	OCCUPATIONAL HEALTH AND SAFETY (OHS) REQUIREMENTS FOR THE CONTRACTOR APPOINTED FOR THE ENGINEERING, PROCUREMENT, CONSTRUCTION AND COMMISSIONING OF PROPOSED NON-LETHAL ENERGIZED PERIMETER DETECTION SYSTEM (NLEPDS) SECURITY FENCE FOR THE SOLAR PV PLANT AT LETHABO POWER STATION, FREE STATE	Group Capital Division
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Title: **OCCUPATIONAL HEALTH AND SAFETY (OHS) REQUIREMENTS FOR THE CONTRACTOR APPOINTED FOR THE ENGINEERING, PROCUREMENT, CONSTRUCTION AND COMMISSIONING OF PROPOSED NON-LETHAL ENERGIZED PERIMETER DETECTION SYSTEM (NLEPDS) SECURITY FENCE FOR THE SOLAR PV PLANT AT LETHABO POWER STATION, FREE STATE**

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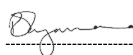
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1. Introduction

The Occupational Health and Safety (OHS) requirements referred to in this document are Eskom's minimum requirements and should not be construed as all encompassing. The Contractor is expected to use these (incl. applicable OHS statutory) requirements, referred to in this document, to build into their OHS management system for the project and to consider it when developing the Project OHS Specification, which will be used in the appointment of their Contractors. Eskom in no way assumes the Contractors legal responsibilities.

The Contractor as a legal entity, and therefore, an employer in their own right (in terms of Section 37(2) of the OHS Act 85 of 1993 (OHS Act), is and remains accountable for the quality and the execution of the safety, health and environmental program for their employees and contractor employees on this project.

Due to the nature and scope of this contract and role and responsibilities that the Contractors shall be fulfilling, it is to be noted that the duties of the client as referred to in the Construction Regulations 2014 (CR5) of the OHS Act, shall also be fulfilled and complied with in addition to the other applicable statutory OHS requirements. It also must be noted that Eskom as the client still ultimately remains accountable and the Contractor being responsible & therefore the client reserves the right to be provided with assurance by the Contractor and will conduct its own independent assurance through various mechanisms.

The Contractor is expected to appoint a competent person in writing as a "Construction Health and Safety Officer" as per the requirement of Construction Regulations of the OHS Act, the appointed person must be registered with the approved statutory body, South African Council for the Project & Construction Management Professions (SACPCMP).

It is internationally accepted that some technologies develop faster than health and safety precautions can keep trend with. The expectation is that the Contractor must stay abreast of the latest health and safety developments related to the fencing scope during all stages of the project.

Eskom expectation is that the Contractor demonstrates & ensures that is committed to achieving and demonstrating sound Occupational Health and Safety (OHS) management by mitigating OHS risks consistent with its OHS management system and objectives.

Zero harm is one of ESKOM values. The aim of Eskom's adoption of Zero Harm as one of its values is to strive to, and achieve world class safety, health and environmental performance, where all Guardians (employees and contractors) return home safely every day and without harm done to the environment we operate in.

The OHS requirements shall be included with the bidding enquiry documentation to the Contractor, to ensure that the bidder is timeously made aware of:

- Eskom's requirements, including
- Eskom's compliance obligations (including Funders OHS Requirements)
- Information that might affect the health and safety of any person at work whether directly or indirectly;
- Activities that may have an impact on the direct and surrounding environment.

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The Contractor is expected to provide an OHS programme based on the requirements of this document, a detailed plan on how they would fulfil the role of a Client in terms of the Construction Regulations 2014(in terms of CR5) and of the applicable OHS statutory requirements for the contracted scope of work as well as provide a draft Project OHS Specification (in terms of CR5 (b)) for the proposed scope of work which meets these requirements as well as the relevant applicable OHS legislation.

When there is an amendment to the scope of work, changes in laws, Acts and/or to the regulations, an OHS plan must be reviewed, updated accordingly and changes must be communicated to all relevant employees.

2. Supporting Clauses

2.1 Scope

These requirements set out Eskom's expectations regarding the minimum OHS statutory and Eskom requirements for the Contractor appointed for the Engineering, Procurement and Construction (EPC), including Commissioning of the Proposed Non-Lethal Energized Perimeter Detection System (NLEPDS) security fence for the Solar PV Plant at Lethabo Power Station, situated in the Free State.

2.2 Purpose

To provide the Contractor with Eskom's minimum requirements that they can respond and provide relevant OHS bidding documents which will be assessed by the Client (Eskom) in order to determine if the Contractor company is competent in respect to OHS planning & management for the Engineering, Procurement and Construction (EPC), including Commissioning of the Proposed Non-Lethal Energized Perimeter Detection System (NLEPDS) security fence for the Solar PV Plant at Lethabo Power Station, situated in the Free State.

2.3 Applicability

These requirements are applicable to the Contractor, herein referred to as the Contractor, appointed for the Engineering, Procurement and Construction (EPC), including Commissioning of the Proposed Non-Lethal Energized Perimeter Detection System (NLEPDS) security fence for the Solar PV Plant at Lethabo Power Station, situated in the Free State.

2.4 Effective date and applicability

These requirements shall be implemented from date of approval,

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OHS specification will be applicable to all persons(s), suppliers, service providers and contractors performing work(s) within the footprint and other works associated with the project including pre-works, construction and maintenance for the Engineering, Procurement and Construction (EPC), including Commissioning of the Proposed Non-Lethal Energized Perimeter Detection System (NLEPDS) security fence for the Solar PV Plant at Lethabo Power Station, situated in the Free State.

3. Normative/Informative References

Parties using this document shall apply the most recent edition of the documents listed below.

Note: Where the date for revision of a document on the Eskom Document Centre website has passed, the document is still current, irrespective of its revision date having passed.

3.1 Normative

- [1] 32-727: Safety, Health, Environment and Quality Policy
- [2] 240-62196227: Life-saving Rules Standard
- [3] Occupational Health and Safety Act and Regulations No 85 of 1993 and its Regulations
- [4] Construction Regulations of 2014 or latest edition as per government gazette.
- [5] Hazardous Substances Chemical Substances Regulations of the OHSACT Act 85 of 1993
- [6] The Constitution of the Republic of South Africa (particularly Section 24 of the Bill of Rights)
- [7] Civil and Building Work Act
- [8] Compensation for Occupational Injuries and Diseases Act
- [9] National Road Traffic Act, 1996 (Act No. 93 of 1996)
- [10] 32-37 Substance Abuse Procedure
- [11] All relevant South African legislation (national, provincial, and local)
- [12] Applicable South African National Standards (SANS) for the scope of work/Project.
- [13] 240-54937439: Fire Protection/Detection Assessment Standard.
- [14] 32-124: Eskom Fire Risk Management
- [15] 32-123: Emergency Planning
- [16] 32-1126 Eskom Smoking Policy
- [17] 32-1134 Access Control at Eskom Premises
- [18] 240-56296995 Standard for Record Retention Periods
- [19] Eskom Operating Regulations for High Voltage Systems
- [20] Eskom Plant Safety Regulations (Low Voltage Regulations)

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[21] Consolidated COVID 19- Direction on Health and Safety in the Workplace-GG 43400, GNR 639-4 June 2020

3.2 Informative

Note: *The following is a list of documents that can be used as a guide in order to meet legal and Eskom requirements*

- [1] 240-56927739- Group Capital Execution Assurance Construction SHEQ Operational plan 2017/18 - 2020/21.
- [2] 32-95 Eskom Occupational Health and Safety Incident Management procedure
- [3] The Vehicle and Driver Safety Management Procedure (240-62946386)
- [4] 32-345 Eskom Vehicle Safety Specification.
- [5] 240-43848327 Employees' right of refusal to work in an unsafe situation
- [6] 32-418: Working from Heights Procedure
- [7] 240-100979499: Personal Protective Equipment for work at Heights Specification
- [8] 32-520: Procedure Manual for Performing Occupational Health and Safety Management and Environmental Management: Conducting EH&S Risk Assessment
- [9] 32-407 Behaviour Safety Observation Procedure
- [10] 39-98: Safe use of Lifting Machines
- [11] 240-43921084- Fall arrester checklist
- [12] ISO 45001:2018, Occupational Health and Safety Management systems-Requirements (Contractor shall use as guideline)
- [13] 240-155318598 Workplace Protective measures to be taken during the COVID-19 outbreak for GCD Workplaces

Note: All contractors are required to execute their works in accordance with this document as well as other applicable legal documents.

