

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

The specific requirements that will be mandatory for informing the tenderer and the requirements that the tenderer must comply with when submitting the tender returnable:

**NOTE: The tenderer must understand the Occupational Health & Safety (OHS) requirements listed hereunder.**

## 1. Requirements

The principal contractor is expected to comply to the following documents when working at/rendering a service to Eskom but not limited to the following:

- a) Occupational Health and Safety Act 85 of 1993 and all applicable regulations
- b) Compensation for Occupational Diseases and Illnesses Act 130 of 1993
- c) Eskom SHEQ Policy 32-727
- d) Eskom Occupational Health & Safety Risk Assessment Procedure 32-520
- e) Eskom Life Saving Rules Procedure, 240-62196227 and Eskom Life Saving Rules Acknowledgment Form, 240-4392180.
- f) Eskom Occupational Health & Safety Incident Management Procedure, 32-95
- g) Eskom Employees Right of refusal to Work in an Unsafe Situation Procedure 240-43848327.
- h) Eskom Vehicle and Driver Safety Management Procedure, 240-62946386
- i) Eskom Personal Protective Equipment (PPE), 240-44175132
- j) Eskom Substance Abuse, 32-37
- k) Eskom Behavioural Safety Observations, 32-407
- l) Project Baseline Risk Assessment (BRA)
- m) Emergency Planning Standard 32-123.
- n) Method statement for the provision of a cybersecurity advisory, vulnerability assessment, threat intelligence, penetration testing, incident response, and cybersecurity regulatory and legal support consulting services

**Please note** that after contract award, the contractor shall submit site specific documentation for evaluation and there will be site specific readiness evaluation. The contractor shall be expected to comply with the site-specific requirements.

## 2. Cost allocation for OHS Compliance


The Contractor shall ensure that the submitted bid adequately made provision for the cost of all Occupational Health and Safety measures based on the overall contracted scope of the project.

Note, the costing for OHS shall be detailed and itemised based on the overall contracted scope of the project in the Bill of Quantity (BoQ).

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### 3. Induction

Eskom shall endeavour to provide induction where reasonably practicable based on mutual arrangement between the specific site (contractor) and the client. Where physical contact not possible, the client will provide the induction virtually or provide the material (presentation slides) to be used by the contractor where practical.

**NB!** *The principal contractor/supplier shall conduct their own induction to its own employees/visitors/suppliers.*

### 4. Penalties

Penalties shall be enforced on the principal contractor (supplier) for non-conformance/s (identified for the sub-contractors/suppliers) pertaining to Eskom and/or Statutory OHS requirement/s.

**5. Medical Surveillance Programme** The Contractor (Incubates) shall ensure that his employees are registered on a medical surveillance programme and are in possession of a valid medical fitness certificate (Annexure 3).

The 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.

### 6. Training

The Contractor shall ensure that the resources to work on the project have the required related training, knowledge, and experience specific to the scope of work/services (task to be executed). (All the certificates shall be valid and issued by the training service provider that is registered as per SETA/SAQA requirements. The training certificate as a minimum shall have attendee name, course name and Unit Standard, the training date and duration, issue date, SAQA registration number, supplier details clearly indicated on the certificate.

### 7. 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.

### 8. OHS Audits

Eskom reserves the right to conduct unannounced inspections/audits to ensure compliance to legal & other requirements, and provide assurance to the Client representatives and their key stakeholders

### 9. Incident Investigation

The Contractor 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)

### 10. Emergency Care

The contractor shall prepare an emergency preparedness plan for site, plan and schedule the drills thereafter share the report with the Client. This should be in line with the Emergency Planning standard 32-123.

### 11. Risk Assessment

The Contractor shall prepare, provide, maintain and update (at defined intervals) a Baseline Risk Assessment in line with their scope of work and, in alignment with Eskom 32-520 procedure and/or acceptable methodology.


### 12. OHS Performance Status Reports

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

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Reporting must be submitted as per the agreed date.

**13. OHS Act 37(2) agreement**

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).

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

Signed at ..... on ..... day of ..... 20.....

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

-----  
 Signature

-----  
 Date

Witness 1 .....

Witness 2 .....

**Public**

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