



# AGENDA

Lethbridge School Division  
School Board  
Special Meeting

Monday, July 20, 2020

ATTWELL Building

9:30 A.M.

1. **Approval of the Agenda**
2. **Policy Review:**  
*Policy 700.8 Workplace Health and Safety -  
Right to Refuse Dangerous Work* Enclosure #2
3. **Energy and Infrastructure Improvement Project RFP** Enclosure #3
4. **Adjournment**

**MEMORANDUM**

July 20, 2020

To: Board of Trustees

From: Cheryl Gilmore  
Superintendent of Schools

**RE: Policy 700.8 Workplace Health and Safety – Right to Refuse Dangerous Work**

**Background**

Policy 700.8 was given first reading at the June Board Meeting. With the first reading, there was a recommendation to look at the wording in the policy statement (second paragraph) that the concern for safety be inclusive of individuals beyond employees. The policy is on the next page with a change highlighted in yellow.

**Recommendation**

It is recommended that the Board approve second reading of this policy, and if unanimous on the second reading, approve third and final reading.

Respectfully submitted,

Cheryl Gilmore

## **700.8 Workplace Health and Safety – Right to Refuse Dangerous Work**

### **Policy**

The Division ~~employers~~ and employees have obligations under the Alberta Occupational Health and Safety Act, Regulations and Code, to take reasonable care to protect the health and safety of themselves at or in the vicinity of the work site while working. Every worker shall, at all times, when the nature of the work requires, use ~~of~~ all devices and wear all personal protective equipment designated and provided for their own protection or required ~~to be used when worn~~ by this Act, Regulations or Code.

An employee may refuse to work or to do particular work at a work site if the employee believes on reasonable grounds that there is a dangerous condition at the work site or that the work constitutes a danger to the employee's health and safety or to the health and safety of another employee or another person.

### **Regulations**

An employee who refuses to work or to do particular work, shall promptly report the refusal and the reasons for it to their immediate supervisor. The employer shall remedy the dangerous condition immediately or when it is reasonably practical to do so. Reasonably practical is taking precautions that are not only possible, but that are also suitable or rational, given the particular situation.

Work may be refused under four conditions:

1. The employee sincerely believes there is a danger: any worker can refuse work if they honestly believe that it would pose a danger to their own or another person's health and safety.
2. The employee's belief is reasonable: the health and safety concern must be reasonable. In other words, the hazard must be one that an average, everyday worker would consider dangerous.
3. The danger is unusual: Work refusals don't apply to dangers that are a normal part of the job.
4. The refusal doesn't endanger anyone else: refusals are not permitted if they endanger the health and safety of another person.

The Board delegates to the Superintendent the authority to develop the procedures necessary to implement this policy.

### **References**

Other: Section 5, Section 31(1-10), Section 32(1-4) of the Alberta Occupational Health and Safety Act, Regulations and Code

## MEMORANDUM

July 20, 2020

To: Board of Trustees

From: Christine Lee  
Associate Superintendent, Business Affairs

RE: **RFP FS02-2020 Energy and Infrastructure Improvement Projects**

### Background

#### About the Project:

Lethbridge School Division has received approval under Capital Maintenance Renewal (CMR) stimulus funding to perform energy and infrastructure improvements.

A Request for Proposal (RFP) was issued to seek proposals from interested Energy Services Companies capable of providing comprehensive energy management and infrastructure-related capital improvement services.

The goal of the project is to create energy and water savings, reduction of greenhouse gas emissions, reduce utility and operating costs and improve capital infrastructure. Some of the energy improvements may include LED Lighting upgrades, boiler replacements, building envelop upgrades, gym ventilation and controls upgrades.

#### Evaluation of the RFP:

The RFP requested information to determine who will be the best partner for these projects. The project has three phases that are included in the RFP. The partner, along with providing information on their experience and qualifications, provided their technical approach and the cost of the *Investment Grade Audit* that will be required to initiate the project.

The first phase of the project is the *Technical Energy Audit* and Project Proposal phase to identify and evaluate cost saving measures and project scope. The second phase is the construction/implementation/commissioning and financing phase which determines the costs for construction and services. The third phase is the post construction guarantee and monitoring to ensure energy savings are met. The estimated scope of the project which will be funded through a combination of IMR and CMR grant funding is \$4 million.

The evaluation of the RFP was based on overall response strength to the proposal criteria. Evaluation of the proposals were conducted by Daniel Heaton, Director of Facility Services, Christine Lee, Associate Superintendent Business Affairs and representatives from Energy Associates International who have expertise in energy management. Qualifications and technical approach were weighted more heavily than the price of the technical audit as the technical audit is a small cost component to the overall project scope. The successful proponent will be

responsible for all procurement process related to equipment and contracted work of the project.

**Successful Proponent:**

The successful proponent after the team's evaluation was **Johnson Controls Canada LP**. Johnson Controls Canada has a strong K-12 experience with these types of projects in Alberta, has a dedicated team in Lethbridge, and had the overall strongest response rate to the established criteria in the RFP.

The Johnson Controls Canada LP proposal was also the lowest bid at a cost of \$45,000 (including GST).

**Recommendation**

It is recommended that the board approve Johnson Controls Canada LP as the successful proponent for the Energy and Infrastructure Improvement project in the amount of \$45,000 including GST.

Respectfully submitted,

Christine Lee