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4. Definitions

Baseline risk assessment: baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business.

Client: any person for whom construction work is being performed.

Competent Person: means a person who has in respect of the work or task to be performed the required knowledge, training and experience and, where applicable, qualifications, specific to that work or task: Provided that where appropriate qualifications and training are registered in terms of the provisions of the National Qualification Framework Act, 2000 (Act No.67 of 2000), those qualifications and that training must be regarded as the required qualifications and training; and is familiar with the Act and with the applicable regulations made under the Act;

Construction Manager: means a competent person responsible for the management of the physical construction processes and the co-ordination, administration and management of resources on a construction site.

Construction site: means a work place where construction work is being performed

Construction Work: means any work in connection with:

- The construction, erection, alteration, renovation, repair, demolition or dismantling of, or addition to, Building or any similar structure;
- The construction, erection, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer or water reticulation system, or the moving of earth, clearing of land, the making of excavation, piling or any similar civil engineering structure or type of work.

Contract: is an agreement with conditions between the Client and a Contractor&/or Contractor and Contractor where an adjudication authority has approved a scope of work to be completed in a specific time frame and within a specified value.

Contractor: These are companies (e.g. suppliers, Principal Contractors, sub-contractors, consultants (all tiers) and consultants etc.) that are contracted by the Contractor in relation to the project scope. This excludes the Contractor.

Contractor: means a competent organisation who acts as a representative for a client (in this case, this refers to the contractor contracted for the scope of the for the Engineering, Procurement, Construction and Commissioning of the high risk security mesh fence at the Solar PV Plant at Lethabo Power Station Solar PV Plant. This will also include the legal responsibilities as per CR 5(6) as well as all other applicable health and safety legal requirements related to the project scope.)

Hazard: means a source of, or exposure to danger

Medical surveillance: means a planned programme or periodic examination (which may include clinical examinations, biological monitoring, or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner

Method Statement: is a written document detailing work procedures and sequences of operations.

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Occupational Health and Safety file: means a file or other record in permanent form, containing the information on the OHS management system during construction including all information relating to construction phase after the handover to Client.

OHS Plan: means a site, activity or project specific documented plan in accordance with the client's Contractor health and safety specification.

OHS Specifications: means a site, activity or project specific documented prepared by the client Contractor pertaining to all health and safety requirements related to construction work.

On Site/Site: Any workplace where the contractor or his employees performs contract related work.

Planned Task Observation: is an independent observation made during the planned period in which the task is being executed.

Pre-Task Risk Assessment (DSTI): a meeting which is held prior to the commencement of the day's work with all relevant personnel associated with the work task in attendance.

Safe Work Procedures: Safe work procedures are a series of specific steps that guide a worker through a task from start to finish in a chronological order. Safe work procedures are designed to reduce the risk by minimizing potential exposure.

5. Abbreviations

Abbreviation	Explanation
COID Act	Compensation for Occupational Injuries and Diseases Act
CR	Construction Regulations 2014
DOL	Department of Labour
DSTI	Daily Safety Task Instruction
GCE	Group Chief Executive
HCS	Hazardous Chemical Substances
HIRA	Hazard identification and risk assessment
HV	High Voltage
ISO	International Organisation for Standards
JSA	Job Safety Analysis
LTIR	Lost Time Incident Rate
LV	Low Voltage
MSDS	Material Safety Data Sheet
NQF	National Qualifications Framework
OHNP	Occupational Health Nursing Practitioner
OHS Act	Occupational Health and Safety Act No. 83 of 1993
OHS	Occupational Health and Safety
ORHVS	Operating Regulations for High Voltage Systems
PTO	Planned Task Observations
SACPCMP	South African Council for the Project & Construction Management Professions

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Abbreviation	Explanation
SANS	South African National Standards
SAQA	South African Qualifications Authority.
SHE	Safety, health, and environment

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6. Background and Location

The Eskom Integrated Long Term Plan and the Eskom Corporate Plan sets up the organisation for growth and maps out a low carbon future in a post-coal environment. The plan describes Eskom's participation in renewable energy and other technologies to deliver on opportunities that will add generating capacity and in turn aid in alleviating system constraints, while also pursuing a low carbon future.

Lethabo Power Station is constructing a Solar PV Plant. No security is currently provided for the selected area. The main objective of this project is to provide an integrated security system comprising of a NLEPDS security fence to safeguard Solar PV Plant equipment. This report pertains to the NLEPDS security fencing component of the security system.

6.1 High-level Scope

The scope of work and the Engineering requirements for the Engineering, Procurement, Construction and Commissioning (EPC), including Commissioning of the Proposed Non-Lethal Energized Perimeter Detection System (NLEPDS) security fence for the Solar PV Plant at Lethabo Power Station, situated in the Free State.

6.2 Site Location

The proposed Site is situated within the boundary of the Lethabo Power station and occupies the remaining extent of Farm no. 1814 within the Metsimaholo Local Municipality. The Site is not directly adjacent to major buildings or power plant zones of the Lethabo Power Station. The northern and eastern edges of the Site are partially bounded by wetlands. The northern edge is also near an existing railway line, with the eastern edge next to the ash resource plant entrance for the Lethabo Power Station.

The Proposed Site at Lethabo Power Station is located with the following address/coordinates:

Table 1: Site co-ordinates

Address:	Metsimaholo Local Municipality, Lethabo, Free State, South Africa
GPS Coordinates:	26.44°S; 27.57°E, Elevation: 1,462m above sea level

A NLEPDS security fence is to be installed in the areas exposed to the public. The location of the proposed NLEPDS security fence is shown in Figure 1 and Figure 2.

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Figure 1: Proposed outline of NLEPDS security fence.

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7.1 Commitment to OHS

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7.2 Management and Supervision of Construction Work

The Contractor shall ensure that the performance of all specified work is managed and supervised in accordance with the requirement of OHS Act CR 8 throughout the contract period.

The Contractor shall ensure that the performance of all specified work is supervised throughout the duration of the Contract by a sufficient number of competent appointed representatives of the Contractor, who have experience in the type of work specified.

No work shall commence and/or continue without the presence of an appointed competent Construction Manager, Construction Health & Safety Manager & Officer, Construction Supervisor or appointed Construction Supervisor Assistants as per Construction Regulation requirements during execution of the work. These supervisors shall be fluent in the language for communications as defined under the Contract.

Construction Managers are required to register as professionals with the SACPCMP.

Construction Health and Safety Professionals are required to register as professionals with the SACPCMP.

The Contractor is required to ensure that resourcing is in accordance with Project Plan and Schedule for life of work. An estimation of key activities is required to be identified for the life cycle of the project and resource plan requires aligning accordingly. The number of appointed persons shall be determined by the size and the risk of the project.

7.3 Construction Health and Safety Manager/s and Officer/s

The Contractor shall appoint a competent person in writing as a Construction Health and Safety Manager outlining duties in terms of Construction Regulations 2014 of the OHS Act 85 of 1993, the appointed person must be registered with the approved statutory body, SACPCMP.

The Contractor shall appoint a full-time Construction Health and Safety Manager and/or officers considering the nature, risk and the scope of work being performed in accordance with the requirement of CR 8 (5)(6). The Construction Health and Safety Professionals are required to register as professionals with the SACPCMP.

7.4 General duties of manufactures and others regarding articles and substances for use at work

The Contractor shall ensure compliance with Section 10 of the OHS Act 85 of 1993.

The Contractor shall ensure that the Client (Eskom) is informed of any known or anticipated dangers and hazards relating to scope of work during construction, operating, maintenance and in the event of any emergency situation, to ensure safe operating procedures are followed.

8. Process for Monitoring

This document is valid for the duration of the works and will be amended, as and when necessary, as requirements are being amended and therefore it will be required for the Contractor and contractor's plan to be amended accordingly.

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Conformance to this document shall be via regular Visible Felt Leadership, safety inspections and Audits.

8.1 Related/Supporting Documents

A section 37(2) agreement must be signed between the Client and the Contractor at the time of awarding the contract. A signed copy of this agreement is submitted to the Client prior to commencement of any activities on site. (Employer's document number 240-59678141).

Acknowledgement Form for Eskom OHS Rules and other requirements (32-726)

Annexure A – Client non-negotiable OHS requirements

Annexure B -SHEQ Policy 32-727

Annexure C- Acknowledgement form for Eskom OHS Rules and other legislative requirements:

9. OHS Specification

9.1 Project and Scope of Work Details

Location: Address and identification of specific structures- reference to the contracts/other contractual documentation (works information) where the exact detail is contained.

