**DRAFT SPECIFICATION**

**1.0 INTRODUCTION**

1.1 The Company operates The Port of Felixstowe an operational cargo port that operates twenty-four hours a day / 7 days per week throughout the year and comprises ancillary warehousing, gatehouses, offices and amenity blocks (“the Port estate”.

1.2 The Company requires the supply of Asbestos Management Services across the Port estate in compliance with the Control of Asbestos Regulations 2012 (as amended). Drawing 40/7324 included at Appendix A details the scope of the Services.

1.3 There are approximately 43 buildings which require annual re-inspection surveys. Refurbishment and demolition surveys may also be required. Associated reports and surveys shall be provided by the Contractor to the Company in an electronic format.

1.4 The Company’s asbestos register will require regular updating by the Contractor, as inspections and/or asbestos removal takes place. A copy of the register shall be provided by the Contractor to the Company within two working days of such a request. The asbestos register shall be provided in electronic format.

1.5 Asbestos warning labels shall be visibly checked and where missing replaced. Where any new asbestos material is found warning labels shall be applied.

1.6 Asbestos removal may be required this will normally be prior to any refurbishment or demolition works and is covered as an Additional Services herein. The Contractor shall be appointed Principal Contractor in accordance with the Construction (Design and Management) Regulations 2015 and a Construction Phase Plan will be required for undertaking such Additional Services as agreed with the Company.

1.7 Asbestos management may be required where removal is not practicable, the management, such as encapsulation, will need to be agreed between the parties, and should be designed to either eliminate or minimise any risk of exposure.

1.8 The Contractor shall review, by carrying out management surveys, buildings currently on the Company’s asbestos register as No Asbestos Detected (“NAD”).

1.9 The Contractor may be required to supply scaffolding and other working at height platforms in order to provide the Services and Additional Services.

1.10 The Contractor shall provide annual on-site asbestos awareness training courses for up to 12 employees of the Company.

1.11 The Contractor shall provide a copy of its Risk Assessment and Method Statements for undertaking the Services.

1.12 The term of the Agreement will be five (5) years unless terminated earlier in accordance with Clause 15 of the Form of Contract.

1.13 The Contractor must hold and have held for a minimum of twelve months before the commencement of the Agreement a standard Health and Safety Executive (‘HSE’) licence. For the benefit of doubt the Contractor must be on the HSE Asbestos Licence Holders list, and be licenced to undertake asbestos removal as well as asbestos surveys. A copy of the licence must be provided to the Company each time it is renewed and any revocation of the licence must be advised to the Company immediately.

1.14 Any Contractor’s employees or sub-contractors attending the Port to undertake the Services or the Additional Services shall be required to attend a mandatory forty minute Health and Safety induction prior to obtaining an IDACS security pass card. No access to secure areas shall be granted without a pass card.

1.15 All services are required as a minimum to meet the Company’s statutory duties under The Control of Asbestos Regulations 2012, The Health and Safety at Work Act 1974, The Management of Health and Safety at Work Regulations 1999, The Work at Height Regulations 2005 and The Construction (Design and Management) Regulations 2015 (“CDM Regulations”).

1.16 The Company will monitor the performance of the Contractor with reference to Key Performance Indicators, see Appendix 3.

**2.0 SCOPE OF SERVICES**

2.1 No Asbestos Detected – Management Surveys (5 yearly)

2.1.1 The buildings listed on drawing 40/7324 have been declared as No Asbestos Detected (“NAD”) on previous reports following surveys previously undertaken. As a safeguard, and as recommended by the HSE, a one off management survey is to be carried out by the Contractor of all buildings listed within twelve (12) months of the commencement of the Agreement. The Contractor must produce a report following the survey detailing any buildings that are required to be added to the Company’s asbestos register or are to remain on the NAD register of buildings. The report shall be in electronic format.

2.1.2 The surveys will be carried out in accordance with a schedule to be agreed between the Company and the Contractor.

2.2 Yearly Re-Inspection Surveys

2.2.1 The Contractor will undertake annual re-inspection surveys of buildings on the Company’s asbestos register and produce a report on the survey and its findings. The report shall be provided to the Company in electronic format. Occasionally hard copies of reports will be required; all should be included in the Contract Price. In writing the report the Contractor must take into account all applicable legislation, codes of practice and guidance including without limitation the following:

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| Asbestos Specific Legislation |
| Managing and working with asbestos Control of Asbestos Regulations 2012 L143  (incorporating and replacing The Control of Asbestos at Work Regulations 2002, The Asbestos (Licensing) Regulations (1983) as amended 1999 and The Asbestos Prohibitions Regulations 1999)  HSG264 Asbestos The survey guide second edition 2012 |
| Approved Codes of Practice and Guidance Documents |
| L127 ‘The management of asbestos in non-domestic premises’ 2006  L143 ‘Managing and working with asbestos 2012’  HSG53 ‘The selection, use and maintenance of respiratory protective equipment’ 2013 fourth edition  HSG 189/2 ‘Working with asbestos cement’ 1999  HSG210 ‘Asbestos essentials task manual’ 2012 third edition  HSG213 ‘Introduction to asbestos essentials’ 2001  HSG227 ‘A comprehensive guide to managing asbestos in premises’ 2002  HSG247 ‘Asbestos: The licensed contractors guide’ 2006  HSG248 ‘Asbestos: The analysts’ guide for sampling, analysis and clearance procedures’ 2005  MDHS 100 ‘ Surveying, sampling and assessment of Asbestos-containing materials’ 2001  ‘Asbestos and man-made mineral fibres in buildings” practical guidance’ DETR 1999 |

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| General Statutory Requirements |
| The Health and Safety at Work Act 1974  The Management of Health and Safety at Work Regulations 1999  The Hazardous Waste (England and Wales) Regulations and List of Wastes (England) Regulations 2005  The Carriage of Dangerous Goods (classification, packaging and labelling) and use of Transportable Pressure Equipment Regulations 2009  The Personal Protective Equipment at Work Regulations (1992) as amended 2002  The Workplace (Health, Safety and Welfare) Regulations 1992 as amended by The Construction (Design and Management Regulations 2007, the Health and Safety (Miscellaneous Amendment) Regulations 2002 and the Work at Height Regulations 2005  Construction Design and Management Regulations 2015  Environmental Protection Act Part 1 1990, (Duty of Care)  Control of Substances Hazardous to Health (COSHH) (2002) as amended 2004  Confined Spaces Regulations and associated approved codes of practice. |

2.2.2 The Contractor must agree a re-inspection survey schedule with the Company and commence such surveys within the first two months of commencement of the Agreement. Thereafter annual re-inspection surveys shall be carried out by the Contractor and each must be completed within a twelve (12) month period.

2.2.3 The buildings requiring yearly re-inspection surveys are listed on drawing 40/7324 (“ACM”).. An electronic copy of the latest Re-Inspection Surveys shall be provided by the Company to the Contractor.

2.3 The Contractor shall accurately maintain the Company’s asbestos register and update it as and when necessary to ensure the Company is in compliance with the Control of Asbestos Regulations 2012.

2.4 In the event that any additional buildings on the Port site (such as Portacabins) need to be included in the annual management survey or if any of the buildings currently listed on drawing 40/7324 as ACM, NAD or demolished so that an inspection is no longer required, a reduction or increase (as the case may be) shall be made to the Contract Price as is fair and reasonable.

2.5 The Company has an Asbestos Management Plan and Policy. It shall be the Contractor’s responsibility to update the plan as and when required and particularly following the completion of Services or Additional Services and to advise the Company of any necessary changes to the policy document. The cost of this service is included in the Contract Price.

2.6 Asbestos Awareness Training

The Contractor shall provide onsite annual training in asbestos awareness for up to twelve of the Company’s employees. The instructor must be United Kingdom Asbestos Training Association (UKATA) accredited and issue relevant information, updates and certificates to those attending, as recommended by the HSE. A lecture room and associated facilities (such as projectors, white boards) will be provided by the Company. The cost of the training is included in the Contract Price.

**3.0 ADDITIONAL SERVICES**

If requested by the Company the Contractor shall provide the following Additional Services. All Additional Services shall be supplied by the Contractor subject to the terms and conditions set out in the Form of Contract.

If the parties cannot agree applicable Charges then the Company reserves the right to have the Additional Services performed by a third party.

3.1 Refurbishment and Demolition Surveys

3.1.1 The Contractor shall when requested by the Company provide refurbishment and demolition surveys carried out in compliance with the Control of Asbestos Regulations 2012 and all relevant regulations. Reports shall be provided in electronic format. The applicable Charges shall be agreed between the parties at the time of the request and shall not form part of the Contract Price.

3.1.2 The Contractor is not permitted to undertake a Refurbishment or Demolition survey without the prior written approval of the Company.

3.2 Removal of Asbestos Materials

3.2.1 The Contractor shall be responsible for the removal of asbestos materials when requested by the Company in writing and shall comply with all legislation regarding the removal of such material. The Charges shall be agreed between the parties at the time of the request subject to the Company’s purchasing threshold in the relevant year that the removal is carried out. For information only the Company’s purchasing threshold in respect of 2020 is £147,638.00. Any services which reach or exceed this threshold will be tendered separately.

3.2.2 The Contractor shall ensure that all legislation regarding the removal of asbestos is strictly adhered to.

3.2.3 In the event that the asbestos cannot be removed successfully and in line with legislation the Contractor shall cease all works and notify the Company immediately.

3.2.4 The Contractor is not permitted to undertake removal of asbestos materials without the prior written approval of the Company.

**4.0 ATTENDANCE TO SITE**

Upon each visit and immediately upon arrival at the Port and prior to leaving the Port the Contractor’s employees will report to the Building Services office.