

1. GENERAL

1.1. Applicability

These HSE Purchase Conditions apply to all requests, quotations, offers, assignments, purchase orders, order confirmations, agreements, and other legal acts relating to the Performance to be performed by the Contractor on behalf of the Client. Contractor here refers to the seller, supplier, building contractor, lessor, lender*, workplace security company* or ZZP (self-employed person) or DGA (director and major shareholder)*.

1.2. Relationship to the Purchase Conditions

This document contains the minimum specification the Contractor must comply with, without prejudice to the obligations arising from legislation and regulations, the Agreement and the Safety, Health, and Environmental Policy of BAM Infra Netherlands. This specification is a more detailed elaboration of Articles 21, 23, 29, 34 and 36 of the General Purchase Conditions (GPC) and forms an integral part of the Agreement between the Contractor and the Client and it is also the basis for the assessment of the Contractor.

1.3. Disputes and applicable law

Where conflicts occur between this translation and the Dutch text of the VGM voorwaarden voor opdrachtnemers Rev.I 07-01-2021, the latter shall prevail.

2. THE CONTRACTOR'S RESPONSIBILITIES

2.1. The Contractor's Partial HSE plan*

The Contractor draws up a project-specific Partial HSE Plan and/or a hazard identification assessment with accompanying measures for its (high-risk) activities. This plan will be submitted to the Client for acceptance. The work will not start without the Client's acceptance and consent. Acceptance does not indemnify the Contractor from its obligations. The plan must contain the information mentioned in the following paragraphs of this document: 2.2, 4, 5.3, 6.2, 8.1 and 11.

2.2. Contractor's HSE contact

The Contractor appoints a HSE contact (Health, Safety and Environment), who is primarily responsible for the following:

- acting as point of contact for the Client regarding HSE;
- performing the tasks as indicated in this document;
- coordinating and supervising its own work;
- determining - in consultation with the Client, other Contractors and third parties - the measures to be taken in order to jointly fulfil the responsibilities mentioned in Chapter 2.

Unless otherwise agreed with the Client, the HSE contact is permanently present on site during his or her own activities and he or she has command of the Dutch language and effective verbal and written communication skills.

The Contractor states the name of the HSE contact in its Partial HSE Plan.

If the HSE contact changes, the Client will be promptly notified thereof for the purpose of acceptance.

2.3. Coordination and cooperation tasks

- The Contractor takes adequate measures to prevent hazards to third parties and the environment (Section 10 of the Dutch Working Conditions Act). Third parties means all other people, including members of the public, other than the Contractor's own and hired employees. If, there are hazards to third parties despite the measures taken, the Contractor notifies the Client of this at an early stage.

- The Contractor is obliged to follow the instructions of the H&S Coordinator for the Execution Phase and any announcements (possibly on notice boards and/or by other means of communication) made by the Client.
- The Contractor actively cooperates with the Client, other Contractors, subcontractors and third parties to guarantee the safety, working conditions and environmental care on and around the work site.
- The Contractor is not permitted to change and/or remove the (collective) HSE facilities of the Client, other Contractors, subcontractors, principal or third parties without the owner's permission and without taking corrective measures.
- The Contractor is not permitted to use the Client's work resources and HSE facilities without the Client's permission.
- In the event of absence due to an incident, the Contractor will arrange for alternative work of equal pay for the injured person, starting on the working day following the accident.

2.4. Registration and records

The Contractor must conduct its business operations and keep its records in such a manner as to comply with legislation and regulations. At the Client's request, the Contractor provides an insight into the requested documentation enabling the Client to comply with its own statutory obligations.

2.5. Providing personal data

At the Client's request, the Contractor provides all personal data required for the execution of work in writing as well as changes thereto.

2.6. Sanctions by the Client

In the event that the Contractor fails to fulfil, or to sufficiently fulfil, its obligations arising from these specifications and the Agreement, the Client will notify the Contractor thereof in writing. The Contractor will immediately take remedial and corrective action.

In the event that the Contractor still fails to fulfil its obligations despite a reminder by the Client, the Client may take the following measures:

- The Client will remedy everything at the expense of the party that is in default;
- The Client will deny the Contractor's personnel access to the location. In that case, the Contractor must immediately deploy replacement personnel;
- The Client will terminate the contract, whereby all costs involved in preventing the work from coming to a standstill are borne by the Contractor.

Without prejudice to the above, Articles 9, 11 and 13 of the General Purchase Conditions (GPC) will apply in full if the Contractor fails to fulfil its obligations.

3. ATTITUDE AND BEHAVIOUR

3.1. Foundation

Safety comes first at BAM Infra Netherlands. We expect our Contractors to conform to our slogan 'Your Safety is My Safety' and our safety policy. See <https://www.baminfra.nl/over-ons/veiligheid>

The basis of our safety policy is laid down in our foundation for safe working:

Safety is unconditional. It is more important than planning or profit. More important than anything you can think of. After a hard day's work, we all want to go home safely. And the next day, start a new working day healthy. A safe working day. Safety is something we do together. That is why we remind all our people of their responsibility. Not only the 20,000 people who work at BAM, but also partners, suppliers and clients with whom we work on a daily basis. We look after ourselves, each other and society as a whole. On the construction site, on the road and in the office.

3.2. Safety regulations

Our foundation includes 10 safety rules.

1. I understand my job, and I am aware of the associated risks. If anything is unclear, I will ask for additional information.
2. I call other people to account about unsafe behaviour, and I accept that others can also call me to account about unsafe behaviour
3. I only give safe instructions and only follow safe instructions
4. I work with approved materials and equipment and only if I am authorised to use it.
5. I only start with my work after I have been instructed correctly (formally). I follow these instructions.
6. I use my compulsory personal protection equipment.
7. I keep my workplace clean, safe and tidy.
8. I do not work when I am under the influence of drugs, medication or alcohol.
9. I do not walk or stand under suspended loads.
10. I do not work with installations or cables that are charged, unless I am authorised to do so.

3.3. Principles for attitude and behaviour

In addition, we have made arrangements about how to behave within BAM Infra Netherlands. These are our principles for attitude and behaviour:

- I take responsibility for my safety and that of others.
- Before I start, I discuss my work with others.
- I confront others and take action if I believe that a situation is unsafe.
- I can be held responsible for my attitude and behaviour.
- I dare to ask for help if I have any doubts.
- I notify points of improvement and incidents so that we as an organisation can learn.
- I give compliments to people who are working safely.

3.4. Governance Code for Safety in the Construction Industry [Governance Code Veiligheid in de Bouw (GCVB)] / Safety in Tenders (ViA) [Veiligheid in Aanbestedingen]

BAM signed the Governance Code for Safety in the Construction Industry (GCVB) to improve behavioural safety on the construction site. From 1 January 2022, BAM declares Safety in Tenders (ViA) applicable to suppliers carrying out work on a subcontract basis

The GCVB website provides more information on the requirements of ViA (<https://gc-veiligheid.nl/veiligheid-in-aanbesteding-via>).

4. MEETINGS

4.1. HSE Meetings with all construction site employees

The Contractor undertakes to hold its own HSE meetings (toolbox meetings) or, if contractually agreed, to cooperate in the meetings organised by the Client. These meetings are held at least once a month, with a minimum of 10 per year, and cover current topics related to the project.

It is required to make a report and to register those attending. A copy is provided to the Client.

4.2. Consultations between Client and Contractor

The Contractor demonstrably participates in meetings to the extent that the Client deems it necessary. This includes at least a kick-off meeting to be held prior to the start of the activities.

5. HAZARD IDENTIFICATION AND RISK ASSESSMENT

5.1. HIRA concerning functions

The Contractor must have an up-to-date HIRA for all functions involving risk as referred to in the VCA (Contractor's Safety, Health and Environmental Checklist).

5.2. Project HIRA / Task Risk Analysis

Project Hazard Identification and Risk Assessment (PHIRA) aims to identify particular project-specific HSE risks per activity in advance. In addition, the preventive, control and repressive measures are then laid down in accordance with the occupational hygiene strategy.

The Contractor conforms to the Client's PHIRA. If deemed necessary, the Contractor will draw up an additional PHIRA and submit it to the Client for acceptance.

The PHIRA will be updated if circumstances change or working methods so require.

