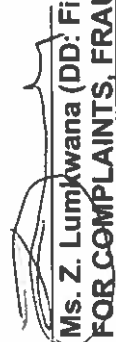




## ERRATUM/ADDENDUM

EPARTMENT/ INSTITUTION	BID NUMBER & PROJECT DESCRIPTION	CONTACT PERSON
Dept of Public Works & Infrastructure	<p><b>SCMU5-26/27-0001NMM: REQUEST TO APPOINT A SERVICE PROVIDER TO RENDER CLEANING SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE AT OLD FORD HOUSE BUILDING IN GQEBERHA FOR A PERIOD OF TWENTY-FOUR (24) MONTHS.</b></p> <p><b><u>REASON FOR ERRATUM/ADDENDUM</u></b></p> <ol style="list-style-type: none"> <li>1. Incorrect attached project specific occupational health and safety specification for GRASS CUTTING, BUSH CLEARING AND MAINTENANCE SERVICES.</li> <li>2. The correct one should be project specific occupational health and safety specification for CLEANING SERVICES. Attached on this erratum/addendum is a correct Occupational health and safety specification for CLEANING SERVICES.</li> </ol> <p>Important Information:</p> <ul style="list-style-type: none"> <li>• All other terms and conditions of the bid remain unchanged.</li> </ul>	<p><b>SCM SPECIFIC ENQUIRIES</b>            Email Address: <a href="mailto:Devin.Jackson@ecdpw.gov.za">Devin.Jackson@ecdpw.gov.za</a>            Tel No: 041 390 9061</p> <p><b>TECHNICAL /PROJECT SPECIFIC ENQUIRIES</b>            Ms Yolanda Zicina            Tel No: 041 390 9178            Cell: 079 883 3946            Email Address: <a href="mailto:yolanda.zicina@ecdpw.gov.za">yolanda.zicina@ecdpw.gov.za</a></p>

The Department regrets any inconveniences this may/might have caused

  
**Ms. Z. Lumkwana (DD: Financial Management)**  
**FOR COMPLAINTS, FRAUD, & TENDER ABUSE: Call: 0800 701 170**

12/05/2024  
 Date



Province of the  
**EASTERN CAPE**  
PUBLIC WORKS & INFRASTRUCTURE



# **PROJECT SPECIFIC OCCUPATIONAL HEALTH AND SAFETY SPECIFICATION**

**FOR**

**CLEANING SERVICES:**

For Department of Public Works & Infrastructure at old Ford  
House Building in Gqeberha

**MANAGED BY**

**THE DEPARTMENT OF  
PUBLIC WORKS & INFRASTRUCTURE**

**(THE "CLIENT")**



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## 1. PREAMBLE

This 'Health and Safety Specifications' document is governed by the "Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), hereinafter referred to as 'The Act'. Notwithstanding this, cognizance should be taken of the fact that no single Act or its set of Regulations can be read in isolation. Furthermore, although the definition of Health and Safety Specifications stipulates 'a documented specification of all health and safety requirements pertaining to associated cleaning services for Government Department facilities, so as to ensure the health and safety of persons', it is required that the entire scope of the Labour legislation, including the Basic Conditions of Employment Act and Disaster Management Act be considered as part of the legal compliance system. With reference to this specification document this requirement is limited to all health, safety and environmental issues pertaining to the site of the project as referred to here-in. Despite the foregoing it is reiterated that environmental management shall receive due attention.

Prior to drafting the Health and Safety Plan, and in consideration of the information contained here-in, the contractor shall set up a Risk Assessment Program to identify and determine the scope and details of any risk associated with any hazard on site, in order to identify the steps needed to be taken to remove, reduce or control such hazard. *This Risk Assessment and the steps identified will be the basis or point of departure for the Health and Safety Plan.* The Health and Safety Plan shall include documented 'Methods of Statement' detailing the key activities to be performed in order to reduce as far as practicable, the hazards identified in the Risk Assessment.

In this a high premium is to be placed on the health and safety of the most valuable assets of the Department of Public Works and Infrastructure. These are its personnel, the personnel of its Clients and the physical assets of which it is the custodian and may also include the public as well. The responsibilities the Department and relevant stakeholders have toward its employees and other people present in the facilities or on the sites are captured further in this specification document. These responsibilities stem from both moral, civil and a variety of legal obligations. The Principal Contractor is to take due cognizance of the above statement.

Every effort has been made to ensure that this specification document is accurate and adequate in all respects. Should it however, contain any errors or omissions they may not be considered as grounds for claims under the contract for additional reimbursement or extension of time, or relieve the Principal Contractor from his responsibilities and accountability in respect of the project to which this specification document pertains. Any such inaccuracies, inconsistencies and/or inadequacies must immediately be brought to the attention of the Agent and/or Client.

## 2. SCOPE OF HEALTH AND SAFETY SPECIFICATION DOCUMENT

These Specifications should be read in conjunction with the Act, the General Safety Regulations and all other Regulations and Safety Standards which were or will be promulgated under the Act or incorporated into the Act and be in force or come into force during the effective duration of the project. The stipulations in this specification, as well as those contained in all other documentation pertaining to the project, including contract documentation and technical specifications shall not be interpreted, in any way whatsoever, to countermand or nullify any stipulation of the Act, Regulations and Safety Standards which are promulgated under, or incorporated into the Act.

This health and safety specification in respect of a cleaning contract for DPWI:

- a) provides the overarching framework within which the contractor is required to demonstrate compliance with certain requirements for occupation health and safety established by the Occupational Health and Safety Act of 1993 during cleaning contract;
- b) establishes the manner in which the contractor is to manage the risk of health and safety incidents in during the cleaning; and
- c) establishes the manner in which the employer's health and safety representative will interact with the contractor.

Note 1 This specification establishes generic requirements to enable the employer and the contractor to satisfy aspects of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) and the General Safety Regulations.



The contractor is required to develop, implement and maintain package specific health and safety plans. The employer is required to provide certain package specific information to the contractor or a health and safety specification for the works to enable such plans to be formulated. Accordingly, this generic specification on its own cannot ensure compliance with the requirements of the aforementioned Act (See attached cleaning specification)

**Note 2:** Department of Public Works and Infrastructure require an employer to stop executing work which is not in accordance with the contractor's health and safety plan for the site or which poses to be a threat to the health and safety of persons. **Note 3:** This specification establishes generic health and safety requirements. Site specific requirements for health and safety are stated in the scope of work associated with a contract (See attached cleaning specification).

### 3. PURPOSE

The Department is obligated to implement measures to ensure the health and safety of all people and properties affected under its custodianship or contractual commitments, and is further obligated to monitor that these measures are structured and applied according to the requirements of these Health and Safety Specifications.

The purpose of this specification document is to provide the relevant Principal Contractor (and his / her contractor) with any information other than the standard conditions pertaining to cleaning which might affect the health and safety of persons at work and the health and safety of persons in connection with the use of equipment, chemicals, plant and machinery; and to protect persons other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work during cleaning for the Department of Public Works and Infrastructure. The Principal Contractor (and his /her contractor) is to be briefed on the significant health and safety aspects of the project and to be provided with information and requirements on inter alia:

- a) Safety considerations affecting the site of the project and its environment;
- b) Health and safety aspects of the associated structures and equipment;
- c) Submissions on health and safety matters required from the Principal Contractor (and his /her contractor); and
- d) The Principal Contractor's (and his /her contractor) health & safety plan.

