

A decorative graphic on the left side of the slide, consisting of three overlapping circular frames. The top frame shows solar panels in front of industrial chimneys. The middle frame shows a helicopter performing maintenance on a high-voltage power line tower. The bottom frame shows a worker in a safety harness performing maintenance on a power line tower.

# **OHS Requirements - Hygiene**

## **Services for Eskom Dx Property Management in the Western Cape Province of the Cape Coastal Cluster (Tender No: WC1072ZM)**

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Dx/ Cape Coastal Cluster/ SHEQS

Date: 17 Nov 2022

- The purpose of OHS requirements is to ensure standardized and consistent OHS Contractor management from Procurement phase, contract execution to contract completion.

- The tender enquiry shall be accompanied by
  - **Scope-specific OHS requirements**, including the project **BRA**
  - **Annexure B: Acknowledgement of Eskom OHS Rules** form for **OHS legal and other requirements** (the listed legislature, Eskom policies and procedures)
  - **Eskom 32-136 Standard** - Contractor Health and Safety
  - **AnnexureC3 (Low risk) - OHS tender evaluation criteria**

- Annexure C3: OHS Tender Evaluation Template (Low risk)**

<u>Ref</u>	<u>OHS Tender Returnable</u>	<u>Submission</u> <u>Y = Yes</u> <u>N = No</u>	<u>Comments</u>
1	<b>Annexure B</b> Is the acknowledgement of <b>Eskom's OHS legal and other requirements</b> form signed and submitted by the tenderer?		
2	<b>OHS plan</b> (Must address the project /scope of work OHS risk(s) and aligned with the health and safety specification or requirements)		
3	<b>Baseline OHS Risk Assessment (BRA)</b> Identification, assessment and management of OHS risks related to the scope of work. The methodology used for the risk assessment must be provided together with the BRA		
4	Valid Letter of Good Standing ( <b>COIDA or equivalent</b> )		
5	<b>OHS policy signed by CEO</b> The submitted policy document must comply to OHS Act Section 7		
<b>Recommendation</b>			<b>Recommended /Not Recommended</b>

- **Annexure C3: OHS Tender Evaluation Template (Low risk)**  
**OR**

<u>Ref</u>	<u>OHS Tender Returnable</u>	<u>Submission</u> <u>Y = Yes</u> <u>N = No</u>	<u>Comments</u>
1	<b>Annexure B</b> Is the acknowledgement of <b>Eskom's OHS legal</b> and <b>other requirements</b> form signed and submitted by the tenderer?		
2	ISO 45001 certificate or equivalent		
3	Valid Letter of Good Standing ( <b>COIDA or equivalent</b> )		
<b>Recommendation</b>			<b>Recommended /Not Recommended</b>

# Annexure B: Acknowledgement of Eskom OHS Rules form for OHS legal and other requirements



	Annexure B: Eskom Acknowledgement Form for OHS legal and other requirements	Template Identifier	240-43921804	Rev	5
		Document Identifier	240-77471499	Rev	3
		Effective Date	May 2021		

## Annexure B: Acknowledgement Form for Eskom OHS legal and other requirements

NOTE: the Supplier/ Contractor/ Tenderer has to ensure that he/she understands the OHS requirements listed hereunder.

<p>1. The supplier/contractor/tenderer is expected to comply to the following documents when working at/rendering a service to Eskom but not limited to the following:</p> <ul style="list-style-type: none"> <li>a. Eskom Contractor Health and Safety requirements Standards Rev4 (32-136), provided with the Tender enquiry</li> <li>b. OHS requirements (240-73418055), provided with the Tender enquiry.</li> <li>c. Baseline Risk Assessment (240-70044602), provided with the Tender enquiry.</li> <li>d. Occupational Health and Safety Act, 1993 and Regulations (Act No 85, of 1993)</li> <li>e. Compensation for Occupational Diseases and Illnesses Act, 1993 (Act No. 130 of 1993)</li> </ul> <p><b>Note: Please note that after contract award, it is your responsibility to fully align the company's processes to Eskom's OHS requirements (policies, procedures, standards etc).</b></p>
<p>2. Penalties shall be enforced on the main supplier for non-conformance/s (identified for the main Supplier and/or its Contractor and/or Supplier) pertaining to Eskom and/or Statutory OHS requirements/s.</p>
<p>3. Ensure that all employees (Contractors/ Suppliers) undergo the relevant Eskom induction and the company induction</p>
<p>4. Management of Contractors/ Suppliers</p> <p>The main Contractor/ Supplier:</p> <ul style="list-style-type: none"> <li>a) Has to demonstrate to Eskom the process and selection criteria applied when appointing Contractors and Suppliers.</li> <li>b) Has to provide notification to Eskom, prior to the appointment of Contractors or Suppliers for the commencement of work.</li> <li>c) Has to ensure that Contractors/ Suppliers have adequate resources and competencies.</li> <li>d) Is accountable for the management of its Contractors/ Suppliers in order to ensure that the applicable legal and Eskom requirements (that are applicable to the main Supplier during contract execution) are complied with by the Contractors or Suppliers.</li> <li>e) The main Supplier shall monitor Contractors or Suppliers through Audits and Assessments with regard to OHS compliance during the execution of the work.</li> <li>f) The grounds for the termination of work done by Contractors/ Suppliers shall be provided by the main Supplier.</li> <li>g) All non-conformances/non-compliance by the Contractors/ Suppliers (all tiers) to the main Supplier shall be dealt with directly with the main Contractor/ Supplier in terms of performance and penalty processes.</li> <li>h) Eskom reserves the right to verify this when deemed necessary. The Contractor may be instructed to provide copies of testimonials/references and the contact detail of clients (including Eskom) for whom the Company has done previous work of a similar nature</li> </ul>
<p>I, the undersigned, hereby acknowledge that I have obtained copies of the above documents and confirm that I fully understand them and the consequences of non-compliance.</p> <p>Signed at ..... on ..... day of ..... 20.....</p>

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Company/Supplier Name: _____	
Name of Authorised person (CEO/Director/ Managing Director)	
_____	_____
Signature	Date
Witness 1 .....	
Witness 2 .....	

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- The **Client OHS requirements** are issued with the enquiry/transaction to inform the future Contractors/Suppliers of the health and safety requirements associated with the scope of work/contract/project, and the **Contractors/Suppliers shall submit an auditable Health and Safety System Manual / OHS Plan** in response.
- The OHS requirements templates and documents are made available and shall be updated, amended to cover the OHS requirements related to the scope of the risks of the project/contract.
- Once the **OHS requirements and Health and Safety System Manual** is completed and approved, it must be signed and initialed by the **OHS professional, the Contract Custodian and the Contractor/Supplier** .
- When the Eskom OHS Professional is satisfied with the contents of the Supplier Health and Safety system Manual; the Manual will first be signed by the OHS professional and approved by the contract custodian and initialed on every page.

- Roles and Responsibilities
- Related supporting documents
- OHS application, evaluation, and reports
- Process for Monitoring

## DOCUMENT CONTENT

- Scope of work
- Contract/Project scope of work
- 1) Project location and Project description scope of work
- Section 37(2) (Legal) Agreement
- OHS Act & Legislative Compliance
- Eskom requirements
- Disciplinary process
- Eskom Life-Saving Rules
- Substance Abuse
- Contractor's SHE Policy

- OHS Plan Requirements
- Costing for Health and Safety
- Professional Registration
- OHS Appointments
  - 1) Statutory Appointments
  - 2) Non-statutory appointments
  - 3) Appointment of the Principal Contractor
  - 4) Appointment of Appointed Contractors
  - 5) Appointments and Supervision
- Contractor Organizational Structure
  - a) Principal Contractor Organogram
  - b) Appointed Contractor/s Organogram
- Medical Surveillance Programme
  - 1) Pre-employment medicals
  - 2) Periodic medicals
  - 3) Exit medicals

- Occupational Health, Rehabilitation and Hygiene facilities
  - (1) Compensation for Occupational Injuries and Diseases (COID)
  - (2) Employee Health and Wellness Programme
  - (3) Employee Assistance Programme
  - (4) HIV / Aids Awareness Programme
  - (5) Emergency Care
  - (6) First Aid and Equipment
  - (7) Employee Covid-19 Programme
  - (8) Occupational Hygiene
  - (9) Dining areas
  - (10) Sanitary facilities
  - (11) Drinking Water
  - (12) Changing areas and Lockers
  - (13) Welfare of facilities
  - (14) Food handling and hygiene
- Hazard Identification and Risk Management (refer to Eskom Procedure 32-520)
  - (1) Health and Safety Hazards
  - (2) Safe work procedures / method statement
- Emergency Preparedness and Response
  - (1) Emergency Response Plan
  - (2) Fire Risk and Safety Management
  - (3) Fire Safety Plan
  - (4) Fire Equipment and maintenance
  - (5) Flammable and Combustible Liquids
- Incident Management
  - (1) Reporting
  - (2) Investigation
  - (3) Close out
- Forums for OHS Governance and OHS Communication systems
  - (1) Statutory Health and Safety Committees
  - (2) Non-statutory health and safety committee
  - (3) Agenda
  - (4) Minutes and action items for all health and safety committee meetings
- Toolbox talks / Daily team talks / pre job meetings

- OHS Training
  - (1) Induction training
  - (2) Site specific induction training
  - (3) Visitors to site induction
  - (4) General training
- Employee Engagement and Behaviour Based Safety
- Housekeeping and Order
- Stacking
- Workplace Signage and Colour Coding
- Tools and Equipment
  - (1) Hand tools
- Personal Protective Equipment (PPE) Requirements
  - (1) Issue, Replacement and Control of PPE
- Contractor Auditing
  - (1) Post Contract review of Safety performance for the duration of the contract
  - (2) Approval and compliance of Principal Contractor OHS Plan
  - (3) Eskom OHS performance monitoring Audits
  - (4) Principal Contractor Audits
- (5) Site Inspections by Contractors' Management
  - Non-Conformance and Compliance
  - Waste Management
  - Hazardous Chemicals Agents Management
  - Storage of Hazardous Chemical Agents
  - Flammable and Combustible Materials
  - Site Rules
    - (1) Work Stoppage
    - (2) OHS File
    - (3) Smoking
    - (4) Cellular Phones
  - Hours of Work
    - (1) Normal work
    - (2) Night work
    - (3) Overtime
  - Record Keeping
  - Omissions from these OHS requirements
  - Contract completion/handover Sign-off

Scope of work as per the Client OHS Requirements and not limited to the following:

- OHS organization within the Company
- OHS Responsibility & Accountability
- OHS Incident management
- Planning of conduct of work activities including planning for changes and emergency work
- Waste management
- PPE- Personal Protective Equipment
- Emergency planning and fire risk management
- Vehicle and driver behaviour safety
- Contractor or supplier selection and management
- Competency, training, appointments
- Communication and awareness
- Management commitment and visible felt leadership

- **OHS as a Contractual requirement**, will only evaluate the shortlisted Contractors/Suppliers that have passed mandatory and functionality evaluation threshold.
- On completion of the tender evaluation of shortlisted Suppliers, OHS will compile an initial tender evaluation report, which will highlight compliance/conformance gaps (outstanding documents/information or insufficient evidence of compliance) by the Suppliers and recommend or not recommend Supplier based on the level of compliance/conformance.
- The Procurement Practitioner will engage the Suppliers only once, requesting all the outstanding tender documents to be submitted within a period not exceeding seven working days.
- The Suppliers will be given only **ONE opportunity to submit the outstanding documents within 7 working days. Failure to submit the outstanding documents within the stipulated time; rendered the Supplier/Contractor as non-responsive and ineligible for contract award.**

- When the Procurement Practitioner receives the re-submitted tender documents within the stipulated timelines, OHS will re-evaluate the submitted tender documents and will compile, and resubmit a final tender evaluation report. However, insufficient evidence of compliance/gaps will be addressed with the preferred Supplier at the negotiation meeting as part of the contract conditions. The closeout timelines of the compliance/conformance/gaps will be determined by the OHS professional.
- After negotiations, the Supplier shall submit the site-specific OHS file for evaluation and must address the gaps prior to commencement of work on site.

