



SUBCONTRACTOR COMPLIANCE AGREEMENT

In accordance with the OSHA requirements, each subcontractor shall protect the employment and places of employment of each of his employees engaged in construction work by complying with the appropriate standards prescribed in the applicable standards. Subcontractors shall hold each of their agents, vendors, tier subcontractors and suppliers responsible for compliance with these safety requirements. Subcontractors shall include these safety requirements in contracts with all tier subcontractors and suppliers. Entry onto project, property, or the job site constitutes acknowledgement by the subcontractor, subcontractor employees or invitee of their obligation to adhere to these safety requirements. Each subcontractor shall establish and maintain an effective safety and health program that at the least equals that of the ECM USA INC.'s Safety and Health Program, including all items outlined in this document. The subcontractor shall be solely responsible for implementing the safety program and shall have sole responsibility for monitoring the work of its employees, subcontractors, agents, vendors and suppliers to ensure compliance.

VIOLATIONS

If a subcontractor or invitee is found non-compliant to any of the safety requirements, he/she will not be allowed on Company property or job site. Any resulting damages (including damage for delay) will be paid for in accordance with the subcontract.

ECM USA INC. will generally oversee the safety performance of subcontractors. When violations of the safety requirements are observed, the responsible subcontractors shall be informed orally for immediate correction. It is the sole responsibility of the subcontractor to devise and implement the correction. If ECM USA INC. deems it is necessary to stop work being performed due to the nature of a violation, work will be halted until the subcontractor corrects the violation. Any costs incurred by the stoppage of work due to the Safety and Health violation will be the sole responsibility of the violating subcontractor. The subcontractor shall be given a reasonable amount of time to correct the violation[s]. The time period allowed shall reflect the severity of the violation[s] and the urgency to abate, and in some cases the corrective action might be immediate. If the subcontractor fails to correct the violation within the reasonable amount of time specified, ECM USA INC. may take a number of actions including but not limited to:

- A meeting will be conducted with the subcontractor's supervisor and ECM USA INC. project team, which includes the safety director and officers of company. The meeting should conclude in a documented agreement outlining the subcontractor's intended corrective action and timeframe for implementation.
- Removal of unsafe condition by using other work forces, the cost of which will be reimbursed through back charges or provisions of the contract.
- Removal of subcontractor personnel, including field supervision if necessary.
- A letter of non-compliance stating that the subcontractor is in violation sent to the subcontractor's office with a copy to their insurance company.
- ECM USA INC. may exercise its option to terminate all or part of the contract with the subcontractor for inadequate safety performance, or failure to fulfill any of the safety requirements of the contract.

THE FOLLOWING VIOLATIONS WILL BE GROUNDS FOR IMMEDIATE DISCHARGE OF SUBCONTRACTOR PERSONEL:

- Gross negligence of safety and health rules and regulations, repeated violations or the refusal to follow safety and health rules and regulations.
- Fighting (physical contact), horseplay, or sleeping on the job
- Theft
- Drugs or alcohol (possession or under the influence)
- Willful destruction of property
- Possession of firearms or explosive devices
- Engaging in any inappropriate, unwanted verbal or physical advances to the public or co-workers, or any violation of ECM USA INC. 's sexual harassment policy



FALL PROTECTION

Unless superseded by a Site Specific Plan, subcontractors will comply with the fall protection requirements as outlined by the OSHA [1926 Subpart M]. Key elements include:

- Perimeter/guardrail cabling shall be no less than 3/8" IWRC-Galvanized, with a minimum of two wire rope clamps at each connection. Perimeter cables and guard rail systems are not to be used as attachment points for fall arrest or restraint unless subcontractor accepts the responsibility for the design, installation, inspection and all the other applicable requirements.
- If a subcontractor needs to take down a perimeter cable or guardrail, the subcontractor is required to obtain permission from ECM USA INC. and then is responsible for reinstalling back to its proper location once task is completed.
- Floor openings 2" or more, must be covered, marked to identify a hole, and secured. Covers are to withstand 2 times the intended load
- Personal fall protection equipment shall be inspected, in accordance with the manufacturer's specifications, daily/prior to each use for signs of wear and damage
- Any damaged equipment or equipment subjected to a fall shall be taken out of service
- Subcontractor work that necessitates the use of either "Controlled Access Zones" or a "Fall Protection Plan" are required to submit those plans to ECM USA INC. prior to beginning work (for recordkeeping purposes).

EXCAVATION WORK

All portions of work involving excavation will conform to OSHA requirements of Subpart P – Excavation (29 CFR 1926.650).

- Each contractor engaged in excavation work must have a person designated as the "competent person" [as defined by OSHA] to enforce compliance with the OSHA Standards for Excavations. The name of that person and their qualifications will be submitted to ECM USA INC. before work begins
- No employee shall enter a trench unless it has been determined by the Competent Person to be properly excavated and protected against collapse by means of sloping or benching, shoring, sheeting, the use of a trench box, or by other appropriate system.
- Each employee will have the responsibility to stop work and notify others if they perceive that a problem with the excavation or protection system exists or develops.
- Excavations will be back-filled as soon as possible after completion of work. If excavations cannot be back-filled, the open trench shall be plated, barricaded, fenced and/or flagged to protect workers, pedestrians and traffic.

FORKLIFTS/PORTABLE MAN LIFTS OR MOBILE SCAFFOLDING

Only trained and authorized personnel shall operate forklifts/sky tracks.