Project description/detailed scope of work: Nature of construction activities involved- reference to the contracts/other contractual documentation (works information) where the exact detail is contained.

Program details:

- Submission of final OHS Plan by Contractors to the **Contractor** must be 1 month before site establishment/access to site.

9.2 OHS Accountabilities and Responsibilities Organogram incl. the OHS Functional Department Resource Plan

The Contractor shall provide an organisational organogram related to this project, listing all the levels of responsibility from the Chief Executive down to the supervisors responsible for the project. The diagram must list the names of appointees and their roles and responsibilities.

Provide a proposed OHS resource plan. For each position, stipulate the position titles, qualifications and competencies.

For the duration of the contract, the Contractor shall ensure that competent persons are appointed in writing in terms of the requirements of the OHS Act 85 of 1993 and its Regulations; and or other statutory requirements and that all their appointees are made aware of their accountabilities and responsibilities and have been suitably trained in terms of their appointment, and advice and assist these appointees in the execution of their duties.

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Copies of all the appointments shall be kept in the OHS File during the project duration. All organograms' shall be updated timeously when appointments are changed and filed in the project OHS file.

9.3 Appointment of Contractors

The Contractor may appoint contractors to assist in the contract. All appointments shall be done in writing. The appointed Contractors shall after having considered the size of the project, the degree of danger likely to be encountered or the accumulation of hazards and risks on the site, appoint full-time construction health and safety officers and managers. Registration with SACPCMP is mandatory.

The Contractor involved in Construction Work shall comply with the requirement stipulated in the Construction Regulations 2014 of the OHS Act 85 of 1993, including all the other applicable statutory requirements for their contracted scope of work. Adequate training and instruction must be given to the appointees and ensure that all appointed contractors understand their roles and responsibilities.

The Contractor shall ensure that all their employees and contractors undergo the relevant Eskom induction and company's induction prior to starting the works.

The Contractor shall when selecting contractors to assist on this project carry out a selection process, and vet potential contractors. Once the selection process is completed, then such contractors shall be appointed in writing for the relevant period as required

10. SHE/Q Policy

The Contractor and the contractor companies shall each have an Occupational Health and Safety Policy authorised by their Chief Executive (OHS Act Section 16(1) appointee) that clearly states overall OHS objectives and commitment to improving Occupational Health and Safety performance and must be displayed and shared with all stakeholders.

Eskom has a SHEQ Policy that clearly states the policy principles by which Eskom operates and the commitment to SHEQ excellence and is authorised by the Eskom Group Chief Executive. (See Annexure C)

11. OHS Requirements

The Client expects the Contractor to engage in safety culture initiatives in line with the Eskom SHEQ Policy and value, Zero Harm.

It is required that the Contractor comply with the relevant applicable legislation, specifications and standards in accordance with the scope of the project.

A section 37(2) agreement must be signed between the Client and the Contractor at the time of awarding the contract. A signed copy of this agreement is submitted to the Client prior to commencement of any activities.

The Contractor must ensure that a section 37(2) agreement is signed between them and all their appointed contractors for the contract.

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The Contractor, at all times, considers itself to be the “Employer” for the purposes of the OHS Act, and shall not consider itself under the supervision or management of the Client regarding compliance with the OHS Requirements.

The Contractor shall furthermore not consider itself to be a subordinate or under the supervision of the Client in respect of these matters. The Contractor is at all times responsible for the supervision of its employees and contractors and assumes full responsibility and accountability for ensuring they are competent, aware of the OHS Requirements and execute the works in accordance with the OHS Requirements and legislative requirements.

The Contractor must implement their OHS management system and requirements and incorporate the applicable Eskom requirements into their system.

The Contractor shall ensure that all statutory appointments and appointments required by the Management system are in place, and that all appointees fully understand their responsibilities and are trained and competent to execute their duties. The Contractor supervise the execution of their duties by all such appointees.

The Contractor is expected to provide a OHS plan based on the requirements of this document, as well as a draft Project OHS Specification (in terms of CR5 (b)) for the proposed scope of work which meets these requirements as well as the relevant applicable legislation.

The Contractor shall ensure that the Principal Contractor and contractors comply with the requirements of Construction Regulations 2014, of the OHSACT 85 Of 1993 (including Construction Regulations 7- (Duties of Principal Contractor and Contractor).

Safety File

The Contractor provides a Health and safety File for their own scope of work.

12. Compliance and Non-Conformances

As legislation forms part of any country’s legal system, the Client requires the Contractor and all contractors to comply with legislation as part of the contract. All expenses which result from compliance with this legislation as well as special requirements specific to the site will be for the Contractor account.

Should the Contractor appoint a contractor, the Contractor would then have the same role and responsibility in relation to the contractors, in a similar way as the Client has in relation to the Contractor.

The Client representative reserves the right to stop work and issue a non-conformance report whenever OHS violations are observed after engaging and making the Contractor aware of such. Expenses incurred as a result of such work stoppage and standing time shall be for the Contractor’s account. Any non-conformances/findings/observations found in these audits/inspections on contractors shall be raised and discussed with the client.

The requirements within this document should not be considered to be exhaustive and the Client reserves the right to add, delete or modify conditions where it is considered to be appropriate.

No claim will be accepted as a result of any costs or delays being incurred due to the Contractor or his contractors not complying with legislation, applicable Eskom Procedures and Standards.

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12.1 Legal and Other Requirements

It is the duty of the Contractor and all contractors to ensure that they are familiar with the necessary OHS legislation required.

The Contractor shall compile a legal register listing all applicable legislation and standards that may have an impact on the scope of work that they are performing on the construction project. The Client shall have access to the legal register.

The register shall be updated at intervals defined by the Contractor.

13. Enforcement of OHS Requirements and Non-compliance

The Contractor shall submit their procedure on how they would deal with enforcement and non-compliance to OHS requirements.

14. Hazardous Work by Children (Child Labour)

The constitution of the Republic of South Africa, in the “Bill of Rights” is clear on the rights of children, especially when it comes to:

- a) *being protected from exploitative labour practices;*
- b) *not to be required or permitted to perform work or provide services that*
 - are inappropriate for a person of that child’s age; or
 - Place at risk the child’s well-being, education, physical or mental health or spiritual, moral or social development; and the Basic Conditions of Employment Act, Chapter six Section 43 “Prohibition of employment of children”.
 - Before resorting to the use of child labour, due consideration must be given to the rights of the child in terms of the constitution.

Where work is being performed which is not prohibited in terms of the constitution, then such work must be conducted in terms of the OHS Act “Regulations on Hazardous Work by Children in South Africa” with emphasis on paragraph 2 Purpose and Interpretation.

Eskom does not condone the use of child labour and therefore all efforts must be exercised to avoid it.

15. Cost allocation for OHS Compliance

The Contractor shall ensure that the submitted bid adequately made provision for the cost of Occupational Health and Safety measures.

Note: the costing for OHS must be detailed that is itemised based on the overall contracted scope of the project.

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16. Training

The Contractor and Contractor need to ensure that the resources to work on the project have the required related training, knowledge and experience specific to the scope of work/services.

The scope of the training includes but is not limited to the type of work being performed and the relevant procedures. In addition to the requirements, the Contractor and contractor employees would require the appropriate qualifications, certificates and tickets, and be under competent supervision. Records of all training and qualifications of all contractor employees must be kept. The Contractor shall maintain comprehensive records of all employees under his control (including all employees of the contractor) attending induction training. Acknowledgement of receiving and understanding the induction must be signed by all persons receiving the induction respectively.

The Contractor must ensure that the training providers are accredited and registered with SETA according to the relevant unit standards.

The contractor must have proof of this on site for verification.

The Contractor and its contractors must develop a training matrix for all their employees.

17. Access and Security Control

Access and Security control shall be done according to the Eskom Access Control Policies.

Contractor employees, contractors and visitors shall be subjected to induction training and substance abuse tests when entering Eskom sites, or as and when required whilst on Eskom sites.

It may be required that prior to access being granted that person(s) complete the required training e.g. plant access training, employee training, occupational health and safety training or any other prescribed training.