The PHIRA is in any case based on:

- The activities to be carried out at the project location;
- The equipment to be deployed and the materials and substances to be used;
- The functions involved in the work;
- Any waste that may be released;
- Environmental factors.

The PHIRA specifies:

- The risks that may arise from the various activities;
- Which persons are (potentially) exposed to the risks (own employees, personnel of other employers or members of the public);
- The control measures to be taken in accordance with the occupational hygiene strategy as referred to in the Dutch Working Conditions Act.

The Contractor is permitted to compile a PHIRA consisting of one or more task risk analyses as referred to in the SCC. Where deemed necessary, these TRAs will be discussed in advance with the executing parties. The person responsible for the necessary measures, maintenance and supervision thereof is agreed and determined in the above-mentioned meetings with the Client.

5.3. Last Minute Risk Analysis (LMRA)

Before the start of the work, during the work or when resuming work, the Contractor's employees will carry out an LMRA, in which:

- Checks are made as to whether:
 - o The required safety measures have been taken;
 - o The necessary (safety) equipment is present, in a safe condition and in working order;
- Assessments are made as to whether:
 - o Circumstances have changed requiring different or additional measures;
 - o Any risks that have not or not sufficiently been recognised.

The work will commence if justified from a safety perspective. If the work cannot start, the Client will be immediately notified verbally, supplemented by a report via our BAM Infra Safety Reporting App (see section 12.2).

6. INTRODUCTION, INFORMATION AND LANGUAGE

6.1. Introduction

The Contractor is obliged to ensure that its personnel, including subcontractors and self-employed people, are instructed on the generic HSE policy (<https://gpi.explainsafe.nl/>), as well as the specific rules, regulations and special HSE aspects on the work site on the first working day and before the start of the work. The same obligation applies when employees are replaced or hired. The Contractor will use the instruction the Client has made available for this purpose. Specific site safety instructions (<https://www.explainsafe.nl/nl/companies>) apply if work has to be carried out for Network Managers (i.e. Tennet, Stedin, Liander, etc.)

Demonstrable registration is part of the instruction provided.

The instruction covers in any case the following subjects:

- How to act in emergencies (injuries, fire, leakage);
- Reporting dangerous situations and incidents;
- Use of personal protective equipment (PPE);
- Special regulations at the location (work permits, access regulations, etc.);
- Relevant regulations.

The Contractor keeps personnel changes to a minimum.

6.2. Information and instructions

The Contractor provides information and gives instructions on the risks and measures related to the activities and circumstances of its part of the activities.

The measures arising from the project hazard identification and risk assessment must be part of this.

The instructions can be combined with the meeting referred to in point 4.1, if the Contractor holds this meeting independently.

6.3. Training

All personnel engaged by the Contractor must be qualified for the work to be carried out.

At the Client's request, the Contractor provides evidence of the training received by its employees.

- All operational employees have a valid 'Basic Safety SCC' [Basisveiligheid VCA] diploma or certificate.
- All operational managers must have a valid 'Safety for Operational Managers SCC' [Veiligheid voor Operationeel Leidinggevenden VCA] diploma or certificate. The above-mentioned training courses must have been completed successfully in the BENELUX or Germany.
- Prior to the start of the work, the Contractor provides a list of the functions implemented at the location for which training, a diploma or certificate and/or a medical examination are required in accordance with the statutory regulations and the Agreement.
- The Contractor's employees who hoist loads and/or give hoisting instructions are specifically trained for this purpose. The training must be at least equivalent to the SOMA training course 'Safe hoisting of loads' (SOMA training number 122).
- The Contractor's employees operating the process equipment, machines and/or vehicles must be qualified. Certificates and/or diplomas must be available on the project.
- Employees working on cable and pipeline laying must be in possession of a valid instruction with relevant directions, including Gas Safety Instruction (VIAG), Electrical Installations Operation (BEI), and District Heating Safety Regulations (VEWA).

The operational employees must use the digital safety passport of Certwell to register diplomas and certificates for work on underground infrastructure (BAM Energy and Water). You can apply for this on the website <https://werkenvoor.bam.com>.

6.4. Language

The Client's publications, documents and correspondence are in the Dutch language. When employing non-Dutch speakers for the project, the Contractor will take measures to ensure optimum communication with these non-Dutch speakers. This means that the Contractor's personnel must also have good command of the Dutch language. If not, at least two of the Contractor's managers per project will have a command of the Dutch language and 25% of the other personnel will have a command of the English and/or German (technical) language. To this end, the Contractor arranges for the relevant safety documents, publications, etc. to be translated.

6.5. Other provisions

Access to location

Access to all locations is through the designated personnel entrances only.

The Contractor's employees will not enter locations unannounced other than their own workplace.

Inviting third parties

The Contractor is not permitted to invite third parties.

Correct and professional attitude

The Contractor's personnel adopt a correct and professional attitude towards their surroundings (no loud radio, coarse language or antisocial behaviour).

Order and neatness

The Contractor contributes to the order and neatness of the workplace (also when leaving the workplace).

Safety devices

It is forbidden to remove, disable or cover installed safety devices.

Smoking

Smoking is only permitted in the designated locations.

Photographs and films

It is not permitted to photograph and/or film without the express permission of the Client.

External contacts

Always refer media and external parties attempting to obtain information to the project management. Never respond to questions.

Age

A minimum age of 18 applies at BAM work locations. An exception applies to employees aged 16 and 17 if they are performing work as part of vocational training and are under the supervision of an apprentice trainer or equivalent. This was first submitted for the Client's approval.

Telephone

The use of mobile phones or making hands-free calls while operating equipment is not permitted.

7. WORK RESOURCES (TOOLS AND EQUIPMENT)

Work resources must be in a good, safe and environmentally responsible state of repair and meet the applicable HSE regulations, statutory provisions and standards. In addition, work resources must be energy-efficient and low-noise.

7.1. Testing and inspection system

The Contractor uses a system for testing and inspecting work resources and PPE.

The system includes in any case:

- Registration of the inspections carried out;
- Set-up inspections and periodic inspections/tests;
- A unique identification code on all tools and equipment to be inspected;
- An inspection indication, for example a sticker indelibly stating the final date of reinspection.

7.2. Properties

(this concerns, among other things, materials, components, tools and equipment, buildings, intellectual property and personal data)

The Contractor must treat the property of the Customer, the Client or third parties with due care when it is managed or used by the Contractor. The Contractor must identify, verify, protect and secure the property owned by the customer, the Client or third parties, which has been supplied for use or forms part of the products and services. If the property of a customer, the Client or a third party is lost or damaged, or is otherwise deemed unsuitable for use, the Contractor must notify the customer, the Client or the third party thereof and keep documented information about what has occurred.

7.3. List of equipment to be deployed

On request, the Contractor will provide the Client with a list of all the large and small equipment used at the work location, to the extent it is subject to inspection and/or certification.

7.4. Certificates

Certificates for hoisting devices and other work resources, to the extent required, are present at the site or will be immediately available.

7.5. Smart and efficient saving on construction materials ('Nieuw Draaien')

The operators of earth-moving equipment must apply the principles of 'smart and efficient saving on construction materials' (<http://www.hetnieuwedraaien.nl>).

7.6. Identifiability of work resources

Work resources subject to inspection are provided with a company-specific marking.

Technical measures to reduce collision risks

For equipment where the operator's view around the machine is restricted, it is essential to take technical measures next to organisational ones in order to reduce the risk of collision:

- a. Devices enabling the operator/driver to have a better overview, i.e. (360 degree) camera system, radar system, ultrasonic, tags or mirrors.
- b. Devices that automatically stop the vehicle or machine;
- c. Devices to warn/alert bystanders to the risk of collision such as: acoustic signals, tags, light lines on the ground indicating the danger zone of vehicles or machines and/or the direction of travel, markings on the vehicle or the machine that warn against blind spots, or stickers or signs saying "can you see me, can I see you" on the vehicle/machine and/or work area/construction site.

A combination of the above measures is possible.

See <https://gc-veiligheid.nl/kennis/richtlijnen-aanbevelingen-en-beleid/item/beleid-reductie-aanrijdgevaar> for a more detailed explanation of the requirements.

7.7. Exhaust systems of excavators and cranes

The exhaust pipes of excavators or cranes must be directed upwards. This is to protect employees working in the trench and hedges or other vegetation from exhaust fumes and combustion.

