

	<b>DELHI METRO RAIL CORPORATION LTD.</b>
<b>APPENDIX NO.: 1</b>	

**Memorandum of Understanding between Delhi Metro Rail Corporation (DMRC) and the Contractor for safe execution of contract work**

This Memorandum of Understanding is made and executed by and between Delhi Metro Rail Corporation Ltd. (DMRC), a Company registered under the Companies Act 1956 and having its registered office at Metro Bhawan, 13, Fire Brigade Lane, Barakhamba Road, New Delhi-110 001 or their authorized representative(s), hereinafter referred to as “EMPLOYER” (which expression shall wherever the context so requires or admits be deemed to mean and include its successors in business and assigns) of the one party

AND

M/s \_\_\_\_\_ having its registered office at \_\_\_\_\_ hereinafter referred to as the “CONTRACTOR” (which expression shall wherever the context so requires or admits be deemed to mean and include its successors in business and assigns) of the other party

WITNESSETH THAT

WHEREAS the EMPLOYER gives highest importance to the occupational safety, health and environment during execution of work, seeks cooperation from the CONTRACTOR in this endeavour.

Thus, this Memorandum of Understanding is for promoting the safety, health and environment aspects required to be followed at workplace/site and will be applicable to any site job to be done by the CONTRACTOR

AND

WHEREAS the CONTRACTOR has read all the terms and conditions of the EMPLOYER and whereas the CONTRACTOR has studied the following documents:

- (a) Tender Documents, including Notice Inviting Tender, General Conditions, Special Conditions,
- (b) Conditions of Contract on Safety, Health and Environment and Project Safety, Health and Environment Manual.
- (c) Building and Other Construction Workers (Regulations of Employment and Conditions of Service) Act 1996, Central Rules 1998 and subsequent Kerala Government Rules, Building and Other Construction Workers Welfare Cess Act 1996 and Rules 1998 and Kerala Building and Other Construction Workers' Welfare Board Rules and
- (d) Indian Electricity Act 2003 ,Rules 1956. CEA ( Measures relating to Safety and Electric Supply) Regulations 2010
- (e) Corresponding International / Bureau of Indian Standard Codes.

The amendments to any of the above rules and any other rules & regulations or procedures, circulars, notices & advices laid down by the EMPLOYER from time to time.

Now it is hereby AGREED AND DECLARED by and between the EMPLOYER and the CONTRACTOR as follows:

- Clause - I            The CONTRACTOR shall abide by the terms and conditions stipulated in Condition of Contract on Safety, Health & Environment and Project Safety, Health & Environment Manual.
- Clause - II           The CONTRACTOR shall undertake full responsibility for safe execution of job at work place/site and safety of his personnel and adjoining road users during work.
- Clause - III          Without giving any prior notice, the EMPLOYER shall from time to time be entitled to add/or amend any or all terms and conditions with a view to improving safety and occupational health of personnel and safety of work, with immediate effect and the same shall be binding on the CONTRACTOR. The contractor agrees to implement all such amendments, which shall be laid down by the EMPLOYER.
- Clause - IV          Besides following the guidelines, safety rules and regulations, safety codes given in various safety procedures/documents mentioned above, the CONTRACTOR shall also prepare detailed method statement which includes job safety analysis wherever there are complicated and hazardous/high risk working involved and get it approved from Employer before execution of work.
- Clause - V           Any negligence or violation in implementing any of the provision of the conditions of contract on Safety, Health & Environment and DMRC project Safety, Health & Environment Manual shall be viewed seriously and the contractor is liable to compensate the employer for the loss of reputation. The cost of damage shall be fixed on case-to-case basis.

In witness thereof the Parties hereto by representatives duly authorised have executed this Memorandum of Understanding on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

Signed on

Signed on

For and on behalf of DMRC

For and on behalf of (Contractor)

\_\_\_\_\_

\_\_\_\_\_

Signature:

Signature:

Name:

Name:

Title:

Title: