

## CONTRACTOR'S AGREEMENT

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Shrader Canada Limited requires that all contractors and their sub-contractors comply with the following requirements. Shrader expects the contractor to forward this agreement to all sub-contractors who will be used to perform the contracted service. Shrader also requires that this agreement be read, understood, and signed by all employees of the contractor and sub-contractors (s) who will be attending Shrader's facility to perform the contracted service. Where this requirement for review and signing by attending employees of contractors and sub-contractors proves impracticable for the contractor &/or sub-contractor, the Shrader contact shall ensure that such individuals attending Shrader read, sign and date the agreement upon their arrival at Shrader and prior to commencing the contracted service(s). Contractors and sub-contractors are required to return the agreement to Shrader with signing authority signatures as a minimum requirement.

In the case of bulk-chemical suppliers who use carriers, Shrader understands that occasionally the carrier normally used is unavailable, thereby forcing the bulk-chemical supplier to arrange transportation with an alternate carrier. Shrader requests that bulk-chemical suppliers who use carriers list as sub-contractors both their standard, normal carrier(s) as well as those carriers that might be used as alternatives at the last-minute. By having shared this agreement with all potential carriers proactively, and having as many of their drivers read and sign this agreement proactively, the process of receiving the product at Shrader will be optimized. On the contrary, if Shrader needs to have the driver of a carrier read and sign this agreement upon their arrival at Shrader, efficiencies for both Shrader's operations and the carrier's operations are compromised, perhaps by as much as 20-30 minutes.

Questions pertaining to this agreement should be directed to your Shrader contact.

### DEFINITIONS

**Bulk-chemical supplier** – suppliers who supply chemicals to Shrader in bulk quantities that Shrader stores on-site in dedicated bulk storage tanks, regardless of whether such tanks are owned or leased by Shrader; this does not include suppliers providing chemicals to Shrader in steel or plastic totes

**Carrier** – transport company used by a bulk-chemical supplier to make deliveries to Shrader

**Contracted service(s)** – service(s) arranged by and paid for by Shrader, including the delivery of and off-loading of bulk-stored chemicals by bulk-chemical suppliers

**Contractor's Agreement** – Attachment #1

**Contractor** – any person, company, organization, corporation, sole proprietor, independent operator or partnership providing a contracted service to Shrader which entails work to be performed at Shrader's facility at 830 Progress Court, Oakville, Ontario, Canada; carriers used by bulk-chemical suppliers shall be considered sub-contractors in the context of this procedure; use of the term contractor throughout this procedure shall include reference to any sub-contractors used by the contractor

**General Liability Insurance** – a form of insurance designed to protect business owners and operators from a wide variety of liability exposures which are predominantly based in tort law, that occur because of bodily injury, personal injury or property damage

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**JHSC** – *Joint Health & Safety Committee*

**PPE** – personal protective equipment

**Schedule 1 employer** - has the same meaning as defined in the *WSIA*; it means an employer in a class or group of industries included in *Schedule 1* but does not include an employer who is a *Schedule 2* employer...

**Shrader contact** – Shrader employee who arranges for the provision of services from a contractor

**Signing authority** – person(s) signing the Contractor's Agreement on behalf of the contractor or sub-contractor, effectively confirming that Shrader's requirements are understood and accepting responsibility for ensuring compliance with the requirements stated in the agreement

**Work area** – general area(s) at Shrader in which the contracted service(s) are performed

**WSIA** - Ontario's [Workplace Safety and Insurance Act](#)

**WSIB** - Workplace Safety Insurance Board

**WSIB Clearance Certificate** – a certificate issued by the WSIB for a *Schedule 1* employer which attests to the good standing of the employer

### **General Requirements**

**The following requirements must be met prior to any contracted service(s) commencing:**

1. All contractors must complete and return Shrader's Contractor's Agreement. The person(s) indicated on the agreement as a signing authority must ensure, to the extent practicable, that the agreement is reviewed and signed by all employees and sub-contractor's employees who are expected to be on-site at Shrader. Where this is impractical, the agreement must at a minimum be signed and dated by the contractor's signing authority and any applicable sub-contractor's signing authorities and returned to the Shrader contact. Shrader shall subsequently ensure that all contractors attending Shrader review and sign the agreement.
2. Contractors considered *Schedule 1* employers must be eligible for a *WSIB Clearance Certificate* for the current validity period. Shrader utilizes the WSIB's [eClearance](#) electronic service to assess contractors' eligibilities. Carriers used by bulk-chemical suppliers are subject to this requirement. Bulk-chemical suppliers who use carriers are exempt from this requirement.

