

ITEM 21

MANAGER'S REPORT NO. 28

COUNCIL MEETING Apr. 24/72

21. Re: Fatality Involving a Blind Pedestrian
14th Avenue and Davies Street
April 8, 1972
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Following is a report from the Municipal Engineer concerning a fatality that occurred at 14th Avenue and Davies Street on April 8, 1972:

"Ed. Bernier Contracting Ltd., under contract with the Corporation, was in the process of constructing storm sewers at the subject intersection. It was necessary for the contractor to leave an excavation open at this intersection to accommodate a manhole called for on the design plans.

We have received written reports from both Ed. Bernier Contracting Ltd. and from Mr. D. Thomas, our Works Inspector assigned to this particular project; copies of each are attached.

As soon as the accident happened, the R.C.M.P. were notified as well as our own Works Yard, whereupon we attended at the scene with the presence of our General Superintendent, Water and Sewer Superintendent, and Acting Foreman A.A. Dreger. A representative of the Workmen's Compensation Board was also called to the site, although the Board had really nothing to do directly with the situation at hand because their concern is specifically with the well being of employees engaged on the job. The Deputy Municipal Engineer and the Contracts Engineer also attended the scene and observed conditions first-hand.

It is the opinion of the Deputy Municipal Engineer, the Contracts Engineer, the General Superintendent, and the Water and Sewer Superintendent that at least average barricading and protection of the jobsite was utilized for protection of persons and property in the vicinity of the excavation. As tragic as the accident was, it would appear that the blind person simply found his way through a rather confined opening and fell into the excavation.

We are advised that the inquest has not yet been held, but that Ed. Bernier Contracting Limited's insurance company is fully advised and has the case in hand."

This is for the information of Council.

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ED BERNIER CONTRACTING LTD.

BOX 171, NORTH VANCOUVER, B.C.

TELEPHONE: 987-6711

April 20, 1972.

The Corporation of the District of Burnaby,
4949 Canada Way,
Burnaby 2, B. C.

Attention: Mr. E. E. Olson,
Municipal Engineer.

Reference: Accident Sewer Trench on 14th Avenue,
Saturday April 15, 1972.

Dear Sir:

This is to inform you that on Saturday April 15th at approximately 3:45 to 4:00 o'clock a blind Man fell into our ditch.

Our foreman Mr. M. Soloniuk, left this site at approximately 3:15 after securing a Sanitary Sewer Line. At this time the barricades were secured. In barricading the ditch we had one Backhoe machine with the Boom outstretched and one Compressor, plus a number of Harrigan Rental's barricades with flashers and a number of 2 x 4 "Saw-horse type" barricades.

A representative from the Workmen's Compensation Board came to the site at the time of the accident and verbally said "That in his opinion the barricades were secure." The R.C.M.P. also said the ditch was secure. When our General Supt arrived at the site he said it was secure but one barricade had been knocked into the ditch.

We are now awaiting the R.C.M.P. inquest and our Insurance Company has been notified. If there are any further developments we will notify you immediately.

Yours truly,

ED BERNIER CONTRACTING LTD

E. Bernier,
President.

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Contract no. 1
Bernis Const.
14 Ave + Davis

April 9/72

Bob. Green

Re: the accident at 14th Ave.
+ Davis, April 8, 72. A checker and myself
approached the job coming down 14th Ave. from
Can-Way at 9:00 a.m. April 8. At the above
intersection, I found two backhoes, one sitting
across 14th Ave with boom stretching it full
length completely closing the Road and barricading
the excavation. Sitting along side it was a road
closed sign with two flashers. On a 45° angle
from this machine another backhoe sat with
front bucket run up to ward the boom
of the first machine barricading the other side
of the excavation. Being that the measurements
I needed was at 14th Ave + Mary (one block
south) I drove around the block. On the
other side of the excavation a compressor and
a flasher with a pile of dirt. This was
barricading the south. Also I noticed 10"
pipe piled off to one side of the dirt pile along
with a flasher barricading the S.W. side. From
my observation it looked well barricaded

Thomas