The following are prohibited items and shall not be allowed on Eskom sites unless the necessary authorisation for possession has been obtained:

- Firearms and ammunition (excludes Eskom official firearms/ ammunition and firearms/ ammunition issued to the South African Security Forces)
- Liquor/ Alcohol
- Dangerous weapons
- Drugs
- Any other items that may be declared prohibited

The Contractor and contractor shall provide suitable safety signs, including traffic routes signage's (traffic & pedestrian arrangement) & warning notices/ signs to indicate restrictions or prohibited items, where authorisation is to be obtained.

The Contractor shall have system/ process to manage vehicle access to site.

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18. Workplace protective measures to be taken during the COVID-19 outbreak

Due to the current Covid-19 pandemic, contractors or service providers are required to provide Eskom with a detailed plan on how they are preventing, mitigating or eliminating the transmission of the virus in the workplace. The plan should include the risk assessment and control measures that will be implemented to protect its employees, Eskom employees and members of the public (refer to the Risk Assessment guides published online by the national Department of Health). The contractors or service providers are required to review and update their risk assessments on a regular basis.

The Contractor and contractor shall ensure that measures required by the applicable latest COVID-19 directives, guidelines and work instructions are strictly complied with.

The Contractor and contractor shall provide procedures/work instructions/plans to ensure that measures required by COVID-19 directives and guidelines are strictly complied with.

A detailed cost for the health and safety aspect should be included in the bill of quantities which should include a detailed Covid-19 cost proposal.

In order to ensure the quality of Covid-19 PPE and cost control, Eskom recommends that the costs be priced as per National Treasury Annexure A – PPE price list, refer to the National Treasury Annexure A published online by the National Treasury)

All employees and visitors to have a screening process in place and also wearing masks at all times e.g. temperature check before entering site and other compliance requirements which include a register to be kept on site.

Special transportation requirements shall be adhered to as per the latest legislation and guidelines in terms of the Disaster Management Act 57 of 2002.

19. Emergency Preparedness and Response Plan

The Contractor shall, in consultation with the Client regarding the Client's site specific emergency preparedness plan, develop and implement an emergency preparedness and response plan to ensure an adequate level of preparedness, response and recovery for the project, to minimise the impact of an emergency situation pertaining to human life, the environment, security and property.

The Contractor shall enforce the principles of emergency preparedness both on and off the site.

The Contractor shall provide training on the approved plan to all the applicable stakeholders.

19.1 Emergency Response

Based on the capabilities of Local Authority Emergency Services, the Contractor must identify the most appropriate first response actions and minimum safety precautions that first responders must implement during incidents, inclusive of firefighting.

Due to the different approaches by Local Authorities on the provision of fire and emergency services, the Contractor shall verify the capabilities of the local authority emergency services or such reasonably practicable alternative arrangements to ensure access to fire and emergency response in the event of emergencies.

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The Contractor shall provide a detailed plan as how to access the local authority fire and emergency services or indicate what provision is made for fire and emergency response services and assistance on the project at all times. This shall form part of the Contractor Health and Safety Plan.

Establish and test the fire and emergency response component of the emergency preparedness plan.

20. Traffic Management Plan

The Contractor shall develop and implement an adequate traffic management plan, taking into account the safe access and egress of all anticipated traffic, pedestrians and vehicles to all working areas of the site including the core construction area, the lay down areas and site offices. Such traffic safety measures shall include the separation of vehicle and pedestrian traffic to prevent injuries. All vehicles shall be operated by competent and authorized personnel

The Contractor shall enforce the principles of road safety both on and off the site. This shall include the control of vehicles on site, road worthiness, vehicle maintenance programmes, signage, speed limits, flagmen, warning lights and high level flags if required.

Where access roads pass underneath overhead power lines, the Contractor shall provide suitable height limitation barriers (goalposts) as agreed upon with the Client.

21. Contractor's Site Facilities

Site facilities shall be established and maintained by the Contractor. The facilities include, but are not limited to the following: (refer to OHS Act Construction Regulation 30)

- Temporary Facility Layout Plan
- Sheltered eating facilities
- Change rooms
- Ablution facilities
- Site Sheds, Offices and Amenities
- Lay down and Storage
- Temporary Site Services

Reasonable and suitable living accommodation may be provided for employees who are far removed from their homes and where adequate transportation between the site and their homes, or other suitable living accommodation, is not available

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22. Public Safety

Legislation requires that employers shall be responsible, as far as reasonably practicable, for safeguarding persons other than those in their employment who may be directly affected by their activities so that they are not exposed to hazards to their health and safety (Section 9 of the OHS Act).

The Contractor and Contractors shall factor in, in their safety plan, how they intend safeguarding/controlling any members of the public against their activities during the project.

23. Project and Site Rules (Zero Harm to People and the Environment)

The objective of this section is to define the rules that are over and above the internal regulations and procedures of Eskom and relevant legislation which will ensure zero harm to persons and the environment. These rules will be specific to the project and site.

Eskom Life Saving Rules

Five Life Saving rules have been developed that will apply to all Contractor employees, Agents, consultants, contractors and visitors. Failure to adhere to these rules will be considered a serious transgression. These rules are being implemented to prevent serious injury or death of any employee, labour broker or contractor working in any area within Eskom.

The rules are:

RULE	DESCRIPTION OF RULE
Rule 1	OPEN, ISOLATE, TEST, EARTH, BOND, AND/OR INSULATE BEFORE TOUCH (That is plant, any plant operating above 1000 V)
Rule 2	HOOK UP AT HEIGHTS Working at height is defined as any work performed above a stable work surface or where a person puts himself/herself in a position where he/she exposes himself/herself to a fall from or into.
Rule 3	BUCKLE UP No person may drive any vehicle on Eskom business and/or on Eskom premises: Unless the driver and all passengers are wearing seat belts.
Rule 4	BE SOBER No person is allowed to be under the influence of intoxicating liquor or drugs while on duty
Rule 5	PERMIT TO WORK Where an authorisation limitation exists, no person shall work without the required permit to work.

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Eskom will take a stance of zero tolerance on these rules

Any non-compliance to any health and safety requirement in this OHS specification is subject to discipline/removal of person from the project site.

Non-compliance to a Life Saving rule will be considered serious misconduct and will lead to serious disciplinary action, which may include dismissal.

This is to ensure that every person who works on or visits an Eskom work site returns home safely to his or her family

No person shall damage, alter, remove, render ineffective, or interfere with anything that has been provided for the protection of the site, or for the health and safety of persons.

No person under the influence of alcohol, drugs or medication (in a state of intoxication) or any other condition that may render him incapable of controlling himself or of other persons under his charge shall be allowed to enter the site.

All safety and warning signs shall be obeyed at all times.

Entering or leaving the Site will only take place at official access control points and may only be done via the official designated walkways.

All employees shall adhere to the OHS and other site specific rules.

The Contractor must have a process in place to address employees that have contravened Health and Safety Requirements.

- **Smoking**

Smoking is only permitted at designated areas in accordance with the requirements of the smoking policy (32-1126: Eskom Smoking Policy).

- **Cellular Phones**

Do not use Cellular phones in areas where cell phone usage is prohibited.

A contractor shall develop and implement a risk based cell phone policy for a particular construction site.

- **Fire Extinguishers**

All fire extinguishers shall be:

- Clearly labelled
- Conspicuously numbered
- Entered in a register
- Inspected monthly by a competent person
- Tested and serviced at recommended intervals by an accredited supplier
- Results shall be entered in the register and signed by competent person.

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- No open or unattended fires are allowed within the construction site.

Contractor shall have a layout plan of a site indicating where all his firefighting equipment is located.

- **Vehicles and Traffic Rules**

Ensure that all drivers and passengers wear seatbelts, where fitted, while travelling in a motor vehicle. Vehicles not fitted with seatbelts must be retrofitted according to the vehicle manufacturer's specifications.

Ensure that no employees, including contractor employees, when performing work for Eskom, are transported at the back of bakkies / vans and trucks.

- **Substance and Drug Abuse Management**

The Contractor shall provide a Substance Abuse management policy which is in line with the Eskom Procedure (Eskom Substance Abuse Procedure 32-37)

Alcohol and substance abuse poses a significant threat to any business, more so in industrial incidents and the driving of vehicles. Eskom is therefore, entitled to take reasonable steps to ensure that intoxicated persons are identified and prevented from entering Eskom.

General Safety Regulation 2A is clear on the legal stance regarding intoxication.

The alcohol and drug permissible level is 0%.