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3. All contractors must provide evidence of valid General Liability Insurance. For bulk-chemical suppliers using carriers, it is the carrier who must provide evidence of valid General Liability Insurance. Bulk-chemical suppliers who use carriers are exempt from this requirement.
4. The contractor must provide copies of any additional documents that may be requested by the Shrader contact in order to confirm the contractor's or sub-contractor's qualifications to perform the service(s) in question. Such documents may include applicable licenses, registrations, training certificates, etc.

### **Site-Specific Requirements**

1. All contractors, except for drivers delivering to Shrader on behalf of a bulk-chemical supplier, must report to Shrader's reception area and be signed in upon their arrival at Shrader. All contractors must take a visitor's tag and display it visibly at all times. Contractors must notify the Shrader contact or his/her designate before any work is started. If the Shrader contact so requires, contractors must read, sign and date this agreement. The Shrader contact must ensure that contractors are signed out whenever leaving Shrader's facility. Drivers delivering to Shrader on behalf of a bulk-chemical supplier should refer to pages 6-7 to see where they are expected to report upon arrival at Shrader.
2. Before any contracted service is performed, the work that is to be done must be reviewed with the Shrader contact. With the exception of signing in and out in Shrader's reception area, contractors must not enter any areas other than their designated work area(s), Shrader's lunchroom, or Shrader's washrooms.
3. Contractors must comply with all applicable health, safety and environmental legislation.
4. Before any work is performed, all sources of energy must be locked out. Contractors must have their own lock out equipment and follow lock out procedures before working on energized equipment.
5. All contracted service(s) involving spark-producing work requires that the contractor obtain a hot work permit from Shrader unless the work is performed in Shrader's welding booth. Contractors must notify Shrader immediately in the case of a fire or other emergency.
6. All contractors performing work at elevated heights where a hazard of falling more than three metres exists must be trained in the use of and wear appropriate fall protection equipment.
7. All accidents (i.e. events resulting in bodily injury), incidents (i.e. near misses, events that could easily have resulted in bodily injury), or hazards observed by or involving contractors must be reported by the contractor to Shrader immediately.
8. Contractors must exercise due diligence to prevent contamination of air, soil, water and groundwater that may result from the contracted service in and around the work area.

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9. Contractors must report unplanned releases or emergency situations to Shrader immediately.
10. Contractors must immediately report to Shrader any damage caused by the contractor to Shrader property or equipment, regardless of how insignificant it may be perceived by the contractor.
11. Contractor employees must comply with Shrader's evacuation procedures.
12. Contractors must observe and comply with all signage posted at Shrader.
13. Smoking is not allowed on Shrader premises under any circumstances. This includes no smoking within vehicles located on Shrader premises.
14. Contractors must provide *MSDS's* for all [\*controlled substances\*](#) brought on Shrader premises.
15. Unless agreed upon otherwise, contractors shall supply their own tools and equipment that are in good working condition.
16. Where applicable, contractors must ensure that appropriate guarding is in place.
17. Contractors must bond and ground whenever transferring liquids that are prone to static accumulation.
18. Contractors are not to use any designated substances, as defined by Ontario's [\*Designated Substances\*](#) and [\*Asbestos\*](#) regulations, without prior written consent from Shrader.
19. All fire routes, access to emergency equipment, stairways, aisles, walkways, doorways and exit routes must be kept clear and unobstructed at all times.
20. Oxygen, acetylene or other pressurized containers are not to be left free standing. They must be secured in an upright position. Caps must be in place when cylinders are not in actual use. Empty cylinders must be removed from the premises at the end of each workday
21. Contractors are required to wear CSA approved safety footwear and eye protection at all times in Shrader's production areas, which include our manufacturing, blending and tank farm areas. Additional PPE may be required to perform the contracted service safely. Contractors are responsible for identifying any additional PPE requirements and providing their own PPE.
22. Work areas must be maintained in a clean and tidy condition. Work areas must be cleared daily and upon completion of the contracted service, work areas must be cleared to the satisfaction of the Shrader contact &/or Shrader supervisor responsible for the work area. This includes removal of construction material, equipment, and debris and, depending on the nature of the service provided, may require vacuuming of cabinets, enclosures, and any other electrical apparatus. Unless specific arrangements to the contrary are made, contractors shall arrange for the removal of their own waste/refuse.

