

SPECIFICATION E4E PRASA (2004)

PASSENGER RAIL AGENCY OF SOUTH AFRICA

SAFETY ARRANGEMENTS AND PROCEDURAL COMPLIANCE WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT (ACT 85 OF 1993), CONSTRUCTION REGULATIONS, 2014 AND OTHER APPLICABLE REGULATIONS

1. General

- 1.1 The Contractor and PRASA are individual employers, each in its own right, with their respective duties and obligations set out in the Occupational Health and Safety Act, Act 85 of 1993 (the Act) and applicable Regulations.
- 1.2 The Contractor accepts, in terms of the General Conditions of Contract and in terms of the Act, his obligations as an employer in respect of all persons in his employ, other persons on the premises or the Site or place of work or on the work to be executed by him, and under his control. He shall, before commencement with the execution of the contract work, comply with the provisions set out in the Act, and shall implement and maintain a Health and Safety Plan as described in the Construction Regulations, 2014 and as approved by PRASA, on the Site and place of work for the duration of the Contract.
- 1.3 The Contractor accepts his obligation to complying fully with the Act and applicable Regulations notwithstanding the omission of some of the provisions of the Act and the Regulations from this document.
- 1.4 PRASA accepts, in terms of the Act, its obligations as an employer of its own employees working on or associated with the site or place of work, and the Contractor and Project Manager or his deputy shall at all times, co-operate in respect of the health and safety management of the site, and shall agree on the practical arrangements and procedures to be implemented and maintained during execution of the Works.
- 1.3 In the event of any discrepancies between any legislation and this specification, the applicable legislation will take precedence.

1. Definitions

- 2.1 In this Specification any word or expression to which a meaning has been assigned in the Construction Regulations, shall have the meaning so assigned to it, unless the context otherwise indicates: -
- 2.2 The work included in this Contract shall for the purposes of compliance with the Act be deemed to be "**Construction Work**", which, in terms of the Construction Regulations, 2014 means any work in connection with: -
- (a) the construction, erection, maintenance, alteration, renovation, repair, demolition or dismantling of or addition to a building or any similar structure;
 - (b) 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
- 2.3 "**competent person**" means a person who---
- (a) has in respect of the work or task to be performed the required knowledge, training and experience and where applicable qualifications specific to the work or task being performed: Provided that where appropriate qualifications and training are registered as per the South African Qualifications Authority Act, 2000 (Act No 67 of 2000) those qualifications and training must be regarded as the required qualifications and training; and
 - (b) is familiar with the Act with the applicable regulations made under the Act
- 2.4 "**Contractor**" means a principal contractor appointed by the client to perform construction work and a "sub contractor" means an employer who performs construction work as defined by the Construction Regulations, 2014.
- 2.5 "**fall protection plan**" means a documented plan, of all risks relating to working from fall risk position, considering the nature of work undertaken, and setting out the procedures and methods applied in order to eliminate the risk; and a rescue plan and procedures.

- 2.6 **“health and safety file”** means a file, or other record in permanent form, containing the information required to be kept on site in accordance with the Act and applicable Regulations;
- 2.7 **“Health and Safety Plan”** means a site, activity or project specific documented plan which addresses the hazards identified and include safe work procedures to mitigate, reduce or control the hazards identified, in accordance with clients health and safety specifications;
- 2.8 **“Risk Assessment”** means a programme to determine any risk associated with any hazard at a construction site, in order to identify the steps needed to be taken to remove, reduce or control such hazard;
- 2.9 **“the Act”** means the Occupational Health and Safety Act No. 85 of 1993.
- 2.10 **“Client”** means any person for whom construction work is being performed
- 2.11 **“construction work permit”** means a document issued in terms of regulation 3 of the construction regulations
- 2.12 **“fall risk”** means any potential exposure to falling either from, off or into

3. Procedural Compliance

- 3.1 The Client who intends to carry out any construction work must at least 30 days before carrying out such work, apply to the Provincial Director in writing for a construction work permit if the construction work will:-
- (a) exceed 180 days,
 - (b) will involve more than 1800 person days of construction work, or
 - (c) the works contract is of the value equal to or exceeding thirteen million rand, or Construction Industry Development Board (CIDB) grading level 6
- 3.2 The notification to the Provincial Director shall be on a form similar to Annexure 1 of the Construction Regulations, 2014, also shown in Annexure 1 to Annexure P of this Specification. The Contractor shall ensure that a copy of the completed notification form is kept on site for inspection by an inspector, Project Manager or employee.
- 3.3 The provincial director must issue the construction work permit in writing and assign a site specific work number for each construction site, the principal contractor must display the number issued by the Provincial Director on the main entrants to the site for which that

number is assigned. The work permit number is not transferable.

- 3.4 The copy of the construction work permit must be kept on the health and safety file for inspection by the provincial director, or employee

3.5 The Contractor who intends to carry out any construction work other than work contemplated in 3.1 above must at least 7 days before carrying out such work, notify the Provincial Director in writing in a form similar to Annexure 2 to Annexure P if the intended construction work will;

- (a) include excavation work;
- (b) the working at height where there is risk of falling;
- (c) will include the demolition of a structure; or
- (d) includes the use of explosives to perform construction work

- 3.6 The Contractor shall, in accordance with the Act and applicable Regulations, make all the necessary appointments of competent persons in writing on a form similar to Annexure 3 of this Specification and deliver copies thereof to the Project Manager and/or Consultant. Copies should also be retained on the health and safety file. The principal contractor must be appointed in writing.

- 3.7 Subcontractors shall also make the above written appointments and the Contractor shall deliver copies thereof to the Project Manager and/or Consultant.

- 3.8 In the case of a self-employed Contractor or any subcontractor who has the appropriate competencies and supervises the work himself, the appointment of a construction supervisor in terms of regulation 6.1 of the Construction Regulations, 2014 will not be necessary. The Contractor shall in such a case execute and sign a declaration, as in Annexure 4, by which he personally undertakes the duties and obligations of the "Chief Executive Officer" in terms of section 16(1) of the Act.

- 3.9 The Contractor shall, before commencing any work, obtain from the Project Manager and/or Consultant an access certificate as in Annexure 5 executed and signed by him, permitting and limiting access to the designated site or place of work by the Contractor and any subcontractors under his control.

- 3.10 Procedural compliance with Act and Regulations, as above, shall also apply to any subcontractors as employers in their own right. The Contractor shall furnish the Project Manager and/or Consultant with full particulars of such subcontractors and shall ensure that they comply with the Act and Regulations and PRASA's safety requirements

and procedures.

4. Special Permits

Where special permits are required before work may be carried out such as for hotwork, isolation permits, work permits and occupations, the Contractor shall apply to the Project Manager and/or Consultant or the relevant authority for such permits to be issued. The Contractor shall strictly comply with the conditions and requirements pertaining to the issue of such permits.

5. Health and Safety Programme

5.1 The Tenderer shall, with his tender, submit a Health and Safety Programme setting out the practical arrangements and procedures to be implemented by him to ensure compliance with the OHS Act and Regulations and particularly in respect of: -

(i) The provision, as far as is reasonably practical, of a working environment that is safe and without risk to the health of his employees and subcontractors in terms of Section 8 of the Act;

(ii) the execution of the contract work in such a manner as to ensure in terms of section 9 of the Act that persons other than those in the Contractor's employment, who may be directly affected by the contract work are not thereby exposed to hazards to their health and safety;

(iii) ensuring, as far as is reasonably practical, in terms of section 37 of the Act that no employee or Contractor does or omits to do any act which would be an offence for the Principal Contractor to do or omit to do.

5.2 The Contractor's Health and Safety Programme shall be based on a risk assessment in respect of the hazards to health and safety of his employees and other persons under his control that are associated with or directly affected by the Contractor's activities in performing the contract work and shall establish precautionary measures as are reasonable and practical in protecting the safety and health of such employees and persons.