- Forklifts/sky tracks shall be operated in accordance with the manufacturer's specifications and requirements.
- Operators will wear seatbelts during forklifts/sky track operations

RIGGING AND MATERIAL HANDLING

Rigging shall be inspected prior to use and as necessary throughout the course of the day.

- If any rigging is found to be worn or damaged, it shall be removed from service immediately. Each subcontractor is responsible for complying with rigging requirements set forth by OSHA and rigging manufactures'.
- Rigging equipment should never be used beyond its rated capacity.
- Stacked materials are to be kept neat and orderly. Materials shall be stacked in a manner to prevent tipping, falling, shifting or rolling.

FIRE PROTECTION AND HOT WORK PROCEDURES

Daily, before any burning, welding, brazing, soldering or any other hot work is conducted, a Hot Work Permit must be obtained from ECM USA INC. Terms of the permit must be adhered to.

- All welding and burning work shall be done in accordance with OSHA standards and industry best practices. The movement, storage, and use of cylinders shall be done in accordance with OSHA standards.



- All personnel using gas welding or burning equipment will be fully trained in the use and maintenance of the equipment.
- At minimum, a 10 pound dry chemical ABC fire extinguisher must be within 20 feet of any burning or welding operation. This fire extinguisher is provided by the subcontractor performing the work.
- A fire watch must be present during, and for no less than 60 minutes after the completion of the work
- Compressed air or gas shall not be used by an individual to clean their clothing.
- Flammable liquids shall be stored and dispensed in accordance with OSHA requirements.
- All containers must be FM approved or UL listed. The container must have a self-closing lid and a wire mesh flame arrester. If the can is damaged, it is to be removed from site.
- In accordance with the Hazard Communication Standard, containers will be clearly marked showing the contents, hazard level and any special use or handling requirements.
- Flammable liquids will not be stored with enclosed structures, i.e.; building under construction, storage trailers, tool sheds, in stairways or building exits/entrances.
- Observe all NO SMOKING or NO OPEN FLAME signs.
- Fire extinguishers which are provided by ECM USA INC. are available for general use. They are generally located at entrances, stair wells, and on each floor. If a fire extinguisher is used, return it immediately to the Office to replace it with a fresh one.
- Do not place material in front of, or block extinguishers from view.

ELECTRICAL SAFETY

Each subcontractor will inspect their power tools and extension cords prior to each use. Damaged equipment shall be removed from service. Temporary Electric and Lighting:

- Installation of Temporary electric and lighting must comply with 29 CFR 1926 Subpart K
- Temporary electric must be protected by a GFCI. 10
- GFCI breakers and outlets will be tested periodically by the electrical contractor and a record of the tests kept. The electrical contractor will maintain the record of the tests and provide to Alliance Corporation upon request.
- Open conductors will be protected in conduit or equivalent when within 8 feet of a walking surface.
- Wire for lighting within stairwells will be protected by conduit or wiring design. Unprotected open conductors are not permitted.

TEMPORARY LIGHTING WILL BE PROVIDED IN ACCORDANCE WITH OSHA AND CONTRACT REQUIREMENTS:

- Any additional lighting (task lighting) required will be provided by each contractor. Permanent Power
- A GFCI must be used when using permanent power.
- On a permanent outlet, a cover plate must be attached in order for the outlet to be utilized. Plugging into an outlet that does not have a cover plate is not permitted.
- All live circuit panels must have an OSHA compliant panel cover on them.
- Never leave an unattended live panel open; it must be protected.

WORKING ON EQUIPMENT [LOCKOUT/TAGOUT]

Whenever work is to be done on a piece of equipment, including building equipment and or contractor's equipment, OSHA's Controlled Hazardous Energy standard must be followed. Each contractor whose work involves working on live equipment shall submit a plan in accordance with NFPA 70 E or a Lock-out/Tag-out program to Alliance Corporation upon request.



ACKNOWLEDGEMENT

ECM USA INC. provides these Safety Requirements and Procedures to its Subcontractors as a demonstration of our commitment to safety. It is the Subcontractors sole responsibility to read, understand, and orient its employees and management as to the minimum expectation for site safety which ECM USA INC. expects from its Subcontractors.

These requirements and procedures are not all inclusive of the measures which should be taken by Subcontractors and their employees. They are meant to be a summary of what ECM USA INC. believes are the most pertinent elements which should be addressed by our Subcontractors, and provide a source of information for and outline the minimum requirements and procedures which ECM USA INC. holds its Subcontractor responsible. Topics that are not directly referenced in this agreement are default to OSHA requirements.

Failure to follow safe practices, regardless of whether such requirements or procedures are outlined in writing by ECM USA INC. in this or any other publication, may result in disciplinary action or termination of your contract to work for ECM USA INC.

By your acknowledgment of these requirements and procedures, and standards, ECM USA INC. expects you to abide by its rules and regulations, and provide safety standards for your own which meet or exceed those standards normally practiced in the construction industry.

Make safety a part of the quality of your work.

I hereby acknowledge, with my signature, that I have read, understood, or have been briefed on the ECM USA INC. Subcontractor Safety Requirements and Procedures.

I further acknowledge, by my signature, that my failure to comply with ECM USA INC.'s policies, procedures, or requirements may result in a jobsite restriction to work at or on an ECM USA INC. jobsite.

This Acknowledgment shall remain in effect of the duration of time for which I am working for or as a Subcontractor at an ECM USA INC. jobsite, regardless of the current status of my employment of contractual relationship.

Authorized Signature: _____ Date: _____

Job Title: _____

Subcontractor Company: _____