

Contractor/Vendor Health, Safety and Environmental Requirements

Preface:

Viejas Enterprises and the Viejas Band of the Kumeyaay Indians (“Viejas”) consider illness and injury prevention of primary importance in all phases of its operations and administration. It is the objective of Viejas to provide a safe and healthful environment for all of its workers and guests. For this reason, Viejas insists upon strict compliance with OSHA safety standards and environmental regulations. All contractors/vendors must be in compliance with all requirements set forth herein and all applicable laws and regulations. Failure to comply with all of these requirements will result in work suspension.

Compliance with OSHA and Applicable Laws:

Contractors shall comply with all applicable laws and regulations of any public body having jurisdiction for such matters which include, but are not limited to, health and safety, environmental protection, safety of persons or property or protection of persons or property from damage, injury or loss. Contractors shall erect and maintain all necessary safeguards for such safety and protection. It shall be the duty and responsibility of all contractors and their respective subcontractors to be familiar with and comply with 29 USC Section 651, et seq., the Occupational Safety and Health Act of 1970, as amended (“Act”) and to enforce and comply with all provisions of this Act.

Equipment/Tools:

Contractors and vendors must provide the tools and equipment they need to perform the specified work. Under no circumstances can tools or equipment be borrowed from Viejas. This includes but is not limited to hand tools, power tools, forklifts, ladders, scaffolding, vehicles of any type, etc. All equipment and tools used shall be equipped with the manufacturer safety devices. Items with altered or missing safety devices shall be taken out of service until repaired/replaced.

Safety, Training, Equipment/Supplies:

Contractors and vendors are responsible for providing their staff with all necessary safety training, equipment and supplies needed to perform their specified duties. Contractors and Vendors shall not be permitted to start work until such training is completed and all necessary equipment and/or supplies are obtained.

Storage of Tools and Equipment:

Tools and equipment may be stored only in locations designated by the Viejas Project Manager or an authorized Viejas representative. Under no circumstances is Viejas liable for damage or theft of tools or equipment.

Emergency Procedures:

All emergencies must be reported immediately by dialing 911 on a cell, house, or pay phone. State the nature and location of the emergency and answer all questions asked by the operator. Remain on the line until released by the operator. If a phone is not available, immediately notify any Viejas Security Officer.

If the emergency is a fire you may attempt to put the fire out if it is safe to do so. You must also make sure that the fire is reported.

If the emergency is a chemical spill you may attempt to contain the spill and prevent it from entering drains or creeks if it is safe to do so. However, you must make sure that the spill is reported once it is discovered.

Emergency evacuation diagrams are posted through out the facility. Familiarize yourself with the nearest exit. Evacuation from the Viejas Casino is to the East Parking Lots unless otherwise directed. Evacuation from the Viejas Outlet Center is to Parking Lot 2 unless otherwise directed.

Material Safety Data Sheets (29 CFR 1910.1200 (B) (e) (ii)):

Copies of Material Safety Data Sheets for any materials used must be submitted to the Viejas Risk Management Department prior to the start of work. Viejas reserves the right to ban certain chemicals from use upon the premises. It will be the contractor's responsibility to remove the banned product and obtain an acceptable product.

Environmental Compliance:

All acts which could cause an environmental impairment on-site or off-site are prohibited.

No hazardous materials including rinse waters containing hazardous material constituents, may be discharged into interior or exterior drains (including storm water drains), on to ground, soil, parking lots or any other media. An exception to discharge of rinse waters down interior drains can be made by applying for a permit from the Viejas Public Works Department prior to the start of work. To obtain such permits, contact the Viejas Director of Public Works at (619) 659-2348.

All construction debris must be removed from Viejas and sent to an appropriate landfill in accordance with federal regulations at the contractor's expense. The Viejas Project Manager may allow small amounts of "non-hazardous" construction debris to be placed

in Viejas bins for transport off-site to an appropriate landfill. This approval must be in writing with a copy submitted to the Viejas Purchasing Department.

If any hazardous waste or hazardous waste constituents will be generated as part of the contract, the contractor must contact the Viejas Risk Management Department prior to the start of work.

Hazard Communication (29 CFR 1910.1200):

The Viejas Project Manager is responsible for communicating the presence of any hazardous materials located at the worksite to the contractor. The Viejas Project Manager will inform the contractor of any known hazards associated with the hazardous materials at the worksite.

Material Safety Data Sheets for hazardous materials used at Viejas can be obtained by calling 3E at (800) 451-8346. If the contractor needs additional information, they can contact Viejas Risk Management at (619) 659-1782 or (619) 659-1840.

Lockout/Tagout (29 CFR 1910.147 and all its provisions):

Contractors are required to comply with OSHA Lockout/Tagout regulations. Viejas uses separate tags for electrical, HVAC and mechanical equipment. The Viejas Project Manager will familiarize you with each, and provide the appropriate tags. If you need additional assistance with the Viejas lockout/tagout program, please contact the Viejas Maintenance Superintendent at (619) 659-1892.

Hot Work:

All hot work as defined by OSHA (29 CFR 1910.119(k) & 1910.119(k) (2)) requires a Hot Work Permit at Viejas. Hot Work Permits are obtained from the Viejas Maintenance Program Coordinator. Call (619) 659-2003 to obtain a Hot Work Permit.

Equipment Operation Licensing/Certifications (29 CFR 1910.178, 1926 Subpart N, 1926.550, 1926.552, 1926.556, 1926 Subpart O, 1926.600, 1926.601, and 1926.602):

Contractors must submit copies of any required licenses/certifications for operating equipment prior to starting work. Licenses/certifications must be submitted to Viejas Purchasing.

Equipment Inspection/Maintenance:

Contractors are responsible for ensuring all equipment brought to Viejas property is in good/safe working order. Contractors shall inspect the equipment at the time of delivery to ensure safety devices are provided, operable and all components are working properly. The inspection shall include, but not be limited to: brakes, belts/hoses, fluids, tires,

hydraulic systems, fire extinguishers, steering, lights, horn, audible reverse/motion alarms, seat belts, and engine/drive train leaks.

Contractors shall maintain all inspection reports on-site for the duration of the project and allow for review by the Viejas Project Manager, or member of the Risk and Safety Department, or Gaming Commission, if requested. Contractors are responsible for ensuring equipment found out of compliance is repaired/returned prior to operation.

Visual inspections shall be made by the Operators prior to the start of each shift. Contractors are responsible for ensuring Operator's report deficiencies found during the visual inspection and the equipment is removed from operation until all necessary repairs are made.

Fire Sprinkler Impairment:

Any work which will result in fire sprinkler impairment require a permit. Permits are obtained from the Maintenance Program Coordinator. Call (619) 659-2003 to obtain a Fire Sprinkler Impairment Permit.

Aerial Work:

Viejas is not only concerned with the safety of our contractors, but our Team Members and Guests as well. Any aerial work must ensure that there are sufficient barriers in place to ensure safety of all concerned.

Confined Spaces:

Contractors are responsible for ensuring the safety of entering confined spaces in accordance with 29 CFR 1910.146 and all of its provisions.

Site Containment and Security:

Contractors are responsible for ensuring construction sites are secured, labeled, and protected to prevent unauthorized entry into the site during operation, when the site is unattended and at end of shift. Contractors are also responsible for ensuring all persons entering the site are wearing the required personal protective equipment (PPE).