5.3 The Contractor shall cause a risk assessment contemplated in clause 5.2 above to be performed by a competent person, appointed in writing, before commencement of any Construction Work and reviewed during construction. The Risk Assessments shall form

part of the Health and Safety programme to be applied on the site and shall include at least the following:

- (a) The identification of the risks and hazards that persons may be exposed to;
- (b) the analysis and evaluation of the hazards identified;
- (c) a documented Health and Safety Plan, including safe work procedures to mitigate, reduce or control the risks identified;
- (d) a monitoring and review plan.

5.4 The Health and Safety Plan shall include full particulars in respect of: -

- (a) The safety management structure to be instituted on site or place of work and the names of the Contractor's health and safety representatives and members of safety committees where applicable;
- (b) the safe working methods and procedures to be implemented to ensure the work is performed in compliance with the Act and Regulations;
- (c) the safety equipment, devices and clothing to be made available by the Contractor to his employees;
- (d) the site access control measures pertaining to health and safety to be implemented; open and keep a health and safety file on site with all the documentation required by the Act
- (e) the arrangements in respect of communication of health and safety related matters and incidents between the Principal Contractor, his employees, contractors and the Project Manager and/or Consultant with particular reference to the reporting of incidents in compliance with Section 24 and General Administrative Regulation 8 of the Act and with the pertinent clause of the General Conditions of Contract forming part of the Contract and;
- (f) the introduction of control measures for ensuring that the Safety Plan is maintained and monitored for the duration of the Contract.

5.5 The Health and Safety programme shall be subject to the Project Manager's and/or

Consultant's approval and he may, in consultation with the Contractor, order that additional and/or supplementary practical arrangements and procedures be implemented and maintained by the Contractor or that different working methods or safety equipment be used or safety clothes be issued which, in the Project Manager's and/or Consultant's opinion, are necessary to ensure full compliance by the Contractor with his obligations as an employer in terms of the Act and Regulations. The Project Manager and/or Consultant or his deputy shall be allowed to attend meetings of the Contractor's safety committee as an observer.

- 5.6 The Contractor shall take reasonable steps to ensure that each subcontractor's Health and Safety Plan is implemented and maintained on the construction site: Provided that the steps taken, shall include periodic audits at intervals mutually agreed to between the them, but at least once every month.
- 5.7 The Principal Contractor shall stop any contractor from executing any construction work, which is not in accordance with the Principal Contractor's, and/or contractor's Health and Safety Plan for the site or which poses a threat to the health and safety of persons.
- 5.8 The Principal Contractor shall ensure that a copy of the Health and Safety Plan is available on site for inspection by an inspector, Project Manager and/or Consultant, agent, subcontractor, employee, registered employee organisation, health and safety representative or any member of the health and safety committee.
- 5.9 The Principal Contractor shall consult with the health and safety committee or, if no health and safety committee exists, with a representative group of employees, on the development, monitoring and review of the Risk Assessment.
- 5.10 The Principal Contractor shall ensure that all employees under his control are informed, instructed and trained by a competent person regarding any hazard and the related work procedures before any work commences, and thereafter at such times as may be determined in the Risk Assessment
- 5.11 The Principal Contractor shall ensure that all contractors are informed regarding any hazard as stipulated in the Risk Assessment before any work commences, and thereafter at such times as may be determined in the Risk Assessment.
- 5.12 The Principal Contractor shall ensure that all visitors to a construction site undergoes health and safety induction pertaining to the hazards prevalent on the site and shall be provided with the necessary personal protective equipment

6. Fall Protection Plan

- 6.1 In the event of the risk and hazard identification, as required in terms of clause 5.3 of this Specification, revealing risks relating to working from an elevated position the contractor shall cause the designation of a competent person, responsible for the preparation of a fall protection plan;
- 6.2 The Contractor shall implement, maintain and monitor the fall protection plan for the duration of Contract. The Contractor shall also take such steps to ensure the continued adherence to the fall protection plan.
- 6.3 The fall protection plan shall include: -
- (a) A Risk Assessment of all work carried out from fall risk position;
 - (b) the procedures and methods to address all the identified risks per location;
 - (c) the process for the evaluation of the employees medical fitness necessary to work at fall risk positions and records thereof;
 - (d) the training of employees working from fall risk positions and records thereof;

the procedure addressing the inspection, testing and maintenance of all fall protection equipment.