To serve to ensure that the Principal Contractor (and his /her contractor) is fully aware of what is expected from him/her with regard to the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) and the Regulations made there-under including the applicable safety standards. To inform the Principal Contractor that the Occupational Health and Safety Act, 1993 (Act 85 of 1993) in its entirety shall apply to the contract to which this specification document applies. The General Safety Regulations promulgated on 30 May 1986.

### **CREATING AND MAINTAINING A SAFE AND HEALTHY WORK ENVIRONMENT**

#### **General**

The contractor shall with respect to the site and the cleaning work that are contemplated:

1. cause a preliminary hazard identification to be performed by a competent person before commencing any physical activity;
2. evaluate the risks associated with the identified hazard to the health and safety of such employees and the steps that need to be taken to comply with the Act; and
3. as far as is reasonably practicable, prevent the exposure of such employees to the hazards concerned or, where prevention is not reasonably practicable, minimize such exposure.

The contractor shall ensure that:



The contractor shall carry out regular inspections and audits in a form of routine check-ups on a register/ checklist to ensure that the work is being performed in accordance with the requirements of this specification.

#### 4. DEFINITIONS

The most important definitions in the Act and Regulations pertaining to this specification document are hereby extracted.

**Act:** The Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)

**Accident** – means unplanned occurrence that happens due to the unsafe condition and may cause injury to a person, damage to the property, material, plant, equipment and the environment;

**Agent** – means any person who acts as a representative for a client. The word agent, in some instances, may be used interchangeable with the Clients Health and Safety Representative.

**Client** means Department of Public Works and Infrastructure

**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 for that work or task: Provided that where appropriate qualifications and training are registered in terms of the provisions of the National Qualifications Framework Act, 2000 (Act No.67 of 2000), those qualifications and that training must be regarded as the required qualifications and training; and

- (b) Is familiar with the OHS Act, Act 85 of 1993 and with the applicable regulations made under the Act;

**Contract Amount** Financial value of the contract at the time of the award of the contract, exclusive of all allowance and any value added tax or sales tax which the law requires the employer to pay to the contractor.

**Contractor:** person or organization that contracts to provide the work covered by the contract

**Contract manager:** person appointed by the employer to administer the contract on his behalf

**CR** – Means Construction Regulation 2014

**Danger:** anything which may cause injury or damage to persons or property

**Employer:** person or organization that enters into a contract with the contractor for the provision of the work covered by the contract

**ergonomics:** the application of scientific information concerning humans to the design of objects, systems and the environment for human use in order to optimise human well-being and overall system performance.

**Fall Protection Plan** means a documented plan, which includes and provides for-

- All risks relating to working from a fall risk position, considering the nature of work undertaken;
- The procedures and methods to be applied in order to eliminate the risk of falling; and
- A rescue plan and procedures;

**GSR** – Means General Safety Regulations

**H&S** – health and safety

**Hazard:** a source of or exposure to danger

**Hazard identification:** the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of work being executed or to be executed.

**Health and Safety File** – means a file, or other record in permanent form, containing the information required and contemplated in the regulations;

**Health and safety plan:** a documented plan which addresses hazards identified and includes safe work procedures to mitigate, reduce or control the hazards identified.

**Health and safety specification:** a site, activity or project specific document pertaining to all health and safety requirements related to cleaning which is included in the contractor's contract with the employer or an order issued in terms of framework agreement

**Healthy:** free from illness or injury attributable to occupational causes



**Incident:** an event or occurrence occurring at work or arising out of or in connection with the activities of persons at work, or in connection with the use of plant or machinery, in which, or in consequence of which:

- a) any person dies, becomes unconscious, suffers the loss of a limb or part of a limb or is otherwise injured or becomes ill to such a degree that he is likely either to die or to suffer a permanent physical defect or likely to be unable for a period of at least 14 days either to work or to continue with the activity for which he was employed or is usually employed;
- b) a major incident occurred; or
- c) the health or safety of any person was endangered and where:
  - i) a dangerous substance was spilled;
  - ii) the uncontrolled release of any substance under pressure took place;
  - iii) machinery or any part thereof fractured or failed resulting in flying, falling or uncontrolled moving objects; or machinery ran out of control

**Inspector:** a person designated as such under section 28 the Act

**Major incident:** an occurrence of catastrophic proportions, resulting from the use of cleaning equipment, chemicals, plant or machinery, or from activities at a workplace.

**Manager** means a competent person responsible for the management of the physical cleaning processes and the coordination, administration and management of resources on a cleaning site;

**Medical Certificate of Fitness** means a certificate specific to service to be rendered that has to be issued by an Occupational Health Practitioner in the form of Annexure 3

**Risk** – means the likelihood that harm will occur and the subsequent consequences.

**Risk assessment** – means a process to determine any risk associated with any hazard at a construction site in order to identify the steps needed to be taken to mitigate, reduce or control such hazards.

**Safe:** free from any hazard

**Scaffold:** any temporary elevated platform and supporting structure used for providing access to and supporting workmen or materials or both

**Site** means a work place where service is to be rendered;

**Structure:**

- a) any building, steel or reinforced concrete structure (not being a building), railway line or siding, bridge, waterworks, reservoir, pipe or pipeline, cable, sewer, sewage works, fixed vessels, road, drainage works, earthworks, dam, wall, mast, tower, tower crane, bulk mixing plant, pylon, surface and underground tanks, earth retaining structure or any structure designed to preserve or alter any natural feature, and any other similar structure;
- b) any false work, scaffold or other structure designed or used to provide support or means of access during construction work; or
- c) any fixed plant in respect of cleaning work which includes installation, commissioning, decommissioning or dismantling and where any cleaning work involves a risk of a person falling

**Substance:** any solid, liquid, vapor, gas or aerosol, or combination thereof

**Suitable:** capable of fulfilling or having fulfilled the intended function or fit for its intended purpose

**Supervisor** means a competent person responsible for supervising cleaning activities on site;

**Temporary works:** any false work, formwork, support work, scaffold, shoring or other temporary structure designed to provide support or means of access

**Workplace:** any premises or place where a person performs work in the course of his employment



## 5. OCCUPATIONAL HEALTH & SAFETY MANAGEMENT

### 5.1 Structure and Organization of OH&S Responsibilities

#### 5.1.1. Overall Supervision and Responsibility for OH&S

- a) The Client and/or its Agent on its behalf to ensure that the Principal Contractor, appointed in terms of OHS Act 85 of 1993 under General Safety Regulation, implements and maintains the agreed and approved H&S Plan. Failure on the part of the Client or Agent to comply with this requirement will not relieve the Principal Contractor from any one or more of his/her duties under the Act and Regulations.
- b) The Chief Executive Officer of the Principal Contractor in terms of Section 16 (1) of the Act to ensure that the Employer (as defined in the Act) complies with the Act. The pro forma Legal Compliance Audit may be used for this purpose by the Principal Contractor or his/her appointed contractor.
- c) All OH&S Act (85 /1993), Section 16 (2) appointee/s as detailed in his/her/their respective appointment forms to regularly, in writing, report to their principals on matters of health and safety per routine and ad hoc inspections and on any deviations as soon as observed, regardless of whether the observation was made during any routine or ad hoc inspection and to ensure that the reports are made available to the principal Contractor to become part of site records (Health & Safety File).
- d) The Cleaning Manager and or Cleaning Supervisor appointed in writing, report to their principals on matters of health and safety per routine and ad hoc inspections and on any deviations as soon as observed, regardless of whether the observation was made during any routine or ad hoc inspection and to ensure that the reports are made available to the principal Contractor to become part of site records (Health & Safety File).