When working in tunnels, the equipment must be fitted with a soot filter.

7.8. Safe transport of excavator buckets and attachments

The following arrangements apply to the safe transport of excavator buckets and attachments (in order of applicability):

1. Move excavator buckets/attachments one by one on the quick-change system;
 2. Lashing and moving excavator buckets/attachments;
- It is not permitted to carry the bucket by its ears or to carry it in another bucket without securing it.

8. PERSONAL PROTECTION EQUIPMENT (PPE)

8.1. Provision

The Contractor provides all necessary PPE free of charge to its personnel. The use of PPE is shown in the regulations of the PPE Matrix, HSE plans, PartnerPlans, pictogram signs and/or specific work instructions.

8.2. Standard required PPE

It is compulsory to wear the PPE listed below at almost all of the Client's locations. The Client uses a PPE matrix to indicate when PPE is compulsory and when it is possible to deviate from this matrix. It includes:

- An approved safety helmet;
- Safety shoes/boots, type S3. Preferably ankle boots which offer extra ankle protection;
- Safe, clean and representative workwear suitable for carrying out the work (at least a T-shirt and long trousers);
- The conditions of the NVW/VVW and Guidelines for Colour-Coded Reflective Safety Clothing apply to working on the rail infrastructure. It is compulsory to wear reflective clothing in accordance with NEN-EN 20471. In addition, long reflective safety trousers must be worn at all times. Reflective clothing must be clean, clearly visible and provided with the Contractor's company name or logo.
- It is compulsory to wear reflective clothing in accordance with NEN-EN 20471 for all other activities. Class II in daylight (at least a vest, CROW Requirement SKL-01-05) and class III in darkness and in other circumstances with limited visibility (for BAM Infra Netherlands it is compulsory, to wear long reflective safety trousers in addition to at least a vest, CROW Requirement SKL-01-06). Reflective clothing must be clean, clearly visible and provided with the Contractor's company name or logo.

8.3. Special PPE

Some activities and situations can involve specific risks and require the use of additional PPE. When conducting its hazard identification and risk evaluation, the Client determines which additional PPE is required and includes it in the PPE Matrix.

9. RAILWAY SAFETY

This chapter applies when the Contractor carries out work on or near railway infrastructure within the Dutch borders. This includes work on, under or next to a railway environment. This refers to a (local) railway, station, yard, former railway, railway installations, etc.

Safety in/near the rail infrastructure is dominated by two hazards:

- The risk of collision with regular train traffic, (rail-related) vehicles and regular road traffic;
- Electrocution hazard.

9.1. Exceptions

Contractors performing activities within the framework of the Ministry of Infrastructure and the Environment's Safety Certificate A and B are subject to other specific requirements and exceptions. If applicable, the Rail Safety Department of BAM Infra must be contacted.

Different requirements apply to contractors performing work within a local rail environment (tram and/or metro). If applicable, the Rail Safety Department of BAM Infra must be contacted.

9.2. Access to railway premises

Persons wanting to gain access to railway premises must be in possession of a:

- Valid identity document;
- Personal Digital Security Passport (DSP), or
- Day Pass¹ (maximum 10 per calendar year per person).

The DSP pass (or a photo of it on a mobile phone) or Day Pass is only valid if the pass holder holds the pass physically in combination with a demonstrable safety instruction given by a certified Safe Working Officer of a recognised workplace security company.

9.3. Training

In order to obtain a DSP, employees must follow the preparatory assignment and the Digital Safety Passport Security Training Course at Railcenter (available in various languages).

Following the training course, the participant is tested and after successful completion, he or she will be issued with a DSP. For more information see www.b-t-c.nl.

Extra training/instructions are required for some tracks, here are two examples:

- High-speed rail line: www.toegangtotdehsl.nl
- Municipal Transport Company: www.veiligheidlangsdemetrobaan.nl

9.4. Compulsory Personal Protective Equipment (PPE)

In addition to the standard PPE, employees working on the track must always wear a reflective vest in accordance with the VVW. Within the railway industry, specific regulations on wearing the correct PPE in a railway environment are available in the:

- Normkader Veilig Werken (Safe Working Standards) (available from the RailAlert Foundation website)
- Voorschrift Veilig Werken Trein (Working Safely Regulations Trains) (available via the Stichting RailAlert website)
- ProRail House Rules (available via the ProRail website).

