

PMCA: WHS CONTRACT ADMINISTRATION & MANAGEMENT OBLIGATIONS FOR PROJECT CONTRACTS

TENDER

- Review draft WHS Plan provided by the Tenderer and ensure it complies with requirements of the Contract and WHS Legislation (including ensuring WHS Plan is Project and Contract specific)
- Advise the Commonwealth whether the draft WHS Plan is of sufficient standard and quality to ensure the delivery of the Project will comply with WHS Legislation requirements
- Ensure in assessing a Tender the Tenderer has sufficient skills, expertise and resources to carry out the Works safely
- Ensure WHS Accreditation Scheme held by Tenderer in their name

CONTRACT DELIVERY

Contract Administration

- Ensure the draft WHS Plan (submitted with Tender) is updated in accordance with the Contract and robustly review the updated WHS Plan
- Ensure the regular review and updating of the WHS Plan by the Contractor and actively and regularly monitor compliance by the Contractor with the WHS Plan
- Ensure the Contractor Design Certification (and if applicable the Sub-Contractor Design Certificate) references WHS Legislation compliance
- Ensure the Contractor holds licenses / authorisations if required by WHS Legislation
- Ensure the Contractor complies with obligations regarding the use, management and handling of Hazardous Substances
- Ensure the Commonwealth provides the Contractor with any other information necessary for the Commonwealth to comply with its WHS obligations
- Facilitate consultation, co-operation and co-ordination between shared duty holders at a workplace
- Facilitate the exchange, keeping and maintenance of information and records for all WHS issues / matters between duty holders
- Ensure the Contractor reports on WHS matters at Project meetings (see below)
- Ensure the Contractor complies with Statutory Requirements / contract obligations / CCC Duty
- Ensure the Contractor provides evidence of WHS Approvals on request
- Ensure there is a Risk Register, which includes WHS risks and that it is regularly reviewed and updated
- Where required, conduct / facilitate design reviews (general review and reasonable check) to ensure compliance with WHS Legislation and to identify WHS risks and hazards
- Institute a system to obtain regular written assurances from Contractor, each Other Contractor and any Sub-Contractor for WHS Legislation compliance
- Ensure when conducting verification activities that Contractor's Subcontracts contain equivalent WHS provisions

CONTRACT DELIVERY

Reporting Obligations

- Ensures the Contractor reports the following information:
 - Notifiable incidents
 - Information from the regulator / provided to the regulator
 - Details of proactive risk management and any systemic risk management failures
 - Risks, hazards, WHS matters requiring escalation to Defence
 - Lead and lag time indicator data
 - WHS accreditation currency
 - Audit and verification results
 - Written assurance of compliance with the WHS Legislation

COMPLETION

- After Completion, arrange for the Stage / Works to be inspected, tested and check for WHS Legislation compliance (if required)
- Ensure the Contractor provides a certificate that Asbestos / ACM have not been used or incorporated into the works as a precondition to Completion
- Ensure the Contractors provides required information where it is a designer, importer, supplier or manufacturer under the WHS Legislation