#### 5.1.2 Required appointments as per the Construction Regulations: -

Item	Regulation	Appointment	Responsible Person
1.	5(1)(k)	Principal contractor for each phase or project	Client
2.	5(6)	Construction Health & Safety Agent	Client
3.	7(1)(c)	Contractor	Principal Contractor
4.	7(3)	Contractor	Contractor
5.	10(1)	Fall protection planner	Contractor
6.	12(1)	Temporal work designer	
7.	12(2)	Supervisor of temporal work operation	
8.	14(2)	Scaffold supervisor	Contractor
9.	23(1)	Operator : construction vehicle and mobile plant	Contractor
10.	28 (a)	Stacking and storage supervisor	Contractor
11.	29 (h)	Fire equipment inspector	Contractor

## 5.2 Communication, Participation & Consultation

- 5.2.1 Communication may be directly to the Client, verbally or in writing, as and when the need arises.
- 5.2.2 Consultation with the workforce on OH&S matters will be through their Supervisors and Client H&S officials
- 5.2.3 The Principal Contractor will be responsible for the dissemination of all relevant OH&S information to the other Contractors e.g. instructions by the Client and exchange of information between Contractors, the reporting of hazardous/dangerous conditions/situations etc.



## 6. INTERPRETATION

- a) The Act and its associated regulations shall have precedence in the interpretation of any ambiguity or inconsistency between it and this specification.
- b) Compliance with the requirements of this specification does not necessarily result in compliance with the provisions of the Act.
- c) The Occupational Health and Safety Act and all its Regulations, with the exception of the General Safety Regulation and Construction Regulations, distinguish between the roles, responsibilities and functions of employers and employees respectively. It views consultants and contractors as employees of the "owner" of an operational project, the "owner" being regarded as the employer.
- d) The position taken by the Construction Regulations is that the "owner", in terms of its instructions, operates (has to operate) in the role of client as per relevant definition. The contractors working for the "client" are seen to be in two categories, i.e. the Principal Contractor and Contractors.
- e) The Principal Contractor has to take full responsibility for the health and safety on the site of the relevant project / contract. This includes monitoring health and safety conditions and overseeing administrative measures required by the Construction Regulations from all contractors on the project site.
- f) The words **Principal Contractor** and **Contractor** in this document are used interchangeable, unless clearly expressed otherwise to mean something else e.g. when used to describe roles, responsibilities, functions, acts or omissions of the sub-contractor(s).

## 7. RESPONSIBILITIES

### 7.1 Client

- a) The Client will appoint each Principal Contractor for this project or phase/section of the project in writing for assuming the role of Principal Contractor as intended by the Construction Regulations.
- b) The Client or his appointed Agent on his behalf shall discuss and negotiate with the Principal Contractor the contents of the health and safety plan of the both Principal Contractor and Contractor for approval.
- c) The Client or his appointed Agent on his behalf will take reasonable steps to ensure that the health and safety plan of both the Principal Contractor and Contractor is implemented and maintained. The steps taken will include periodic audits at intervals of at least once a month or once in 30 days.
- d) The Client will prevent the Principal Contractor and/or the Contractor from commencing or continuing with cleaning work should the Principal Contractor and/or the Contractor at any stage in the execution of the works found:
  - have failed to have complied with any of the administrative measures required by the Regulations or OHS act in preparation for the cleaning project or any physical preparations necessary in terms of the Act;
  - have failed to implement or maintain their health and safety plan;



- have executed cleaning work which is not in accordance with their health and safety plan; or
- act in any way which may pose a threat to the health and safety of any person(s) present on the site of the works or in its vicinity, irrespective of him/them being employed or legitimately on the site of the works or in its vicinity.

## 7.2 Principal Contractor

- a) The Principal Contractor shall accept the appointment under the terms and Conditions of Contract. The Principal Contractor shall sign and agree to those terms and conditions and shall, before commencing work.
- b) The Principal Contractor shall ensure that he is fully conversant with the requirements of this Specification and all relevant health and safety legislation.
- c) The Principal Contractor will in no manner or means be absolved from the responsibility to comply with all applicable sections of the Act, the Construction Regulations or any Regulations proclaimed under the Act or which may perceivable be applicable to this contract.
- d) The Principal Contractor shall provide and demonstrate to the Client a suitable and sufficiently documented health and safety plan based on this Specification, the Act and the Construction Regulations, which shall be applied from the date of commencement of and for the duration of execution of the works. This plan shall, as appendices, include the health and safety plans of all Sub-contractors for which he has to take responsibility in terms of this contract.
- e) **The Principal Contractor shall provide proof of his registration and good standing with the Compensation Fund or with a licensed compensation insurer prior to commencement with the works.**
- f) The Potential Principal Contractor shall, in submitting his tender, demonstrate that he has made provision for the cost of compliance with the specified health and safety requirements, the Act and Regulations. (Note: This shall have to be contained in the conditions of tender upon which a tenderer's offer is based.)
- g) The Principal Contractor shall consistently demonstrate his competence and the adequacy of his resources to perform the duties imposed on the Principal Contractor in terms of this Specification, the Act and the Construction Regulations.
- h) The Principal Contractor shall ensure that a copy of his health and safety plan is available on site and is presented upon request to the Client, an Inspector, Employee or Sub-contractor.
- i) The Principal Contractor shall ensure that a health and safety file, which shall include all documentation required in terms of the provisions of this Specification, the Act and the Construction Regulations, is opened and kept on site and made available to the Client or Inspector upon request. Upon completion of the works, the Principal Contractor shall hand over a consolidated health and safety file to the Client.
- j) The Principal Contractor shall, throughout execution of the contract, ensure that all conditions imposed on his Sub-contractors in terms of the Act and the Construction Regulations are complied with as if they were the Principal Contractor.
- k) The Principal Contractor shall from time to time evaluate the relevance of the Health and Safety Plan and revise the same as required, following which revised plan shall be submitted to the Client for approval.



### 7.3 Contractor / sub-contractor

The contractor must demonstrate to the Principal Contractor that he/she has the necessary competencies and resources to perform work contracted for safely.

Acceptance by the Principal Contractor of the contract with Department of Public Works and Infrastructure shall constitute acknowledgement that the Principal Contractor has familiarized him/herself with the contents of the OHSE Spec and that he/she will comply with all its obligations in respect thereof.

