AnnexureB: 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.

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:
   a. Occupational Health and Safety requirements provided by Client for the 60-month contract for the provision of Property Management and Land Development Valuations for the Cape Coastal Cluster (EC &WC).
   b. Constitution of the Republic of South Africa Act, 1996 (No. 108 of 1996).
   c. Occupational Health and Safety Act, 1993 and Regulations (Act No. 85 of 1993).
   d. Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993).
   e. National Environmental Management Act, 1998 (Act No.107 of 1998).
   f. Basic Conditions of Employment Act, 1997 (No. 75 of 1997).
   g. Employment Equity Act, 1998 (Act No. 55 of 1998).
   h. National Road Traffic Act, 1996 (Act No. 93 of 1996).

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).

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 requirement/s.

3. Ensure that all employees (Contractors/ Suppliers) undergo the relevant Eskom induction and the company's induction

4. Management of Contractors/ Suppliers

The main Contractor/ Supplier:

a) Has to demonstrate to Eskom the process and selection criteria applied when appointing contractors and suppliers.
b) Has to provide notification to Eskom, prior to the appointment of contractors or suppliers for the commencement of work.
c) Has to ensure that contractors/ suppliers have adequate resources and competencies.
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.
e) The main supplier shall monitor contractors or suppliers through audits and assessments with regard to OHS compliance during the execution of the work.
f) The grounds for the termination of work done by contractors/suppliers shall be provided by the main supplier.
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.
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

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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.

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

Company/Supplier Name: ----------

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

---------- ----------

Signature **Date**

Witness 1 ……..

Witness 2 …….

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