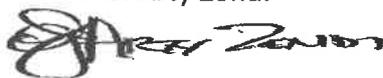


**37.2 Agreement in terms of Occupational  
Health and Safety Act No. 85 of 1993**



Document Title	37.2 Agreement in terms of the OHS Act of 1993
Client	eThekweni Municipality – Architectural Dept.
Project Name	Supply Deliver Install and Commission of Generator and UPS installation at Chatsworth cash office.
Contract Number	CSA - 3218
Revision	01
Date	23/05/2023
Internal Reference no.	37.2 AGM/033/05/2023
Compiled by (Safety officer)	Name and surname: Siya Nkosi Signature:  Date: 23 May 2023
Reviewed by (Manager: Safety & Risk)	Name and surname: Arty Zondi Signature:  Date: 23 May 2023



# **ETHEKWINI MUNICIPALITY**

## **OCCUPATIONAL HEALTH AND SAFETY**

### **OCCUPATIONAL HEALTH AND SAFETY ACT 1993, (ACT NO. 85 OF 1993) MANDATORY AGREEMENT – 37.2**

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#### **Contractor Acknowledgement of Responsibility in terms of the Occupational Health and Safety Act**

A written agreement between ETHEKWINI Municipality (the “employer”)

And

(the “Contractor”)

as provided for in terms of Section 37 (2) of the Occupational Health and Safety Act No.85 of 1993 as amended by Act 181 of 1993.

I hereby declare that I, ....., am authorised to represent the “Contractor” and acknowledge that the “mandatory” is an employer with all duties and responsibilities as prescribed in the Occupational Health and Safety Act no. 85 of 1993.

I agree to ensure that all work performed, or machinery and plant used by the “Contractor” on any ETHEKWINI Municipality premises shall be in accordance with the provisions of the said Act.

Furthermore, I agree the “Contractor” shall comply with all ETHEKWINI Municipality site rules and safety, health, and environmental requirements as may be communicated or stipulated by ETHEKWINI Municipality prior to and during any Contract awarded to the “Contractor” by ETHEKWINI Municipality.

Furthermore, I undertake to ensure that ETHEKWINI Municipality is timeously informed should the “Contractor”, for whatever reason, be unable to perform in terms of this agreement.

The Contractor must compile a health and safety file that would be approved by Occupational Health and Safety Unit.

The Contractor must conduct activity risk assessments, develop written safe working procedures, and train all employees on risk assessment and safe working procedures.

The Contractor’s driver must obey the traffic signs and speed limit within eThekwini Municipality premises.

The Contractor shall ensure his/her vehicle is in good working condition and safe for use, and that they are used in accordance with their design and intended use.

The Contractor must ensure that all his or her employees have a valid medical certificate of fitness.

The Contractor shall ensure that all employees under his/her control are wearing the appropriate Personal Protective Equipment for the job.

The Contractor must provide a fully equipped first aid box with a trained employee to administer first aid treatment in line with Unit Standards.

The Contractor shall ensure a high level of housekeeping on site, adequate care must be taken by the contractor to ensure that storage and stacking are correctly and safely carried out, on completion of the work.

The Contractor must be registered and in good standing with the Compensation for Occupational Injuries and Diseases Commissioner.

The Contractor must comply with the Code of Practice for Managing Exposure to COVID-19 in the Workplace dated 24 June 2022

The Contractors must ensure that appropriate safety symbolic signs are displayed when working.

The Contractor shall comply with Construction Regulation 13 when erecting the Generator platform.

The Contractor must be familiar with the area or facility's Emergency Evacuation Plan and appoint his/her emergency team.

The Contractor shall conduct daily toolbox talks with its employees and keep attendance records.

The Contractor shall designate a competent electrician in writing who shall control all electrical installations. All temporary electrical installations used by the contractor are inspected at least once a week by a competent person and the inspection findings are recorded in a register kept on the construction site.

The provisions of Regulations 5, 6 & 9 of the Electrical Installation Regulations shall be followed in every detail.

The Contractor must be familiar with proper lock-out and permit-to-work systems to ensure that work is done, and the health and safety requirements are considered.

The Contractor shall designate in writing the Supervisor who manages the new generator's installation and commissioning process.

Signed this .....day of .....20.....

On behalf of the "Contractor" (print).....

(sign) .....

On behalf of the "employer" (print).....

(sign) .....