All contractors shall comply with Eskom's procedure 32-37 ("Substance Abuse Procedure"), taking in to account that this is an Eskom Life-saving Rule number 4: BE SOBER", this means anyone entering the Eskom will be subjected to ad hoc alcohol testing.

Contractors are encouraged to compile their own manual and to carry out regular alcohol testing of their own employees. The legislative alcohol level is deemed to be zero.

Test records must be treated as "Confidential" and filed in the employees' personal file.

24. Hazard Identification and Risk Assessment

It is a legal requirement in terms of Section 8 (2)(d) of the OHS Act for an employer to carry out risk assessments, to establish which risks and hazards are attached to the health and safety of persons due to any work which is performed, any article or substance which is, handled, stored, transported.

The Contractor shall prepare, provide, maintain and update (at defined intervals) a Baseline Project OHS Risk Assessment for the project and communicate to all stakeholders. The Contractors are expected to have different types of risk assessments for their scope of work.

A Risk Assessment process should be aligned with Construction Regulation 9 (1) (a-e). Emerging risks and hazards must be managed during construction work. This means that if there are significant changes to a process or activity, or any new process, then these should also be subjected to risk assessment. All risks must be rated.

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Risk assessments shall be conducted by an appointed competent risk assessor. Risk assessment shall be developed by cross-functional team and outcome shall be shared with employees.

Attendance registers must be kept of all the employees involved in compiling the risk assessment.

HIGH LEVEL OHS RISKS AND SUGGESTED MITIGATING FACTORS (BUT NO LIMITED TO):

This list is to be transferred to the Risk Register that the Contractor will update and maintain at regular intervals.

RISKS	Suggested Mitigating Factors	Responsible Person
<ul style="list-style-type: none"> Non Compliance to applicable legislations and standards 	<p>Compile a legal register listing all applicable legislation and standards that may have an impact on the scope of work. The register shall be updated regularly.</p> <p>Identify all applicable OHS permits related to the scope of work. Apply for the permit with relevant authorities.</p>	<p>Contractor</p> <p>Contractor</p>
<ul style="list-style-type: none"> Working on an existing operational site 	Works coordination process to be established with inputs from all affected stakeholders	Contractor
<ul style="list-style-type: none"> Weather Conditions 	Obtain site data info	Client
<ul style="list-style-type: none"> Road /Terrace Condition Increased Volume in the area 	<p>Consider all roads inside and outside site in the Traffic Management Plan.</p> <p>-Movements of vehicles, mobile plants and pedestrian on site and surrounding areas.</p>	Contractor
<ul style="list-style-type: none"> Availability of Medical facilities and services 	<p>Provide a detailed plan as to how access to or provision of medical facilities, services and assistance is rendered on the project at all times. This shall form part of the Contractor Health and Safety Plan.</p> <p>Establish and test an Emergency medical response plan and ensure that it is aligned with emergency response plan</p>	Contractor
<ul style="list-style-type: none"> Delivering of construction material. 	To be considered in the Traffic Management plan, taking into account the road conditions.	Contractor

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<ul style="list-style-type: none"> Storage of Hazardous Chemical Substances on site 	Comply with the Hazardous Chemical Substance Regulations of the OHS Act and Major Hazard Installation Regulations (if applicable).	Contractor
<ul style="list-style-type: none"> Spillages, explosives and fire 	Fire Safety and Emergency Preparedness Plan.	Contractor
<ul style="list-style-type: none"> Explosive Environment and Fires 	Intrinsically safe equipment- Light fixtures/electrical equipment and ban cell phones usage. Post signage.	Contractor
<ul style="list-style-type: none"> Loss of containment/spillages Presence corrosive acid 	<p>Correct Personal Protective equipment for workers in that environment. (I.e. wet suits).</p> <p>Ventilation if the acid or chemical becomes a gas/vapour.</p> <p>Gas detection, extraction Fans/vents.</p> <p>In the event of emergencies- availability of self-contained breathing apparatus (should be risk based)</p>	Contractor
<ul style="list-style-type: none"> Manual handling of batteries resulting in Muscle sprains/ back pains (musculoskeletal disorders) 	Compliance with the applicable legislation and standards	Contractor
<ul style="list-style-type: none"> Struck by batteries if dropped while trying to carry them (depending on their design) 	Consider Maintenance Risks at design stage.	Contractor

25. High Risk Activities

When the Contractor and/or his contractors are working in an area where a high health and safety hazard exists, the Contractor shall:

- Ensure that permanent and adequate on site supervision is available for the entire duration of the work that is being conducted.
- Ensure the use of safety standbys in areas of high risk activities, and activities that fall within the scope of the permit to work system.
- Provide, erect and maintain all the required barricading, lighting, flags, flashing lights, or other safety control equipment to enable operations to proceed in a safe manner;
- Maintain, at all times, defined access ways, which are clear of objects or obstructions, so as to allow for emergency vehicle entry ;and

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- Provide any temporary protective shielding required for protecting nearby operations from the construction activities, at their own cost.
- When crossing roads, railway tracks and other power lines during operations, the contractor shall ensure that rugby poles are properly erected at all road crossings and that the public is warned, and flagmen placed at strategic positions to warn traffic/motorists. Contractor shall ensure that whenever mobile cranes/ lifting machinery are operated onsite, the booms are retracted and safe clearances from overhead power lines, communication lines or other overhead obstructions are observed and maintained as per Electrical Machinery Regulations 19 & 21, Eskom Procedure "Operating Regulations for High Voltage Systems (ORHVS)-32-846" Section 5.03.6.3 (Work in close proximity to live conductors / apparatus). Supervisors shall be trained in the Eskom ORHVS (see above).
- Height restriction barriers/cross-bars must be erected on both sides of the overhead power lines, communication lines or other overhead obstructions. Establish the permitted safe clearances in consultation with the owner of the line.
- What are your company's critical success factors, plans, and requirements in managing high risk construction activities such as (if applicable):
 - Civil works
 - Lifting and rigging
 - Crane Coordinator
 - Blasting
 - Hot work
 - Work at height
 - Stacking and Storage
 - Manual Handling
 - Electrical safety/ Close Proximity to live apparatus
 - Construction traffic and vehicles etc.
 - Transportation of staff

Please don't limit response to the above list.

26. Pre-Task Risk Assessment (DSTI)

The Contractor shall on a daily basis and for every task to be performed, conduct a pre-task risk assessment with all employees involved with the task(s). The pre-task risk assessment will form the basis of the daily pre-job brief/toolbox talks prior to the start of work. This will highlight critical steps from the safe work procedure to ensure that work is performed in a safe manner. Proof of communication as well as confirmation that it was received and understood by all will be noted on a standard form, which will be kept at the job site during the job execution. The completed signed pre-task risk assessment form shall be filed in the Contractor's safety file.

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27. Method Statement, Safe Work Procedures and Practices

The Contractors shall compile project / site specific method statements and safe work procedures for all the high risk activities as identified in the risk assessment and scope of work. These shall be approved by the Contractor.

Commencement of any work activity does not take place unless a method statement, risk assessment and safe work procedure has been produced and submitted to the Contractor (and permission has been received), in advance of any proposed specific activity starting. They must be site and task specific, clear and signed off.

The supervisor / team leader shall ensure that all employees are trained on all applicable safe work procedures. Records of training/ awareness shall be kept on site.

28. Planned Task Observations (PTO)

The Contractor shall provide the planned task observation procedure or process covering but not limited to the following:

- Persons responsible for monitoring the task and carrying out the Planned Job Observation must be the supervisor;
- Planned job observations should be conducted in such a way that the employee is observed against the actual steps (of the written safe work procedure) to be followed when performing a task and be marked against compliance with each step. This will assist in determining employee competence and compliance. Record should be kept at all times.
- Where the employee did not comply or did not follow the required steps, this should be indicated on the report and actions be taken to correct the deviation.

29. General Walk-downs (Visible Felt Leadership)

The Construction Manager from the Contractor shall lead the site walk downs with the Construction Supervisors and the management representatives from the Contractor at agreed intervals to demonstrate their commitment towards OHS matters and Visible Felt leadership. These site walk downs will be used to identify both strengths and areas for improvement regarding OHS issues. Site Walk downs will be documented, inclusive of an action plan to close out all deviations noted during such a walk-down.

Describe how and what measures are taken by Senior Leadership to actively drive OHS with employees and contractors.

Consider the following Criteria:

- Visibility on sites where operations take place.
- Interventions that leadership drive specifically on OHS matters.
- What monitoring mechanisms are in place to verify the above?