Due to fact that this document is based on legislative requirements, the Client requires that all Contractors comply with the requirements of this document and all other relevant legislative requirements not covered by this document.

The Client or its duly appointed H&S Representative reserves the right to stop any Principal Contractor or Sub-Contractors from working whenever Safety, Health or Environmental requirements are being violated as required by Construction Regulation 5(1)(q). Any resultant costs of such work stoppages will be for the relevant Contractor's account.

The requirements as specified by the Client in this document must not be deemed to be exhaustive and the Client reserves the right to make changes as and when the Client deems fit to address issue of OHSE Compliance.

The Client will not entertain any claim of any nature whatsoever which arises as a result of costs incurred or delays being experienced due to the Contractor not complying with the requirements of this document and/or any other applicable legislative requirements imposed on the Contractor.

The contractor may only subcontract work in terms of a written subcontract and shall only appoint a subcontractor should he be reasonably satisfied that such a subcontractor has the necessary competencies and resources to safely perform the work falling within the scope of the contract. Such a subcontract shall require that the subcontractor:

- co-operate with the contractor as far as is necessary to enable both the contractor and sub-contractor to comply with the provisions of the Act; and
- as far as is reasonably practicable, promptly provide the contractor with any information which might affect the health and safety of any person at work carrying out work or any person who might be affected by the work of such a person at work or which might justify a review of the health and safety plan.

The contractor shall provide any sub-contractor who is submitting a tender or appointed to perform a sub-contract falling within the scope of the contract, with the relevant sections of this specification and the health and safety specification.

The contractor shall discuss and negotiate with each subcontractor contracting with them the subcontractor's health and safety plan and approve that plan for implementation.

The contractor shall take reasonable steps as are necessary to ensure that:

- potential contractors submitting tenders have made sufficient provision for health and safety measures during cleaning process;
- each subcontractor is registered and in good standing with the compensation fund or with a licensed compensation insurer prior to their performance of work on site;



- all the subcontractor's employees have a valid medical certificate of fitness specific to the work which are to be performed which is issued by an occupational health and safety practitioner;
- all sub-contractors co-operate with each other to enable each of those sub-contractors to comply with the requirements of the Act and associated regulations;
- each subcontractor performing cleaning work has and maintains a health and safety file containing the relevant information; and
- each sub-contractor's health and safety plan is implemented and maintained.

The contractor shall conduct periodic document verifications and audits for compliance with the approved health and safety plan of each sub-contractor working on the site at intervals agreed upon with such subcontractors, prior to commencing with a service to be executed.

The contractor shall stop any subcontractor from executing work which is not in accordance with the contractor's or subcontractor's health and safety plan for the site or which poses a threat to the health and safety of persons.

The contractor shall ensure that:

- every subcontractor is registered and in good standing with the compensation fund or with a licensed compensation insurer prior to work commencing on site;
- potential subcontractors submitting tenders have made provision for the cost of health and safety measures during the cleaning service process; and
- every subcontractor has in place a documented health and safety plan prior to commencing any work on site which falls within the scope of the contract.

The contractor shall receive, discuss and approve health and safety plans submitted by subcontractors.

The contractor shall ensure that all subcontractors 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.

The contractor shall reasonably satisfy himself that all employees of subcontractors 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.

The contractor shall satisfy himself and ensure that all subcontractor employees deployed in the site 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; and
- issued with proof of health and safety induction training issued by a competent person and carry proof such induction when working on site.

The contractor shall undertake a risk assessment together with subcontractors whenever subcontractor(s) are working in close proximity to other subcontractors particularly working at heights

#### **7.4 Cleaning Manager**

The Chief Executive Officer shall in writing appoint cleaning manager responsible for cleaning activities and ensuring occupational health and safety compliance on site.

A contractor shall after considering the size of the project and if considered necessary, appoint in writing one or more competent employees for different sections of the work as cleaning supervisor to assist the cleaning manager.



### 7.5 Competent persons

The contractor shall appoint in writing competent persons to supervise or inspect, as relevant, any of the following:

- formwork and support work operations;
- scaffolding work operations;
- temporary electrical installations;
- the stacking and storage of articles on the site; and
- fire equipment.

The contractor shall appoint in writing competent persons to:

- induct employees in health and safety; and
- prepare and update as necessary a fall protection plan and to provide the cleaning manager and the client with a copy of the latest version of such plan.

### 7.6 Responsibilities towards employees and visitors

1. The contractor shall as far as reasonably practicable, cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform, any article or substance which he has to produce, process, use, handle, store or transport and any equipment or machinery which he is required or permitted to use, as well as with the precautionary measures which should be taken and observed with respect to those hazards or safe work procedures.
2. The contractor shall ensure that all employees under his or her control and the employees of his subcontractors who are performing cleaning work 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; and
  - issued with proof of health and safety induction training issued by a competent person and carry proof of such induction when working on site.
3. The contractor shall cause a record of training to be kept which indicates the training dates, the names, identity numbers and job description of all those who attended such training and the name, identity number and competence of the person who provided the training.
4. The contractor shall not allow or permit any employee to enter the site, unless such person has undergone health and safety induction training pertaining to the hazards prevalent on the site at the time of entry.
5. The contractor shall provide suitable on-site signage to alert workers and visitors to health and safety requirements. Such signage shall include but not be limited to:
  - a. Caution sign for wet floor
  - b. signage to indicate what personal protective equipment is to be worn; and
  - c. activity related signs.
6. The contractor shall not permit any person who is or who appears to be under the influence of intoxicating liquor or drugs, to enter or remain at a workplace.

## 8. SCOPE OF WORK

See attached cleaning specification.



## 9. PREPARING A HEALTH & SAFETY PLAN

- (a) The level of detail required for a H&S plan will depend on how complex the workplace is (in particular, the number of contractors at the workplace at any one time) and the risks involved in the work. The plan must be easily accessible and readily available and it must be clearly understood by management, supervisors & workers on site.
- (b) The plan must be implemented, maintained and kept up to date during the course of the contract
- (c) The principal contractor should prepare a H&S plan that includes
- project information;
  - client requirements for H&S management on the project;
  - Environmental restrictions and existing on-site risks arrangements imposed by others or developed by the principal contractor, to control significant site H&S risks, H&S file & project H&S review.
- (d) The H&S plan should include the following information:
- details of the client, that is the person commissioning the cleaning contract, for example their name, representative and contact details;
  - details of the principal contractor;
  - details of the cleaning project, for example address of the workplace, anticipated start and end date and a brief description of the type of services to be executed that the H&S plan will cover;
  - details on how subcontractors (if any) will be managed and monitored, including how the principal contractor intends to implement and ensure compliance with the H&S plan such as checking on the performance of subcontractors and how non-compliance will be handled; and
  - details on how the contractor will meet the COVID requirements, how the risks associated with hazardous chemical, falls, falling objects, moving plant, electrical work and all high risk work that will take place on this contract will be managed.
- (e) The H&S plan should also include information on:
- the provision and maintenance of a hazardous chemicals register, safety data sheets and hazardous chemicals storage;
  - the safe use and storage of equipment's;
- (f) The H&S plan must contain:
- a general description of the type of work activities involved in the project and not just a description of the facility to be cleaned;
  - the project program or schedule details, including start and finish dates, showing principal activities;
  - details of client, principal contractor, subcontractors, and major suppliers; and

## 10. HEALTH AND SAFETY FILE

- a) The H&S file is a document prepared by the principal contractor containing important project H&S information for use by the client during and after services has been executed.
- b) The principal contractor is responsible for producing an H&S file. It contains important project H&S information for use by the client during and after services has been executed. It is essential that the process of compiling the file commences as early as possible to ensure sufficient time to gather the required information.