The rescue plan detailing the necessary procedure, personnel and suitable equipment required to affect a rescue of the person in the event of the fall incident to ensure that the rescue procedure is implemented immediately following the incident

1. Hazards and Potential Hazardous Situations

The Principal Contractor and the Project Manager and/or Consultant shall immediately notify one another of any hazardous or potentially hazardous situations which may arise during performance of the Contract by the Contractor and, in particular, of such hazards as may be caused by the design, execution and/or location and any other aspect pertaining to the contract work.

8. Health and Safety File

- 8.1 The Principal Contractor shall ensure that a health and safety file is opened and kept on

site and shall include all documentation required as per the Act and applicable regulations, and made available to an inspector, the Project Manager and/or Consultant, or contractor upon request.

8.2 The Principal Contractor shall ensure that a copy of the both his Health and Safety Plan as well as any contractor's Health and Safety Plan is available on request to an employee, inspector, contractor or the Project Manager and/or Consultant.

8.3 The Principal Contractor shall hand over a consolidated health and safety file to the Project Manager and/or Consultant upon completion of the Construction Work and shall in addition to documentation mentioned in the Act and applicable Regulations include a record of all drawings, designs, materials used and other similar information concerning the completed structure.

9. Structures

9.1 The Contractor must ensure that all reasonable steps are taken to prevent the uncontrolled collapse of new or existing structures or any part thereof, and that no structure or part of the structure is loaded in a manner which will render it unsafe. Inspections of the structures should be done periodically by a competent person and the structure must be maintained in such a manner that it remains safe for continued use.

9.2 The drawings pertaining to the design of such structures are kept on site and are available on request to the chief inspector, or any employee.

10. Temporary Works

10.1 The Contractor must appoint a temporary works designer in writing, to design, inspect approve erected temporary works on site before use. The contractor must ensure that all temporary works operations are carried out under the supervision of the appointed competent person for that purpose. No contractor may use a temporary works design and drawing for any works other than its intended purpose. Adequate training must be provided for persons required to move, erect or dismantle temporary works to perform those functions safely. Inspections of the temporary works structures should be done before, during and after the placement of concrete, after inclement weather or any other imposed load and periodically by a competent person and the temporary works structure must be maintained in such a manner that it remains safe for continued use.

10.2 The detailed activity specific drawings pertaining to the design of such temporary works

structures are kept on site and are available on request to the chief inspector, or any employee.

11. Excavation

- 11.1 The Contractor must ensure that excavation work is carried out under the supervision of the appointed competent person for that purpose and evaluate, as far as reasonably practicable, the stability of the ground before excavation works begins. The contractor must take reasonable and sufficient steps, in order to prevent any person from being buried or trapped by a fall or dislodgement of material in an excavation. Accessible excavation work must be adequately protected by a barrier or fence with an applicable warning for employees or public persons.
- 11.2 The contractor must ensure that all requirements of the Construction Regulations as promulgated in 2014 are adhered to.

12. Demolition Works

- 12.1 The Contractor must appoint a competent person in writing to supervise and control all demolition work on site. The contractor must ensure that before any demolition works is carried out, and in order to ascertain the method of demolition to be used, a detailed structural engineering survey of the structure to be demolished is carried out by a competent person and that a method statement on the procedure to be followed in demolishing the structure is developed by that person. During a demolition, the competent person must check the structural integrity at intervals determined by the method statement to avoid any premature collapses. The contractor must ensure that no material is dropped to any point, which falls outside the exterior walls of the structure, unless the area is effectively protected. Where a risk assessment indicates the presence of asbestos and lead, a contractor must ensure that work is conducted in accordance with the promulgated Asbestos Regulation and Lead Regulations respectively. Waste and debris of such work are as soon as reasonably applicable removed and disposed of from the site in accordance with the applicable legislation.
- 12.2 The promulgated construction regulations must be adhered to all times during demolition work.