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23. Contractors agree to hold strictly confidential all details of contracted services and all and any knowledge of Shrader's processes, equipment, formulae or other information that ought to reasonably be considered proprietary, including any documentation provided by Shrader to the contractor. To 'hold strictly confidential' means to not share or disclose to any other individuals or parties unless required to do so in order to comply with the law.
  
24. Any modifications to this agreement requested by the contractor or sub-contractor must be identified and communicated by the contractor &/or sub-contractor, negotiated to the satisfaction of Shrader and the contractor &/or sub-contractor and subsequently documented in a revised version of this agreement, prior to the contracted service(s) being provided.

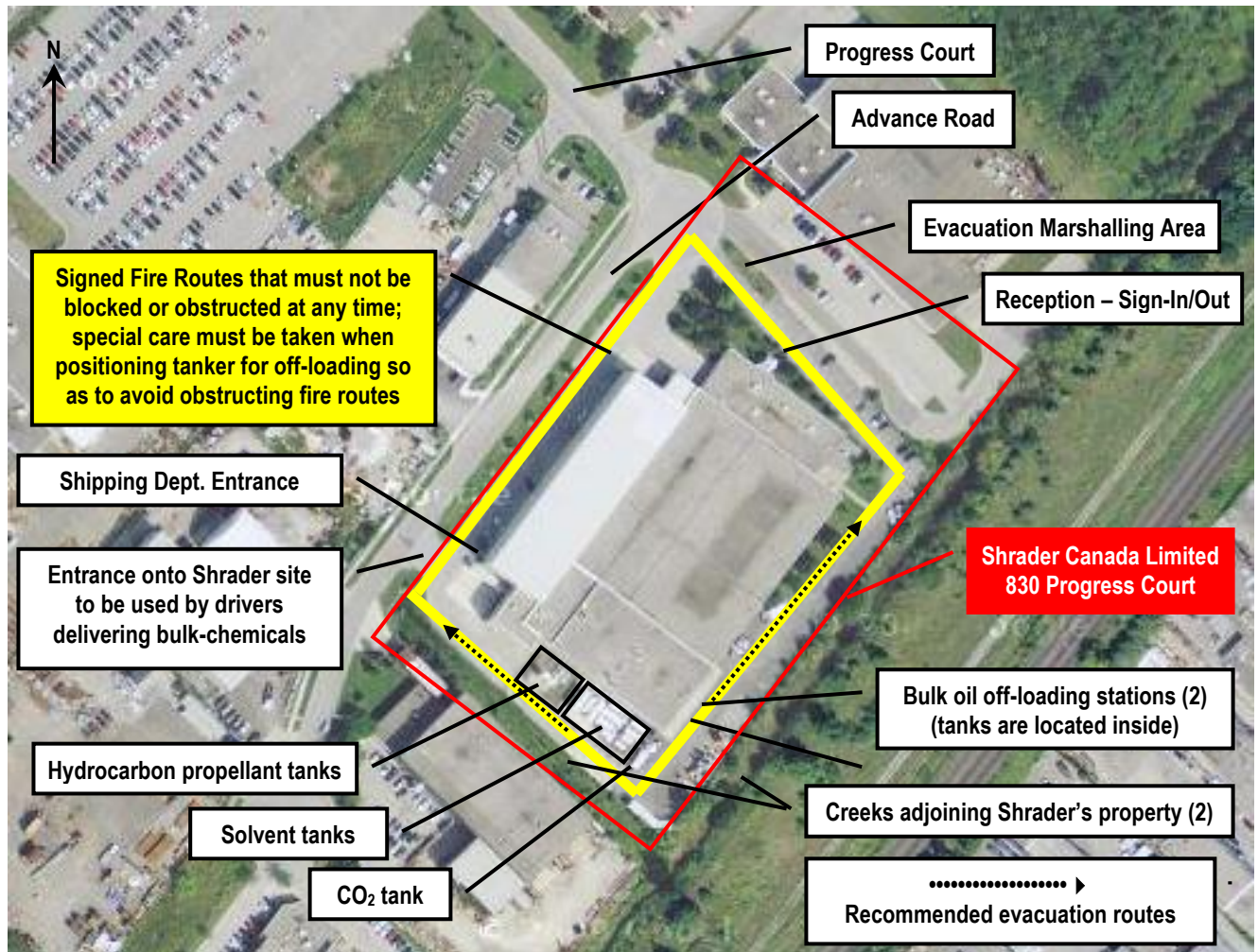
Shrader Canada Limited  
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**Requirements for Drivers delivering for Bulk-Chemical Suppliers**