- c) The Principal Contractor must, in terms of Construction Regulation 7(7), keep a Health & Safety File on site at all times that must include all documentation required in terms of the Act and Regulations and must also include a list of all Contractors on site that are accountable to the Principal Contractor and the agreements between the parties and details of work being done. A more detailed list of documents and other legal requirements that must be kept in the Health & Safety File.
- d) The contractor must ensure that the client's format and layout of the H&S file is adhered to.
- e) The Health and Safety File will remain the property of the Client and/or its Agent on its behalf throughout the period of the project and shall be consolidated and handed over to the Client and/or its Agent on its behalf at the time of completion of the project.
- f) The contractor shall establish and maintain on site a health and safety file which contains copies, as relevant of:

the following documents which shall be placed in the file prior to commencing with physical cleaning activities:

- the contractor's health and safety policy, signed by the chief executive officer, which outlines the contractor's objectives and how they will be achieved and implemented by the contractor;
- copies of all risk assessments that were conducted.
- the letters of appointment, as relevant, together with a brief curriculum vita (CV) of:
  - the cleaning manager and cleaning supervisor;
- the risk assessor who is tasked to perform the risk assessments; and
- the preliminary hazard identification undertaken by a competent person;
- the organogram which outlines the roles of the contracted contractor; and
- the contractor's health and safety plan;
- the emergency procedures;
- the procedure for the issuing and replacement of lost, stolen, worn or damaged personal protective clothing and equipment; and
- proof that the contractor and all the subcontractors are registered and in good standing with the compensation fund or with a licensed compensation insurer relevant to the type of work performed;
- the following documents, as relevant, which shall be placed in the file after cleaning activities have commenced;
- the letters of appointments, if relevant, together with a brief curriculum vita (CV) of cleaning manager/ supervisor.
- each and every subcontract agreement and each and every subcontractor's approved health and safety plan;
- proof that every subcontractor is registered and in good standing with the compensation fund or with a licensed compensation insurer relevant to the type of work performed;
- proof of all subcontractor's induction training whenever it is conducted;
- copies of the minutes of the contractor's subcontractor's health and safety meetings;
- copies of each of the contractor's subcontractors' health and safety policy, signed by the chief executive officer, which outlines the contractor's objectives and how they will be achieved and implemented by the contractor;
- the health and safety plans of all the contractor's subcontractors who are required to provide such plans;
- copies of the fall protection plan and each revision thereof;
- a comprehensive and updated list of all the subcontractors employed on site by the contractor, indicating the type of work being performed by such sub-contractors;
- the outcomes of day to day audits (registers of daily routine check-ups) for compliance with the approved health and safety plan of each and every sub-contractor working on the site;
- any report made to an inspector by the health and safety committee;
- the minutes of all health and safety meetings and any recommendations made to the contractor by the health and safety committee;
- the findings of all audit reports made regarding the implementation of the contractor's or a subcontractor's health and safety plan;
- the inputs of the safety officer, if any, into the health and safety plan;
- details of induction training conducted whenever it is conducted including the list of attendees;



## 11. OH&S GOALS AND OBJECTIVES AND ARRANGEMENTS FOR MONITORING AND REVIEWING OH&S PERFORMANCE

The Principal Contractor is required to maintain an acceptable disabling incident frequency rate (DIFR) and report on this to the Client and/or its Agent on its behalf on a monthly basis.

### 11.1 IDENTIFICATION OF HAZARDS AND DEVELOPMENT OF RISK ASSESSMENTS, STANDARD WORKING PROCEDURES (SWP) AND METHOD STATEMENTS

The Principal Contractor is required to develop Risk Assessments, Standard Working Procedures (SWP) and Method Statements for each activity executed in the contract or project.

The identification of hazards is over and above the hazards identification programme and those hazards identified during the drafting of the Health and Safety Plan.

#### 11.1.1 Monthly Audit by Client and/or its H&S Agent.

The Client will be conducting Periodic Audits at times agreed with the Principal Contractor Audit to comply with Construction Regulation 5(1)(o) to ensure that the principal Contractor has implemented, is adhering to and is maintaining the agreed and approved OH&S Plan.

#### 11.1.2 Health & Safety incident/accident reporting & investigations

- a) The Principal Contractor shall report all incidents where an employee is injured on duty to the extent that he/she:
- i. dies
  - ii. becomes unconscious
  - iii. loses a limb or part of a limb
  - iv. is injured or becomes ill to such a degree that he/she is likely either to die or to suffer a permanent physical defect or likely to be unable for a period of at least 14 days either to work or continue with the activity for which he/she was usually employed

OR where:

- i. a major incident occurred
  - ii. the health or safety of any person was endangered
  - iii. where a dangerous substance was spilled
  - iv. the uncontrolled release of any substance under pressure took place
  - v. machinery or any part of machinery fractured or failed resulting in flying, falling or uncontrolled moving objects
  - vi. Machinery ran out of control, to the Provincial Director of the Department of Labour within seven days and at the same time to the Client and/or its Agent on its behalf.
- b) The Principal Contractor is required to provide the Client on its behalf with copies of all statutory reports required in terms of the Act and the Regulations.
- c) The Principal Contractor is required to provide the Client on its behalf with a monthly "SHE Risk Management Report".
- d) The Principal Contractor is required to provide as soon as possible the Client and/or its Agent on its behalf with copies of all internal and external accident/incident investigation reports.  
The Principal Contractor is responsible to oversee the investigation of all accidents/incidents where employees and non-employees were injured to the extent that he/she/they had to receive first aid or be referred for medical treatment by a doctor, hospital or clinic. (General Administrative Regulation 9)



- (a) The results of the investigation to be entered into the Accident/Incident Register listed above. (General Administrative Regulation 9)
- (b) The Principal Contractor is responsible for the investigation of all non-injury incidents as described in Section 24 (1) (b) & (c) of the Act and keeping a record of the results of such investigations including the steps taken to prevent similar incidents in future.
- (c) The Principal Contractor is responsible for the investigation of all accidents relating to the contracted site and keeping a record of the results of such investigations including the steps taken to prevent similar accidents in future.
- (d) Notwithstanding the requirements of Section 24 of the Act, ALL incidents shall be investigated and reported on in writing, irrespective of whether such incident gave rise to injury or damage.
  - Determine the underlying H&S deficiencies and other contributory factors
  - Identification of corrective/preventative actions and continual improvement
  - Communicating the outcome/results and documenting the events of the investigation.