**Note: For OHS as contractual requirements,** each Supplier will only be evaluated twice during tender evaluation stage before the final report is submitted to the Procurement Practitioner. To avoid the delays and the effective use of OHS resources, no Supplier/Contractor's tender OHS documents shall be evaluated more than two times before contract award. However, the OHS file must be evaluated and approved before commencement of work.

However, should any further tender evaluations be required, the Procurement Manager will submit a motivation and supporting documentation for the request to the relevant OHS Senior Manager/OHS Manager for approval.

- All findings/observations recorded in the OHS tender evaluation report must be addressed with the Supplier at the negotiation meeting.
- If the contract is signed before addressing the gaps, they should form part of the conditions of the contract, including the time frame allowed to close the findings.
- The contract should clearly state that no work should commence before the approval of the OHS file.

The function of the 37(2) Agreement is primarily to indemnify Eskom from any acts or omissions by its Contractors/Suppliers and its employees in contravention of the OSH Act. This means that Contractors/Suppliers are deemed to be employers in their own right, their employees are not deemed to be employees of Eskom and acknowledges that is solely responsible for its employees, Sub-contractors, agents and the like, while performing work for or on behalf of Eskom.

- When the Contractors/Suppliers is awarded a contract, an OHS Act section 37(2) agreement shall be concluded and signed between the Contractors/Suppliers and the contract custodian/end user, together with the contractual documents.

- The allocated OHS professional shall evaluate the health and safety file. If satisfied, the letter of acceptance will be issued to the Contractor/Supplier.
- Should the Contractor/Supplier not meet minimum OHS requirements at this stage, the OHS professional will give the Contractor/Supplier another chance to address the shortcomings within a period not exceeding seven working days or as agreed by the cross-functional team in consultation with the OHS professional.
- When the OHS professional is satisfied with the contents of the OHS plan, it must be signed and initialled on the bottom right of each page by the client (Eskom OHS professional and the project manager) and the supplier/contractor representative.
- The contractor employees shall also undergo the company's induction, which must be risk- or scope-based before commencement of any activities.
- Eskom shall induct the contractor employees before commencement of any activities.

## Supplier registration

- The Procurement Department shall ensure that, when a Supplier is being registered on the Eskom vendor database, such supplier has been subjected to an OHS tender evaluation.
- The Supplier shall meet the minimum Eskom OHS requirements before approval and registration.

- The health and safety file/document is to be evaluated before site mobilisation or task order allocation to assess the compliance/conformance status of the supplier. No work shall commence before the health and safety file/document has been accepted by the allocated OHS professional.
- OHS requirements, after contract award, shall be enforceable on the successful Contractor/Supplier in accordance with the OHS specification/health and safety file/documentation requirements.
- OHS documents or actions that are required after contract award, that is, during the execution of the contract, must be included as contractual obligations. The time frame for submission will be negotiated as determined by the cross-functional team appointed by Procurement and Supply Chain Management. The decision will be risk-based, based on the value, duration, complexity, environmental aspects, and impacts and the criticality of the scope of working conditions of any applicable environmental approvals.

OHS Professional presents the:

- OHS Requirements / SHE Specification
- Baseline Risk Assessment

## Contract awarding

- All findings/observations recorded in the OHS tender evaluation report must be addressed with the Supplier at the negotiation meeting. If the contract is signed before addressing the gaps, they should form part of the conditions of the contract, including the time frame allowed to close the findings. The contract should clearly state that no work should commence before the approval of the OHS file.

## Supplier/Contractor/Service provider

- It is the responsibility of the supplier to provide valid and authentic documentation for assessment.
- The Supplier may seek guidance, clarity, and advice from Eskom to comply with the requirements of this standard (excluding the tender phase).
- The Supplier must comply with, and adhere to, OHS legislation and Eskom OHS requirements at all times when conducting work for or on behalf of Eskom or any of its subsidiaries.
- The Supplier, as a legal entity, must be conversant with OHS legal obligations related to the works tendered for.
- Each site or premises of Eskom and its subsidiaries has/have different OHS site-specific requirements, and it is the responsibility of the Supplier to ensure that those requirements are met before work can commence. Approval from one site/premises does not automatically provide authorisation to execute work at another site that is outside the jurisdiction of the authorising OHS personnel, even if the scope is similar.

Questions????

**Thank you**