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30. Health and Safety Behaviour Observations and Inspections

The objective of behavioural safety observations is to assess and address the actual safe and unsafe behaviours of people in the workplace; as well as workplace conditions - which are caused by the actions or non-actions of employees, contractors or their supervisors.

The Contractor is expected to describe how their company would implement a behavioural safety programme.

31. Management of Hazardous Chemical Substances

Safety Data Sheets to be obtained for all hazardous chemicals. Copies Safety Data Sheets to be kept on site as to ensure that emergency information is available at all times;

All employees to be trained on the dangers posed by the chemical substances used; and

All employees that uses Hazardous Chemicals to be provided with and are required to wear respiratory protective equipment.

Medical screening of such persons to be done as per OHSA

Storage of Hazardous Chemicals to comply with the OHSACT Regulations

32. Occupational Health and Hygiene

Contractor is required to develop an Occupational Health and Hygiene program. The program is intended to ensure that the risks to health are identified and controlled.

32.1 Occupational Hygiene Management Program

Contractor and contractors shall develop, implement and maintain an occupational hygiene management programme to ensure that the occupational hygiene stressors are identified assessed (monitored) and controlled. The occupational hygiene should include, but not be limited to the following elements:

- Occupational health risk assessment as a background.
- Occupational health risk exposure profiles
- Occupational hygiene monitoring program and ensure that monitoring is performed by an approved Inspection Authority.
- Communication of occupational hygiene results and requirements
- Proof of awareness training.
- Documentation and control of records (Records to be kept for 40 years)

Where there are occupational hygiene stressors, the contractors shall ensure that programs are developed and in place to address the said stressors. These programs may include but not be limited to:

- Hearing Conservation Program;

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- Respiratory Protective Program
- Hazardous Chemical Substances Program
- Procedure for the use and management of radioactive sources
- Heat Stress Management Program

Contractor and contractors shall report to the Department of Labour and Department of Minerals Resources on the occupational hygiene milestones (e.g. crystalline silica). Evidence of reporting to the department of labour and copies of such reports shall be made available to OHS manager/practitioner.

Copies of all occupational hygiene surveys conducted by the Contractor and contractor must be submitted to the Eskom OHS manager and practitioners. The Contractor shall establish a database of occupational hygiene surveys and corrective plans.

The Contractor and contractors shall describe in detail how they would implement an Occupational Hygiene programme and provide an outline of the programme as well.

32.2 Employee Health and Wellness Programme

The Contractor shall submit details of their Employee Health and Wellness Programme as part of their Health and Safety Plan which should include a Medical Surveillance Program and an Employee Assistance Program.

32.3 Medical Surveillance Programme

The Contractor shall ensure that his employees and contractor employees are registered on a medical surveillance programme and are in possession of a valid medical certificate of fitness. The medical certificate of fitness shall be relevant to the type of work (risk based) that the employee will be exposed to. This will require each employee to have a risk based person job specification that will be used as a basis for medical examination.

The Contractor must ensure that his employees and contractor employees have undergone pre-entry medical examination before starting work on site, ***no employee will access site without a valid medical certificate of fitness.***

The Contractor and contractor employees must ensure that all their employees have a valid medical certificate of fitness specific to the construction work to be performed and issued by an Occupational Health Practitioner in the form of Annexure 3.

The frequency to renew the medical certificate of fitness shall be determined by the risk profile and or as per the recommendation of the Occupational Health Practitioner.

On completion of the project an exit medical examination shall be conducted, unless otherwise advised by the Occupational Health Practitioner.

All employees shall be issued with the required medical records to prove medical status at the time of exiting the construction project.

The Contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness or restrictions.

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Note: Eskom will only accept medical surveillances conducted by an Occupational Health Practitioner who holds a qualification in occupational health.

32.4 Medical Services and Medical Emergencies.

Due to the unavailability of Eskom in-house medical facilities in the areas of work, the Contractor shall investigate alternative arrangements to ensure access to adequate medical assistance in the event of emergencies.

The Contractor shall provide a detailed plan as to how access to or provision of medical facilities, services and assistance is rendered on the project at all times. This shall form part of the Contractor Health and Safety Plan.

Establish and test the Emergency medical response component of the emergency preparedness plan.

32.5 Compensation of Occupational Injuries and Diseases Act (COIDA)

The Contractor shall submit proof of registration and letter of good standing with the compensation fund or with a licensed compensation insurer for his company; based on South African legislative requirements. This must remain valid for the duration of the contract. The Letter of Good Standing shall reflect the name of the Contractor. The Contractors are expected to provide the same to the Contractor.

33. Forums for OHS Governance and Communication

Effective governance and communication structures shall be established on each project site where project OHS matters shall be discussed. Attendance registers and minutes shall be kept for all the health and safety meetings. The terms of reference shall be established for each governance structure on the project.

The Contractor/s shall provide a communication plan outlining the discussions and decisions to their staff, the mediums they will employ and how they will measure the effectiveness of their OHS communication.

Every meeting conducted on site shall include OHS as a standing agenda point and minutes of these meetings shall be available on site at all times.

NOTE: These meetings do not replace or act as a substitute for the required OHS statutory meetings.

Statutory OHS Committees in terms of Section 19 and 20 and General Administrative Regulations 5 of the OHS Act and Eskom requirements shall be established.

34. Permit to Work

The Contractor must adhere to the approved & Compulsory Eskom Permit to Work System to control identified high risk activities. There will be only one Permit to Work system (Eskom) on the construction site.

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The Contractor together with the appointed contactors on this project shall identify persons to be trained and authorised for the Electrical Permit to work systems according to the Eskom Regulations indicated below. After training the supervisors will be assessed for competence and authorised in writing to perform the duties of an authorised or responsible person as contemplated in the applicable Eskom regulations e.g.

- Operating Regulations for High Voltage Systems.
- Plant Safety Regulations.
- Pulverised Fuel firing regulations.

The Client will provide more details on the permit to work system for the specific work to be conducted by the Contractor.

The Contractor in conjunction with the Construction Health and Safety manager/officer shall develop a Permit to Work System for the project.

The Permit to Work System must take into consideration the following:

- Training and examination on the Permit to Work system
- Determining the types of permits to be used
- The competency requirements
- Responsible person matrix
- Management of permits from start to finish

The following activities if applicable must be considered in the Permit to Work system:

- Electrical work (Lock-out/Tag-Out)
- Confined Space
- Excavation
- Mechanical Work (Lock-out/Tag-Out)
- Hot Works
- Blasting Activities
- Lifting and Rigging activities

Please don't limit response to the above list.

35. Confined Space Work

All confined spaces shall be considered "permit-required" spaces unless a pre-entry procedure has demonstrated otherwise. A permit shall be completed before approval can be given to enter a "permit-required" confined space. This permit shall be maintained at the jobsite for the duration of the job.

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All confined spaces shall be tested for poisonous gases and/or oxygen deficiency prior to entry.

When in confined areas such as boilers, tanks, drums, manholes, etc., or where noxious or poisonous gases may be present, the appropriate breathing apparatus shall be used.

Where dangerous gases or harmful substances are present in the immediate work area, air-supplied masks shall be worn.

Proper ventilation and all other required protective equipment shall be used.

Hazardous work areas containing noxious or poisonous gases shall not be entered without proper protective equipment being worn and without being accompanied by a fellow employee who has been properly trained and familiar with the use of such protective equipment.

36. Management of Pressure Equipment

The Contractor shall ensure they comply at all times with the requirements of Pressure Equipment Regulations, 2009 with specific reference to the following:

- Ensuring all Equipment owned and hired-in Vessels under pressure, comply with the 36-month pressure vessel inspection, and a certificate of testing is available on site.
- Ensure that all temporary pressure vessels are subjected to a pressure test after they have been installed or moved and reinstalled in a new position.
- Ensuring that all personnel who shall use this equipment are competent and trained.
- Ensure the users of this equipment are issued with the required PPE.
- Ensuring the area is adequately identified as a noise area and warnings are posted.
- Ensuring daily pre-start inspections are carried out on all the equipment and the findings recorded on the standard inspection register.
- Ensure the correct fire prevention and fighting equipment is available at all times.
- Noise levels where possible shall be kept within reasonable operating norms.

37. OHS Audits

Eskom reserves the right to monitor and conduct unannounced audits to ensure compliance and provide assurance to the Client representatives and their key stakeholders.

38. Contractor OHS Performance Evaluation

Eskom shall evaluate contractor OHS performance on an on-going basis against the Eskom requirements.