**(e) Reporting of Near-Misses**

- Department of Public Works and Infrastructure views the reporting of near misses as a critical component in creating a positive health and safety awareness culture on site.
- Department of Public Works and Infrastructure retains the right to enforce the reporting of near misses within 24 hours of occurrence.

**12. Review**

The Principal Contractor must provide the Client and/or its Agent on its behalf, other Contractors and all other concerned parties with copies of any changes, alterations or amendments made in the Hazard Identification, Risk Assessment and Standard Work Processes as work develops and progresses.

**12.1 Site Rules and other Restrictions**

**a) Site OH&S Rules**

The Principal Contractor must develop a set of site-specific OH&S rules that will be applied to regulate the Health and Safety Plan and associated aspects of work to be performed. When required for a site by law, visitors and non-employees upon entering the site shall be issued with the proper Personal Protective Equipment (PPE) as and when necessary.

**12.1.1 Training & Awareness**

The contents and syllabi of all training required by the Act and Regulations including any other related or relevant training as required must be included in the Principal Contractor's Health and Safety Plan and Health and Safety File.

**a) Training & Induction**

All employees performing work or task on site that potentially impact on H&S must be competent & have the necessary appropriate education, training & experience.

All the training must be closely aligned with the risk profile of the project; procedures must be put in place to ensure that all workers are aware of the consequences of their work activities & benefits of improved H&S performance.



All employees of the Principal and other Contractors must be in possession of proof of General Induction training

**b) Site Specific Induction Training**

All employees of the Principal and other Contractors must be in possession of Site Specific Occupational Health and Safety Induction or other qualifying training.

**c) Other Training**

All operators, drivers and users of mobile plant and other equipment must be in possession of valid proof of training.

**d) Copy of the Act**

The contractor shall ensure that a copy of the Act and relevant regulations is available on site for inspection by any person engaged in any activity on the site.

**13. PROJECT/SITE SPECIFIC REQUIREMENTS**

The following is a list of specific activities and considerations that have been identified for the project and site and for which Risk Assessments, Standard Working Procedures (SWP), management and control measures and Method Statements (where necessary) have to be developed by the Principal Contractor:

- a) Cleaning of sites
- b) Cutting of grass
- c) Shrub pruning, hedge cutting and tree maintenance
- d) Cleaning of flower beds
- e) Cleaning of fleet vehicles
- f) Cleaning of buildings in general
- g) Cleaning of floor surface
- h) Cleaning of ablution facilities
- i) Cleaning of storerooms
- j) Cleaning of registry/ filing rooms
- k) Cleaning of strong rooms
- l) Cleaning of computer/ server rooms
- m) Cleaning of plans, printing and photocopying rooms
- n) Cleaning of parking areas



**14. OUTLINED DATA, REFERENCES AND INFORMATION ON CERTAIN AND/OR SPECIFIC OBLIGATORY REQUIREMENTS TO ENSURE COMPLIANCE**

**Administrative & Legal Requirements**

OHS Act Section/ Regulation	Subject	Requirements
General Admin. Regulation 4	Copy of OH&S Act (Act 85 of 1993)	<ul style="list-style-type: none"> <li>Updated copy of Act &amp; Regulations on site.</li> <li>Readily available for perusal by employees.</li> </ul>
COID Act Section 80	Registration with Compensation Insurer.	<ul style="list-style-type: none"> <li>Written proof of registration/Letter of good standing available on Site</li> </ul>
Construction Regulation 5(1) & 7	H&S Specification & Program	<ul style="list-style-type: none"> <li>H&amp;S Spec received from Client and/or its Agent on its behalf</li> <li>OH&amp;S program developed &amp; Updated regularly</li> </ul>
Section 8(2)(d) Construction Regulation 7	Hazard Identification & Risk Assessment	<ul style="list-style-type: none"> <li>Hazard Identification carried out/Recorded</li> <li>Risk Assessment and – Plan drawn up/Updated</li> <li>RA Plan available on Site</li> <li>Employees/Sub-Contractors informed/trained</li> </ul>
Section 16(2)	Assigned duties (Managers)	<ul style="list-style-type: none"> <li>Responsibility of complying with the OH&amp;S Act assigned to other person/s by CEO.</li> </ul>
Section 17 & 18 General Administrative Regulations 6 & 7	Designation of Health & Safety Representatives	<ul style="list-style-type: none"> <li>More than 20 employees - one H&amp;S Representative, one additional H&amp;S Rep. for each 50 employees or part thereof.</li> <li>Designation in writing, period and area of responsibility specified in terms of GAR 6 &amp; 7</li> <li>Meaningful H&amp;S Rep. reports.</li> <li>Reports actioned by Management.</li> </ul>
Section 19 & 20 General Administrative Regulations 5	Health & Safety Committee/s	<ul style="list-style-type: none"> <li>H&amp;S Committee/s established.</li> <li>All H&amp;S Reps shall be members of H&amp;S Committees</li> <li>Additional members are appointed in writing.</li> <li>Meetings held monthly, Minutes kept.</li> <li>Actioned by Management.</li> </ul>
Section 37(1) & (2)	Agreement with Mandatories/ Contractors	<ul style="list-style-type: none"> <li>Written agreement with (Sub-)Contractors</li> </ul>



	<b>(Sub-)Contractors</b>	<ul style="list-style-type: none"> <li>List of Subcontractors displayed.</li> <li>Proof of Registration with Compensation Insurer/Letter of Good Standing</li> <li>Written arrangements re.</li> <li>H&amp;S Reps &amp; H&amp;S Committee</li> <li>Written arrangements re. First Aid</li> <li>Incident Reporting Procedure displayed.</li> <li>All incidents in terms of Sect. 24 reported to the Provincial Director, Department of Labor, within 3 days. (Annexure 1) (WCL 1 or 2) and to the Client and/or its Agent on its behalf</li> <li>Cases of Occupational Disease Reported</li> <li>Copies of Reports available on Site</li> <li>Record of First Aid injuries kept</li> <li>All injuries which resulted in the person receiving medical treatment other than first aid, recorded and investigated by investigator designated in writing.</li> <li>Copies of Reports (Annexure 1) available on Site</li> <li>Tabled at H&amp;S Committee meeting</li> <li>Action taken by Site Management.</li> <li>Competent person appointed to draw up the Fall Protection Plan</li> <li>Proof of appointee's competence available on Site</li> <li>Risk Assessment carried out for work at heights</li> <li>Fall Protection Plan drawn up/updated</li> <li>Available on Site</li> <li>Competent person appointed in writing to inspect Cranes, Lifting Machines &amp; Equipment</li> <li>Written Proof of Competence of above appointee available on Site.</li> <li>Cranes &amp; Lifting tackle identified/numbered</li> <li>Register kept for Lifting Tackle</li> <li>Log Book kept for each individual Crane</li> <li>Inspection: - All cranes - <b>daily by operator</b> <ul style="list-style-type: none"> <li>- Tower Crane/s - <b>after erection/6monthly</b></li> <li>- Other cranes - <b>annually by comp. person</b></li> </ul> </li> <li>- Lifting tackle(slings/ropes/chain slings etc.) - daily or before every new application</li> <li>Competent Person/s with specific knowledge and experience designated to</li> </ul>
Section 24 & General Admin. Regulation 8 COVID Act Sect.38, 39 & 41	<b>Reporting of Incidents (Dept. of Labor)</b>	
General Admin. Regulation 9	<b>Investigation and Recording of Incidents</b>	
Construction. Regulation 8	<b>Fall Prevention &amp; Protection</b>	
Construction Regulation Driven Machinery Regulations 18 & 19	<b>Cranes &amp; Lifting Machines Equipment</b>	
General Safety Regulation	<b>Designation of Stacking &amp; Storage</b>	



