and/or infrastructure manager regulations.
2. To drive and/or operate track-bound vehicles or railway vehicles, the operator must be in possession of the "Machinist" certificate. For more information see website of Stichting RailAlert.

Article 22. Equipment in proximity/under tensioning parts

1. If the Contractor uses equipment that is within the fall range of the overhead line or under voltage-producing parts, an authorised Responsible SWSF-HV must take management measures for this purpose.

Article 23. Life Saving Rules

1. The following Live Saving Rules (LSR) apply when the Contractor carries out work within a railway environment:
 - a. Always log in and out with the responsible security officer;
 - b. Only start work with your DVP and instruction from a safety officer;
 - c. Always follow the instruction;
 - d. Wear the prescribed PPE;
 - e. Always use your phone/tablet in a safe place;
 - f. Do not go under suspended loads
 - g. Only perform tasks and/or activities that you are allowed to perform;
 - h. Do not work under the influence of alcohol, drugs or awareness-raising agents;
 - i. Only work with approved tools.