39. Documentation and Records Management

The Contractor shall establish and maintain a documentation and records management system where all project and scope OHS related documentation and records are kept and maintained.

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The OHS file shall be handed over to the Client (Eskom) at the end of the Contractor's contract.
The Client shall have access to this system

40. Incident Investigation

The Contractor and Contactors shall report all incidents/accidents as required in terms of the legislation.

All OHS incident reporting, recording, classification and investigation will be done according to the requirements set out in the Eskom document 32-95 (latest version)

41. OHS Performance Status Reports

The Contractor shall provide an OHS Statistical and Non-Statistical Reports, dashboards, presentations as per the Client requirements.

Reporting must not be later than the 3rd of every month.

42. Omissions of this OHS Requirements

By drawing up these OHS requirements Eskom has endeavoured to address the most critical aspects relating to OHS issues in order to assist the Contractor in adequately addressing the health and safety management of persons on site.

Should Eskom not have addressed all aspects pertaining to the work that is tendered for, the Contractor needs to ensure that all applicable OHS requirements are identified and included in their management system, OHS Plan, Draft OHS Specification, policies, standards and procedures.

43. Hours of Work

All work conducted on site shall fall within the legal requirements in accordance with the Basic Conditions of Employment Act.

The Contractor shall be aware of the effects of human fatigue and regulate overtime accordingly. The baseline risk assessment must be reviewed to include the management of overtime work.

44. Night Work

When night work is to be performed; the Contractor shall provide sufficient lighting to enable the entire work site to be illuminated to a degree that employees will not work in dark (un-illuminated) or dimly lit areas. Care must be exercised as not to use few lights with high light intensives as this will cause night blindness.

If work is continuing from day light into night, at dusk, a tool box talk must be held where all employees will be advised of the hazards of night work and the extra precautions which require to be taken, i.e. poor housekeeping, stepping on uneven ground, stepping into holes etc.

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45. Employees' right of refusal to work in an unsafe situation

Employees have a duty to take reasonable care of their own as well as other person's health and safety at work and to cooperate with the employer, carry out lawful orders, including reporting unsafe situations and incidents.

Refer to Eskom Procedure 240-43848327- Employees' right of refusal to work in an unsafe situation. The aim of the procedure is to ensure that an environment is created that promotes zero harm by empowering employees and contractors to take responsibility for their own safety and that of others.

The Contractor shall provide an Employees' right of refusal to work in an unsafe situation procedure which is in line with the Eskom Procedure 240-43848327.

NOTE: Work stoppages that are initiated due to SHE related incidents shall not warrant any financial compensation claim lodged against Eskom.

46. Acknowledgements

Name and surname	Designation
Reginal Ngomana	Manager Safety: OHS
Themba Mdaka	Middle Manager OHS
Trulley Mabuza	Senior Advisor OHS
Lwando Limba	Middle Manager Projects
Jabu Siboto	Project Manager

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47. Annexure A: The Client's Occupational Health & Safety Requirements

The following minimum Occupational Health & Safety related requirements that bidders have to address and respond to when submitting their bidding returnables are as follows:

Ref.	Eskom Health and Safety Requirements Checklist	Proof required	Yes	No	N/A
1	Organisational Structure & Competencies of Key Appointees				
1.1	<p>Provide an OHS resource plan for the proposed scope of work. For each position, stipulate the position titles; roles; responsibilities, accountability, qualifications and competencies that will be required for each position.</p> <p>Please provide CV's of individuals that will fulfil the following roles, plus proof of registration with relevant approved professional body where applicable:</p> <ul style="list-style-type: none"> Construction Health and Safety Manager and Officers in terms of Construction Regulations 2014, CR 8 (5) and (6) and as per the SACPCMP requirements. Construction Manager in terms of Construction Regulations 2014, CR 8 (1) and as per the SACPCMP requirements. Construction Supervisor & Assistant Construction Supervisor in terms of Construction Regulations 2014 	<p>✓</p> <p>✓</p>			
2	Occupational Health & Safety Plan				
2.1	<ul style="list-style-type: none"> Provide in terms of CR 7 (1) (a) Construction Regulations 2014, an OHS plan for the proposed scope of work in response to this OHS Specification/Requirements. 	✓			
3	Occupational Health & Safety Management System				
	<ul style="list-style-type: none"> Does your Company have a recognised OHS Management System? If yes, please provide a copy of the certification. Provide detailed information how the legal register of the applicable national statutes and codes of practices for this project scope of work will be managed. Provide a copy of your SHEQ Policy in terms of Section 7 of the OHS ACT 85 of 1993. Provide OHS Management plan ?. 	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>			

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Ref.	Eskom Health and Safety Requirements Checklist	Proof required	Yes	No	N/A
	<ul style="list-style-type: none"> Please provide a process/ procedure on how you would deal with companies/individuals that have transgressed OHS requirements. Does your Company have procedures in place for conducting hazard identification and risk assessments and for developing and implementing safe systems of work/method statements? If yes, please provide a copy thereof. Provide a detailed plan as to how you will ensure provision of medical facilities, services and assistance at all times on the project. How will you address medical emergencies? 	<p>✓</p> <p>✓</p>			
4	Fire Safety and emergency requirements				
4.1	<ul style="list-style-type: none"> Provide baseline fire risk assessment and fire safety Plan. Provide Emergency Preparedness Risk assessment and Plan. 	<p>✓</p> <p>✓</p>			
5	Legal Requirements				
5.1	<ul style="list-style-type: none"> Provide a detailed plan how you would fulfil the role of a Client in terms of the Construction Regulations 2014, and of the OHS Act 85 of 1993 Explain how you would manage and monitor contractor companies in terms of Health and Safety compliance. Explain how you would manage multiple contractor company interfaces on the project. Provide detailed costing for OHS on the overall scope of works/services to be performed in the Costing Schedules. Is your company registered with COID or with a licensed compensation insurer based on South African legislative requirements and are you still in good standing? If yes, please provide copy of current valid certificate issued by the Compensation Commissioner. 	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>			
6	Occupational Health & Safety Operational Controls				
6.1	OHS Operational Controls What are your company's safe work plans in managing high risk activities that will be applicable to the scope of work on this project?	<p>✓</p>			

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COMPANY ACKNOWLEDGEMENT

I acknowledge that the information provided in this Occupational Health and Safety Questionnaire, as part of the Eskom OHS evaluation process, is true and correct.

Company name:

Name and surname:Position:

Signature: Date:

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SCORING:

Actual Score will be converted to a percentage.

In order to pass the evaluation a score of 100% is to be achieved.

Comments:

OHS EVALUATION RESULT (Ring the correct one): Pass / Fail

NAME OF ASSESSOR:

SIGNATURE:

DATE:

Evaluation Criteria:

Description	Rating
Meets Client's Requirements:	1
Does not meet Client's Requirements:	0

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48. Annexure B: Eskom SHEQ Policy:

Eskom's Safety, Health, Environment and Quality (SHEQ) Policy Poster (32-727) Rev 3



Eskom will integrate and/or incorporate safety, health, environment, and quality requirements through the plan-do-check-act (PDCA) quality cycle in its activities so that decisions made ensure the consideration of economic development, environmental duty of care, and social equity to improve performance and achieve stakeholder requirements continually.

Eskom's commitment to safety, health, environment and quality management is achieved through:

- a) implementation of management systems in accordance with, but not limited to ISO 9001, ISO 14001, and ISO 45001/OHSAS 18001 requirements;
- b) fulfilling conformance and compliance obligations/legal and other requirements to which Eskom subscribes and sets to meet the intent of this policy;
- c) taking overall responsibility and accountability for the prevention of work-related injury and ill health, as well as the provision of safe and healthy workplaces and activities;
- d) addressing the needs and expectations of Eskom's workers, customers, interested parties, and stakeholders;
- e) setting safety, health, environment and quality objectives to achieve intended outcomes and measuring performance against these to ensure continual improvement;
- f) applying risk-based assessment methodologies (that is, conducting hazard identification and risk assessment, fitness for duty assessments, emergency preparedness responses, response to emerging outbreaks, pandemic or epidemic disasters, and medical surveillances) for the opportunity for improvement within the SHEQ management systems;
- g) conducting safety, health, environment and quality training and creating employee awareness;
- h) engaging interested parties and stakeholders by promoting open communication and engagement that is safety, health, environment and quality purpose-driven;
- i) ensuring that processes are in place and measured for Eskom's contractors to meet Eskom's safety, health, environment and quality requirements;
- j) ensuring that adequate resources are available for safety, health, environment and quality management;
- k) supporting the establishment and functioning of environment, quality, health and safety committees;
- l) proactively managing Eskom's environmental footprint, minimising pollution and environmental degradation, pursuing a low-carbon future, and prioritising energy, water efficiency, and conservation within and outside Eskom including transitioning to a cleaner energy mix;
- m) engaging, directing, and supporting persons to contribute to the effective management of SHEQ requirements;
- n) ensuring the sustainable use of resources and exploring new opportunities for climate change mitigation and adaptation, and protection of biodiversity, ecosystems, and the prevention of pollution and degradation;
- o) ensuring continual improvement in SHEQ systems to enhance Eskom's business performance; and
- p) consultation and participation of workers and worker representatives on OH&S management systems.