8(1)(a)	Supervisor.	supervise all Stacking & Storage Written Proof of Competence of above appointee available on Site
Construction Regulation Environmental Regulation 9	<b>Designation of a Person to Co-ordinate Emergency Planning And Fire Protection</b>	<ul style="list-style-type: none"> <li>• Person/s with specific knowledge and experience designated to co-ordinate emergency contingency planning and execution and fire prevention measures</li> <li>• Emergency Evacuation Plan developed:</li> <li>• Drilled/Practiced</li> <li>• Plan &amp; Records of Drills/Practices available on Site</li> <li>• Fire Risk Assessment carried out</li> <li>• All Fire Extinguishing Equipment identified and on <b>register</b>.</li> <li>• Inspected weekly. Inspection Register kept</li> <li>• Serviced annually</li> </ul>
General Safety Regulation 3	<b>First Aid</b>	<ul style="list-style-type: none"> <li>• Every workplace provided with sufficient number of First Aid boxes. (Required where 5 persons or more are employed)</li> <li>• First Aid freely available</li> <li>• Equipment as per the list in the OH&amp;S Act.</li> <li>• One qualified First Aider appointed for every 50 employees. (Required where more than 10 persons are employed)</li> <li>• List of First Aid Officials and Certificates</li> <li>• Name of person/s in charge of First Aid box/es displayed.</li> <li>• Location of First Aid box/es clearly indicated.</li> <li>• Signs instructing employees to report all</li> <li>• Injuries/illness including first aid injuries</li> </ul>
General Safety Regulation 2	<b>Personal Safety Equipment (PSE)</b>	<ul style="list-style-type: none"> <li>• PSE Risk Assessment carried out</li> <li>• Items of PSE prescribed/use enforced</li> <li>• Records of Issue kept</li> <li>• Undertaking by Employee to use/wear PSE</li> <li>• PSE remain property of Employer, not to be removed from premises GSR 2(4)</li> </ul>
General Safety Regulation 13A	<b>Inspection of Ladders</b>	<ul style="list-style-type: none"> <li>• Competent person appointed in writing to inspect Ladders</li> <li>• Ladders inspected at arrival on site and weekly thereafter. Inspections register kept</li> <li>• Application of the types of ladders (wooden, aluminum etc.) regulated by training and inspections and noted in register</li> </ul>



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## 15. THE PRINCIPAL CONTRACTOR'S GENERAL DUTIES

### i. General

- The Principal Contractor shall at all times ensure his status of an “employer” as referred to in the Act, and will abide by his/her responsibilities, duties and functions as per the requirements of the Act and Regulations with specific reference to Section 8 of the Act.
- The Principal Contractor shall keep, and on demand make available, a copy of the Act on site at all times and in addition to that he/she will introduce and maintain a file titled “Health and Safety File”, or other record in permanent form, which shall contain all relevant aspects and information as contemplated in the OHS Act 85 of 1993 under Construction Regulation. He/she will make this file available to the client or his representative whenever necessary or on request to an interested party.
- The project under control of the Principal Contractor shall be subject to periodic health and safety audits that will be conducted by the client at intervals agreed upon between the Principal Contractor and the client, provided such intervals will not exceed periods of one month.
- The Principal Contractor is to ensure that he/she and all persons under his control on the DPWI premises shall adhere to the above specifications.
- The Principal Contractor should note that he/she shall be held liable for any **anomalies** including costs and resulting deficiencies due to delays caused by non-conformance and/or non-compliance to the above Health and Safety Specifications and the Health and Safety Plan based on these specifications.

### ii. Health Risk and Medical Surveillance

- The appropriate SDSs are to be obtained for all products and used to develop the H&S documentation as they relate to the works. All workers (including Contractors) are to be included in the medical surveillance program.
- Ergonomic risks are to be noted, and all workers (including those of Contractors) are to be included in the medical surveillance program.
- All workers (including Contractors) are required to be in possession of a valid medical certificate of fitness prior to commencing work. Arrangements for keeping medical records for the required time are to be noted. It is preferable that the PC has a medical surveillance plan. Full medical records are not to be placed in the H&S file.
- Given the potential health risks the following aspects are to be included in each medical surveillance intervention:
  1. Full medical, surgical and occupational history;
  2. Full physical examination of all systems; and
  3. Referral if required for the management of identified health issues that may affect the worker.
- Specific testing for existing conditions and limitations relative to exposure could include, but are not limited to:
  1. Audiometry (hearing tests); and
  2. Any other tests identified as relevant from chemical or specifically identified risks of exposure

Failure to do so will be considered a serious offence.

### iii. Personal protective equipment and clothing

The contractor shall ensure that:

- all workers are issued with the necessary personal protective clothing;
- all workers are identifiable at all times by having the company for which they work for printed on the back or front of their overalls; and
- clear procedures are in place for the replacement of lost, stolen, worn or damage personal protective clothing.



#### iv. Competent persons

The contractor shall appoint in writing competent persons to supervise or inspect, as relevant, any of the following:

- scaffolding work operations;
- the stacking and storage of articles on the site; and
- fire equipment.

The contractor shall appoint in writing competent persons to:

- induct employees in health and safety; and
- prepare and update as necessary a fall protection plan and to provide the cleaning manager with a copy of the latest version of such plan.

#### 16. THE PRINCIPAL CONTRACTOR'S SPECIFIC DUTIES

The Principal Contractor's specific duties in terms of these specifications are detailed in the General Safety Regulation and Construction Regulations 7 as published under government notice 07 August 2014, stipulated in Section 7.

#### 17. THE PRINCIPAL CONTRACTOR'S SPECIFIC RESPONSIBILITIES WITH REGARD TO HAZARDOUS ACTIVITIES

The following examples of activities are identifiable as hazardous in terms of the General Safety Regulations and Construction Regulations. The contractor shall execute the activities in accordance with the following General Safety Regulations and Construction Regulations and other applicable regulations of the Act:

- Working in elevated positions
- Working in confined spaces
- Use of Hazardous Chemical Substances
- Working at Heights
- Scaffolding
- Water environments
- Bending

This list must not be taken to be exclusive or exhaustive! All of the above requirements will be read in conjunction with the relevant regulations and health and safety standards as required by the Act. All documents and records required by the General Safety Regulations and Construction Regulations will be kept in the Health and Safety File and will be made available at any time when required by the client or his representative, or on request to an interested party.