1. Key areas on Shrader's site are identified in Figure #1. Drivers should familiarize themselves with Shrader's site layout and these key areas.

**Figure #1 – Aerial View of Shrader Facility**



2. Drivers delivering bulk-stored chemicals are to announce their arrival at Shrader by entering through the Shipping department entrance (see Figure #1) and using the phone or buzzer located inside the building to summon a Shrader employee. Recommended extensions to call, in order of preference, include ext. 225, ext. 266, ext. 282, ext. 287 and ext. 228. Alternately, if a Shrader employee is in the vicinity, the driver may simply ask that person to alert Shrader's Blending department that they have arrived and are ready to off-load.
3. Drivers arriving ahead of their scheduled delivery time must not park on Shrader's property. They must park on either Advance Road or Progress Court if they wish to wait for any extended period of time prior to making their delivery.

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4. Connecting to Shrader's equipment and commencement of pumping must only be done in the presence of trained Shrader personnel.
5. Proper bonding and grounding is required during all off-loading/pumping processes.
6. Drivers delivering hydrocarbon propellants (i.e. A46 or A70 liquefied petroleum gases) must have available, and provide for inspection if so requested by Shrader, a copy of their *certificate or record of training* as prescribed in Ontario's [Propane Storage and Handling](#) regulation.
7. Drivers delivering *dangerous goods* must have available, and provide for inspection if so requested by Shrader, a valid training record, as required by Canada's [Transportation of Dangerous Goods Regulations](#).
8. Shrader's driveways are just wide enough to allow tankers to park without obstructing the signed fire routes that surround Shrader's facility. Drivers must take care when positioning and parking their vehicle to not obstruct fire routes. Angling of cabs to afford proper access to the vehicle's pump should be minimized so as to avoid blocking fire routes. If necessary, the driver may need to turn their vehicle around to ensure fire routes are not obstructed.
9. In the event of an emergency evacuation at Shrader, as indicated by Shrader's audible evacuation alarm, if safe to do so, drivers must shut off their vehicle's engine and stop pumping product. Drivers are to walk quickly to the contractor's evacuation zone (i.e. the white post labelled #5 in the Marshalling area) for head count. The recommended evacuation routes and Shrader's Marshalling area are shown in Figure #1.
10. Drivers must be aware of the two creeks adjoining Shrader's property lines on the south and west sides of the property. In the event of a significant release/spill, if safe to do so, drivers must turn off their vehicle's engine, stop pumping and deploy any containment, diking or absorbent materials available on their vehicle along Shrader's property line so as to prevent product from entering these creeks.

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FOR LEGIBILITY PURPOSES, PLEASE TYPE NAMES & DATES INTO THIS FORM AND THEN PRINT FOR SIGNATURES.

**Signing Authority Signatures:** We, the undersigned, have read, understood, and agree to the terms, conditions and requirements specified in this agreement:

Company Name of Contractor / Sub-Contractor	Name of Contractor / Sub-Contractor Signing Authority	Signature of Contractor / Sub-Contractor Signing Authority	Date Signed (yyyy-mm-dd)

Contractors attending the Shrader facility to perform contracted services sign on the following page.



# CONTRACTOR'S AGREEMENT

FOR LEGIBILITY PURPOSES, PLEASE TYPE NAMES & DATES INTO THIS FORM AND THEN PRINT FOR SIGNATURES.

**Attending Contractors' Signatures:** We, the undersigned, have read, understood, and agree to the terms, conditions and requirements specified in this agreement:

<b>Company Name of Contractor / Sub-Contractor</b>	<b>Name of Attending Contractor / Sub-Contractor</b>	<b>Signature of Attending Contractor / Sub-Contractor</b>	<b>Date Signed (yyyy-mm-dd)</b>