Policy principles or rules

Eskom's principles and rules that underpin the way it approaches safety, health, environment and quality are as follows:

- a) Poor quality performance and occupational health, safety and environmental incidents are preventable.
- b) SHEQ performance is achieved through a Zero Harm culture. Zero Harm is the prevention of harm to people and the environment brought about through visible and felt leadership, including the implementation of effective controls and practices.
- c) Management is accountable for setting a safety, health, environment and quality policy, and every employee is expected to ensure implementation and compliance within the scope of their duties.
- d) Conducting business with respect and care for people, the environment and assets.
- e) Eskom strives to ensure that Zero Harm befalls its employees, contractors, the public, and the environment:
 - Zero fatalities
 - Zero injuries, ill health
 - Zero environmental incidents
 - Zero tolerance
 - Zero defects
- f) Eskom's Life-Saving Rules support the intent of the policy and apply to all employees, contractors, and visitors:
 - Open, isolate, test, earth, bond, and/or insulate before touch
 - Hook up at heights
 - Buckle up
 - Be sober
 - Permit to work
- g) No operating condition, or urgency of service, justifies exposing anyone to risks arising out of Eskom's business, causing an incident with health, safety, environmental and quality consequences.
- h) Governance, decision-making processes, and plans are based on intended outcomes with regard to safety, health, environment and quality and criteria in line with Eskom values and promote efficiency.

André de Ruyter

GROUP CHIEF EXECUTIVE

Issued by Risk & Sustainability Division August 2020 SHEQ Policy Poster Rev 3 (Review Date August 2025)

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49. Annexure C: Acknowledgement Form for Eskom OHS Rules & Other Legislative Requirements:

1. It is the duty of the Contractor and all contractors to ensure that they are familiar with the relevant OHS legislations required in accordance with the scope of the project.

The Contractor shall compile an OHS legal register listing all applicable statutory requirements (local by-laws, provincial, national and/or international) based on the scope of work that they are contracted for. The register shall be updated at intervals defined by the Contractor.

Please note that there will be Eskom Site Specific requirements that will be made available to the Contractor for consideration due to the fact that this scope of work will be conducted on an existing Eskom site.

I, the undersigned, hereby confirm that I, on behalf of
(Name of Contractor Company) will comply with the relevant applicable legislation, specifications and standards in accordance with the scope of the project and fully understand the consequences of non-compliance.

Signed at on Day of 20.....

Name of Authorised person (CEO/Director/ Managing Director)

Signature

Date

Witness 1

Witness 2

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50. Annexure D: Emergency Services contact details around Lethabo Power Station (Free State)

All these services are approximately 10 km away from Lethabo Power Station

Emergency Services	Contact number.
1. Police	R82 Vereeniging Road, Viljoensdrif, 1948 0169746261
2. Ambulance Private Care Ambulance Services	Ambulance services: 10117
3. Traffic department	Address: Zevenfontein St, Sasolburg, 1947 Phone: 016 976 0058
4. SAPS Toll Free	10111
5. Hospital	Physical Address: 8 Langehoven Street, Sasolburg, Free State, South Africa Phone: +27 (0)16 970 9400
6. Department Of Labour Vereeniging	Address: 18 Joubert St, Vereeniging, 1939 Phone: 016 430 0000 Compensation fund: 0860 105 350
7. Municipalities emergency numbers	Metsimaholo Local Municipality Address: Civic Centre, Fichardt Street, Sasolburg Tel 016 973 8300
8. Fire & Disaster Management Services	Address: J G Strijdom Rd, Emergency Service, Sasolburg, 1947 Open 24 hours Phone: 016 976 0945

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51. Example OHS Costing

The Contractor to provide a detailed Risk based OHS costing on the overall scope of works/services to be performed in the Costing Schedules.

The list below serves as a guideline, and it is not limited to the following.

Name of Company:			
Eskom OHS Safety Costing			
Descriptions	Quantity	Monthly Cost	Total Cost per the Project
1. Organisational Structure & Competencies of Key Appointees - Human Resourcing (i.e. OHS resource plan to be detailed)			
Construction Safety Officers			
Construction Health and Safety Manager as per the SACPCMP requirements			
Construction Manager in terms of Construction Regulations 2014, CR 8 (1) and as per the SACPCMP requirements.			
Construction Supervisor			
Construction Assistant			
Other legal appointments as per the OHS act and its applicable regulations			
<i>Others specify:</i>			
•			
•			
•			
•			
•			
•			
•			
•			
•			
•			
•			
2. OHS Compliance in response to the Legislative and Client OHS Specification/Requirements.			
OHS Plan compliance. (Refer to the OHS Specification/requirements)			
contractor to specify all section applicable to his/her activities and should be costed as such)			
• Medical Facilities			

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Name of Company:			
Eskom OHS Safety Costing			
Descriptions	Quantity	Monthly Cost	Total Cost per the Project
• Fire Emergency Services			
• Safety signage			
• PPE			
• Training			
• Medical Surveillance			
• (contractor to specify)			
• (contractor to specify)			
• (contractor to specify)			
• (contractor to specify)			
• (contractor to specify)			
• (contractor to specify)			
• (contractor to specify)			
• (contractor to specify)			
• (contractor to specify)			
• (contractor to specify)			
COVID 19 management plan (contractor to specify)			
3. Occupational Hygiene			
Relevant Assessment and surveys.			
Others to specify			
Other			
4. Pre Construction Surveillance			
• Surveillance of underground services			
• Pre Construction Surveys or studies			
• (contractor to specify)			

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52. 37(2) AGREEMENT

SECTION 37(2) AGREEMENT CONCLUDED BETWEEN

.....[insert name of subsidiary or Eskom Holdings SOC Limited]

AND

.....

(Name of contractor/supplier)

I,[(insert name of person representing contractor/supplier company)]representing [insert name of contractor/supplier], do hereby acknowledge that [insert name of contractor/supplier] is an employer in his/her own right, with duties as prescribed in the Occupational Health and Safety Act No. 85 of 1993 ("the Act"), as amended, and agree to ensure that all work will be performed and/or machinery or plant used in accordance with the provisions of the Act.

I undertake that [insert name of contractor/supplier] shall strictly adhere to, and ensure that his/her employees adhere to, the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).

I have been provided with SHE specifications for project/service[insert brief details of project/service, for example, name, contract/project number] and will comply with the requirements set out in these.

I accept and agree that the SHE specifications constitute arrangements and procedures between (insert name of contractor/supplier) and [insert name of subsidiary or Eskom Holdings SOC Limited] which will ensure compliance by [insert name of contractor/supplier] with the provisions of the Act, as contemplated in section 37(2) of the Act.

This agreement constitutes the sole agreement between the parties, and no variation, modification, or waiver of any of the provisions of this agreement or consent to any departure from these shall, in any manner, be of any force or effect, unless confirmed in writing and signed by both parties, and such variation, modification, waiver, or consent shall be effective only in the specific instance and for the specific purpose and to the extent for which it was made or given.

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This agreement is signed on behalf of the parties, each signatory to this warranting that he/she has the requisite authority to do so.

Signed this day of 20 at

..... (*Place*)

(*Full name*)..... (*Signature*) on

behalf of (**Contractor/supplier**)

Contractor Responsible Manager (*responsible for signing the contract
on behalf of the contractor/supplier*)

Witnesses

1.
2.

Signed this day of 20 at (*Place*)

(*Full name*)..... (*Signature*) on

behalf of [insert name of subsidiary or Eskom Holdings SOC Limited]
(Contracts and/or Project Manager or Representative)

Witnesses

1.
2.

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