13. Scaffolding

- 13.1 The Contractor must appoint a competent person in writing to ensure that all scaffolding work operations are carried out under his or her supervision and that all scaffold erectors, team leaders and inspectors are competent to carry out their work.
- 13.2 A contractor using access scaffolding must ensure that such scaffolding when in use, complies with the safety standards incorporated for this purpose into these Regulations under section 44 of the Act.

14. Suspended Platforms

- 14.1 The Contractor must appoint a competent person in writing to ensure that all suspended platforms work operations are carried out under his or her supervision and that all suspended platforms erectors, team leaders and inspectors are competent to carry out their work.
- 14.2 No contractor may use or permit the use of suspended platforms unless: -
- (a) the design, stability and construction thereof complies with safety standards;
 - (b) he or she is in possession of the certificate of system design issued by a professional engineer, certified engineer or a professional technologist for the use of the suspended platform systems;
 - (c) before any commencement of work appoint a competent person for such work, ensure competency of erectors, operators and inspectors, performance test results are available, ensure that procedures and records of inspections and maintenance have been carried out.
- 14.3 The Contractor must submit a copy of a suspended works system design including a copy of operational design calculations, sketches and test results to the provincial director before commencement of the use of the system and must further indicate the intended type of work that the system will be used for
- 14.2 The contractor must ensure that all requirements of the Construction Regulations as promulgated in 2014 are adhered to.

15. Rope Access Work

- 15.1 The Contractor must appoint a competent person in writing to supervise all rope access work on site, including the duty of ensuring occupational health and safety compliance in relation to rope access work. Rope access operators must be competent and licensed to carry out their work.
- 15.2 No contractor may use or permit the use of rope access unless: -
- the design, selection and use of equipment and anchors complies with safety standards;
- he or she is in possession of the site specific fall protection plan developed by a competent person applicable to the specific work and environment prior to commencement of the work;
- 15.3 The contractor must ensure that adequate measures are in place to allow rescue procedures to commence immediately in the event of a fall incident taking place.

16. Bulk Mixing Plant

- 16.1 The Contractor must ensure that the operation of a bulk mixing plant is supervised by a competent person who has been appointed in writing.
- 16.2 No person supervising or operating the bulk mixing plant may authorize any other person to operate the plant unless competent to operate the bulk mixing plant.
- 16.3 The contractor must ensure that all requirements of the bulk mixing plant are complied with.

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

Regulation 3(2) of the Construction Regulations, 2014

APPLICATION FOR A PERMIT TO DO CONSTRUCTION WORK

1 Name and postal address of the client:

2 Details of the Agent/ Consultant

(a) Title, Surname and Initials: _____

(b) Identity number/Passport number: _____

(c) Registration number with SACPCMP: _____

(d) Office tel. number and/or mobile number: _____

(e) Postal Address: _____

3 Name, postal address and tel. number of appointed principal contractor:

4 Name, postal address and tel. number of designer(s) of the project:

5 5. Name, postal address tel. number of the following persons:

(a) Construction Manager: _____

(b) Construction Health and Safety Manager:

(d) Construction Health and Safety Officer:

6 6. Exact physical address of the construction and site office:

7 7. Nature of the construction work:

8. Expected commencement date: _____

9. Expected completion date: _____

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10 Estimated maximum number of persons on the construction site: _____

11.Planned number of contractors on site accountable to the principle contractor:

12.Name(s) of contractors appointed: _____

Signature of Client/Clients Agent/ Consultant

Signature of Principal Contractor

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Regulation 4 of the Construction Regulations, 2014

NOTIFICATION OF CONSTRUCTION WORK

1(a) Name and postal address of principal contractor:

(b) Name and tel. no of principal contractor's contact person:

2. Principal contractor's compensation registration number:

3. (a) Name and postal address of client:

(b) Name and tel. no of client's contact person or agent/ Consultant:

4. (a) Name and postal address of designer(s) for the project:

(b) Name and tel. no of designer(s) contact person:

5. Name and telephone number of principal contractor's construction supervisor on site appointed in terms of regulation 8(1)

6. Name/s of principal contractor's construction sub-ordinate supervisors on site appointed in terms of regulation 8(2).

7. Exact physical address of the construction site or site office:

8. Nature of the construction work:

9. Expected commencement date: _____

10. Expected completion date: _____

11. Estimated maximum number of persons on the construction site:

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Total: _____ Male: _____ Female: _____

12. Planned number of contractors on the construction site accountable to the principle contractor: _____

13. Name(s) of contractors already selected:

Principal Contractor

Date

Clients Agent / Consultant (where applicable)

Date

Client

Date

THIS DOCUMENT IS TO BE FORWARDED TO THE OFFICE OF THE DEPARTMENT OF LABOUR **PRIOR TO COMMENCEMENT** OF WORK ON SITE.

ALL PRINCIPAL CONTRACTORS THAT QUALIFY TO NOTIFY MUST DO SO EVEN IF ANOTHER PRINCIPAL CONTRACTOR ON THE SAME SITE HAD DONE SO PRIOR TO THE COMMENCEMENT OF WORK.

	 PASSENGER RAIL AGENCY OF SOUTH AFRICA

(COMPANY LETTER HEAD)

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT 85 OF 1993):

SECTION/REGULATION: Construction Regulations, 2014

REQUIRED COMPETENCY: Fall protection, temporary works designer, excavation supervisor, demolition works supervisor, scaffolding operator, suspended platform operator, rope access supervisor, bulk mixing plant supervisor, construction vehicle and mobile plant operator _____

In terms of _____ I, _____

representing the Employer) do hereby appoint _____

As the Competent Person on the premises at _____

(physical address) to assist in compliance with the Act and the applicable Regulations.

Your designated area/s is/are as follows: -

Date: _____

Signature: - _____

Designation: - _____

	 PASSENGER RAIL AGENCY OF SOUTH AFRICA

ACCEPTANCE OF DESIGNATION

*I, _____do hereby accept this Designation and
acknowledge that I understand the requirements of this appointment.*

Date: _____

Signature: - _____

Designation: - _____

	 PASSENGER RAIL AGENCY OF SOUTH AFRICA

COMPANY LETTER HEAD)

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT 85 OF 1993):

DECLARATION

In terms of the above Act I, _____ am personally assuming the duties and obligations as Chief Executive Officer of the Contractor, defined in Section 1 of the Act and in terms of Section 16(1), I will, as far

as is reasonably practicable, ensure that the duties and obligations of the Contractor as contemplated in the above Act are properly discharged.

Signature: - _____

Date: _____

(LETTER HEAD OF BUSINESS DIVISION OR UNIT OF PRASA)

SITE ACCESS CERTIFICATE

Access to: _____(Area)

Name of Contractor/Builder: - _____

Contract/Order No.: _____

The contract works site/area described above are made available to you for the carrying out of associated works

In terms of your contract/order with

(Company)_____

Kindly note that you are at all times responsible for the control and safety of the Works Site, and for persons under your control having access to the site.

As from the date hereof you will be responsible for compliance with the requirements of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) as amended, and all conditions of the Contract pertaining to the site of the works as defined and demarcated in the contract documents including the plans of the site or work areas forming part thereof.

Signed: _____

Date: _____

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PROJECT MANAGER

ACKNOWLEDGEMENT OF RECEIPT

Name of Contractor/Builder: - _____I,

**_____ do hereby
acknowledge and accept the duties and obligations in respect of the Safety of the
site/area of Work in terms of the Occupational Health and Safety Act; Act 85 of 1993.**

Name: _____

Designation: _____

Signature: _____

Date: _____

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