¹ The combination of a day pass and the instruction "Own Safety Task" – OST is not permitted by BAM Infra.

9.5. Requirements for and driving of vehicles

The requirements for decommissioned vehicles are available in the VVW. Vehicles in service on the railway tracks must comply with the Dutch Railways Act and/or the regulations of the infra manager.

Operators driving and/or operating track-bound vehicles or railway vehicles must hold a "Tool Machinist" certificate. See the RailAlert Foundation website for more information.

9.6. Equipment in the vicinity of energised components

If the Contractor uses equipment that is within the proximity of overhead cables or is working near energised components, an authorised Works Manager RLN000128 must take control measures for this.

9.7. Life Saving Rules

The Live Saving Rules (LSR) below apply when the Contractor carries out work in a railway environment:

1. Always sign on and off with the responsible safety officer;
2. Only start the work when you hold your DSP and after you have been instructed by a safety officer;
3. Always follow the instruction;
4. Wear the prescribed PPE;
5. Always use your phone/tablet in a safe place;
6. Do not stand under suspended loads;
7. Only carry out tasks and/or activities you are allowed to carry out;
8. Do not work under the influence of alcohol, drugs or psychotropic substances;
9. Work with approved tools only.

10. HAZARDOUS SUBSTANCES, WASTE MANAGEMENT AND ENVIRONMENT

10.1. General

The Contractor carries out its activities with the greatest possible care for the environment. If work is to be carried out during which environmentally hazardous substances may be released, measures must be taken in advance to prevent these substances from spreading.

10.2. Hazardous substances information

The Contractor ensures that its suppliers will provide safety data sheets for all substances classified as environmentally hazardous. The Contractor provides an up-to-date overview of the hazardous substances (as an annex to the HSE Partial Plan) used in its activities.

10.3. Hazardous substances register

If the Contractor manages hazardous substances at the location that must comply with the PGS-15, the Contractor will maintain an up-to-date hazardous substances register, which includes the following:

- The safety data sheets of all environmentally hazardous substances used at the location;
- An overview of the storage location per product;
- Maximum (permitted) quantity in storage.

10.4. Storage of hazardous substances

Unless contractually agreed otherwise, the Contractor provides an enclosed, well-ventilated and marked storage facility in accordance with the statutory regulations and/or safety or product information. This includes spill containment, signage and extinguishing facilities.

Regardless of any agreements deviating from the above, the Contractor manages the stored hazardous substances and prevents inexperienced persons and third parties from coming into contact with these substances.

The Contractor ensures that crisis management measures (absorption, surface barriers) are taken at the location.

10.5. Instructions for handling dangerous substances

Before use, personnel are instructed about the risks and measures to be taken, e.g. based on the information provided in the relevant safety data sheet. The product data sheets (MSDS sheets) must be (digitally) available for consultation at the workplace.

10.6. Waste Flow Management

Any materials released remain the Client's property, unless agreed otherwise.

Unless agreed otherwise, the Contractor stores industrial and hazardous waste separately in accordance with statutory regulations. The storage facilities clearly indicate what waste must be stored in them. The Contractor is responsible for removing and processing industrial and hazardous waste in accordance with the applicable regulations. Copies of disposal certificates are available at the site.

Regardless of any agreements deviating from the above, the Contractor remains at all times responsible for sorting the waste flows and keeping them separate.

10.7. Storage of fuel and other products

The Contractor or lessor ensures that fuels (diesel oil), oil and lubricants are stored in appropriate storage facilities in accordance with the applicable requirements.

Moveable fuel tanks (<300L) must comply with the provisions and requirements laid down in PGS-15 or PGS-30.

10.8. Corporate Social Responsibility (CSR)

The Parties pursue a policy of improving the quality of their products and services in which safety, CO2 reduction, and waste management are priorities.

The Contractor will include the environmental requirements in each phase of the life cycle of the product or service in its design and/or development process in accordance with the life cycle perspective.

11. SUPERVISION AND MONITORING

11.1. General

The Contractor ensures effective supervision to ensure compliance with all applicable regulations, procedures and measures.

11.2. Audits and Inspections*

The Contractor carries out inspections based on the inspection list, including a report, and will do so at least once a month, 10 times a year at minimum. The report includes the findings, measures, who takes action and who checks the actions taken.

Subjects for this inspection are provided by the Client and agreed with the Contractor.

Copies of the inspections carried out will be provided to the Client on request.

The Contractor collaborates in the audits and inspections of the Client free of charge and will make all relevant documentation available for inspection.

11.3. HSE experts

In the event that the Contractor engages its own or external experts at the work location, the Client will be notified of this in advance. Visits that can be scheduled by inspection authorities will be submitted to the Client for approval in advance.

12. HSE INCIDENTS (BAM Emergency & BAM Reporting)

12.1. **BAM Emergency**

In the event of serious incidents call **0800 – 2266663 (0800 BAM EMERGENCY)**;

BAM Emergency: A 24/7 telephone number for reporting serious accidents, environmental incidents and inspections by the Competent Authority if the results are negative.

Call BAM Emergency for incidents involving the police, ambulance or fire brigade or involving medical treatment, hospitalisation, injury or (possible) absence; Accidents and/or incidents with damage exceeding € 25,000 or possible reputational damage; Environmental incidents such as spills and leaks; Enforcement by the government (ILT/ISZW/ Environment Agencies) with a warning for failure to comply; In case of doubt, just call.

The Contractor is obliged to report these to the Client,

- immediately, orally and in writing within 24 hours;
- In the event of an incident of absenteeism, the Contractor must offer replacement work within 24 hours in accordance with paragraph 2.3 and confirm this in writing to bamnood@bam.com.

12.2. **BAM Reporting**

Hazardous situations, accidents without medical treatment or absence from work, damage, deviations, complaints, improvement proposals, CER efforts, and enforcement without any failures by the government (ILT/ISZW/Environmental Agencies) must be reported via the BAM Infra Safety App. The App can be downloaded via:

<https://itunes.apple.com/nl/app/bam-infra-safety/id1210102848?mt=8> or

<https://play.google.com/store/apps/details?id=com.appstudio.nl.baminfrasafety&hl=nl>



iOS



Android

12.3. **Investigation of incidents**

The Client has a procedure for investigating incidents that have resulted or could have resulted in injury or material or environmental damage. The Contractor investigates incidents at the Client's request in accordance with this procedure and will submit the results to the Client.

The Contractor renders all necessary assistance to the Client and/or third parties in carrying out any (additional) investigations into the circumstances of the incidents free of charge. The Contractor ensures that items will remain at the site of the incident until someone from the Client's investigation team has checked them. Every incident investigated by BAM Emergency will be evaluated. The Contractor must collaborate in this.

13. EMERGENCIES AND COMPANY EMERGENCY RESPONSE

The Contractor ensures that measures are taken to keep injuries and/or damage to a minimum in the event of an emergency, crisis management and suchlike, geared to its own activities and project-specific circumstances.

Prior to the start of the work, the Contractor indicates which employees have been trained in respect of emergencies. This concerns personnel trained in First Aid, Company Emergency Response, and firefighting.

14. FURTHER INFORMATION

The Contractor will receive the following information from the Client as soon as this is available:

- The Project Emergency Plan applicable at the location;
- The name of the H&S Coordinator for the execution phase;
- H&S Plan;
- The project organisation chart of the Client.

**The following deviating provisions apply to Contractors in the categories of suppliers of personnel, workplace security companies, or self-employed persons/directors and major shareholders.*

If reference is made to employee(s) or personnel, people from the self-employed persons/directors and major shareholders category must specifically relate this to their own circumstances. The term employee or personnel will be replaced by the term Contractor where appropriate.

Article 2.1: Is replaced by: The Contractor is obliged to enquire after and to comply with the applicable construction site regulations, the H&S plan for the design and execution phase, and all permit regulations which may affect its work. If the Contractor introduces additional risks, it is obliged to report these to the Client, all in accordance with Article 4.2.

Article 11.2: Partly applicable to the self-employed persons/directors and major shareholders category. A self-employed person/director and major shareholder is not required to perform inspections but is expected to collaborate on inspections and audits.