#### 18. GENERAL NOTES TO THE PRINCIPAL CONTRACTOR

##### i. Legal Framework

Part of legal obligations

The more important Acts and relevant subordinate/secondary legislation as well as other (inter alia Local Government) legislation that also apply to the State as well as to State owned buildings and premises: -

- a. The latest issue of SABS 0142: "Code of Practice for the Wiring of Premises"
- b. The Local Government Ordinance 1939 (Ordinance 17 of 1939) as amended and the municipal by-laws and any special requirements of the local supply authority
- c. The Fire Brigade Services Act 1987, Act 99 of 1987 as amended



- d. The National Building Regulations and Building Standards Act 1977 (Act 103 of 1977) as amended and relevant proclaimed Regulations (SABS 0400)
- e. The Post Office Act 1958 (Act 44 of 1958) as amended
- f. The Electricity Act 1984, Act 41 of 1984
- g. The Regulations of Local Gas Board(s), including Publications of the SABS Standards and Codes of Practice, with specific reference to GNR 17468 dated 4<sup>th</sup> October 1997
- h. Legislation pertaining to water usage and the environment
- i. Legislation governing the use of equipment, which may emit radiation (e.g. X-Rays etc.)
- j. Common Law

## ii. General requirements

The contractor shall:

- a) create and maintain as reasonably practicable a safe and healthy work environment,
- b) execute the work in a manner that complies with all the requirements of the Act and all its associated regulations, and in so doing, minimize the risk of incidents occurring;
- c) respond to the notices issued by the employer's health and safety agent as follows:
  - 1) Improvement Notice: improve health and safety performance over time so that repeat notices are not issued;
  - 2) Contravention Notice: rectify contravention as soon as possible;

Prohibition Notice: terminate affected activities with immediate effect and only recommence activities when it is safe to do so

Note: Financial penalties can be applied should Contravention Notices be issued. This should be dealt under the sub heading "NON-CONFORMANCES" in the same document.

## 19. HOUSE KEEPING

Good housekeeping will be maintained at all times as per Environmental Regulation 6.

Poor housekeeping contributes to three major problems, namely:

1. costly or increased accidents,
2. fire or fire hazards and reduction in production.
3. Good housekeeping will enhance production time.

In promotion of environmental control all waste, rubble, scrap etc., will be disposed of at a registered dump site and records will be maintained. Where it is found to be impractical to use a registered dump site or it is not available, the Principal Contractor will ensure that the matter is brought to record with the client or his representative, after which suitable, acceptable alternatives will be sought and applied.

Dross and refuse from metals, and waste matters or by-products whose nature is such that they are poisonous or capable of fermentation, putrefaction or constituting a nuisance shall be treated or disposed of by methods approved of by an inspector.

NOTE: No employer (Principal Contractor) shall require or permit any person to work at night or after hours unless there is adequate, suitable artificial lighting including support services in respect of Health and Safety.

### Facilities

The site establishment plan shall make provision for:

#### a) Ablution facilities

The provision of ablation facilities shall be negotiated between the Contractor and Department of Public Works and Infrastructure.



**b) Smoking Areas**

Designated smoking areas shall be established by Department of Public Works and Infrastructure.

**c) Drinking Water Facilities**

The provision of drinking water facilities shall be negotiated between the Contractor and Department of Public Works and Infrastructure.

**d) Equipment Compliance Certificates**

Before equipment is brought on site valid certificates of compliance issued by a competent person shall be presented. The equipment includes but shall not be limited to:

- i. lifting equipment and lifting tackle
- ii. power driven machinery
- iii. electrical equipment
- iv. testing and monitoring equipment

**e) Fall Arrest and Prevention Equipment**

Approved fall prevention equipment shall be used at heights of less than 2.0 metres. Above heights of 2.0 metres fall prevention equipment shall include fall arrest Equipment. Users of fall arrest equipment shall, amongst other things be trained in what an appropriate load bearing point is for connecting fall prevention equipment. Any deviation from this requirement shall be negotiated and agreed with Department of Public Works and Infrastructure in writing.

**f) Hazardous Chemical Substances Waste Removal**

Department of Public Works and Infrastructure shall provide a facility to collect all hazardous chemical waste material.

The contractor shall provide adequately marked and sealable containers to transport The hazardous chemical waste from the source to the approved Department of Public Works and Infrastructure disposal point.

**g) Personal Protective Equipment (PPE)**

Personal protective equipment issued shall be specific to the risks associated with the work to be performed and specific to conditions on site and shall comply with South African National Standards (SANS) or similar.

**20. IMPORTANT LISTS AND RECORDS TO BE KEPT**

The following are lists of several records that are to be kept in terms of the Construction Regulations. The lists are:

- i. List of appointments
- ii. List of record keeping responsibilities
- iii. Inspection checklist

**a) Contractor Risk Assessment Process**

The risk assessment process shall include:

- 1) an evaluation of the method of the work to be conducted
- 2) the method statement on the procedure to be followed in performing the task shall be developed



- 3) the risk assessment will also include activities like:
  - i. Transportation of passengers and goods to and from site
  - ii. Site establishment
  - iii. Physical and mental capabilities of employees
  - iv. Others as may be specified.
- 4) the hazards as listed in the paragraph – Site Specific Health and Safety Hazards
- 5) a review plan for risk assessments shall provide for:
  - i. the quarterly review of all applicable risk assessments
  - ii. the review of an assessment if there is reason to believe that the previous assessment is no longer valid, or there has been a change in a process, work methods, equipment or procedures and working conditions
  - iii. Risk assessment/s to be reviewed if the outcome of incident investigations and audits etc. requires such action.

A pre - task risk assessment shall be conducted in writing on every task and be facilitated by the team leader. All risk assessments and pre-task risk assessments shall be filed and be available on site.

**b) Risk Profile**

All contractors shall submit a risk profile of the work to be conducted with their Health and Safety Plan.

**c) Risk Based Inspection Program**

The inspection program shall be risk based. The inspection plan shall form part of the Health and Safety Plan.

**21. MEASUREMENT AND PAYMENT**

The payment items for Occupational Health & Safety are contained in the Bill of Quantities. The same rules are applicable in respect of the pricing of these items as for every other payment item. Attention is drawn to the Pricing Instructions in this document.

**22. NON-CONFORMANCES**

Should, at any time, the works, or part of the works, be stopped due to unsafe acts or non-compliance with the Clients or PCs H&S Plan; neither the PC nor any other Contractor shall have a claim for extension of time or any other compensation.

<b>Minor: Penalty: R50/count</b>	<b>Medium: Penalty: R500/count and a non-conformance</b>	<b>Severe Penalty: R5000/count, a non- conformance and/or activity stoppage</b>
<ul style="list-style-type: none"> <li>• Non-use of PPE supplied</li> </ul>	<ul style="list-style-type: none"> <li>• Toilets not supplied or regularly serviced;</li> <li>• lack of drinking water</li> </ul>	<ul style="list-style-type: none"> <li>• Contractors working without Health and Safety Plan approval</li> </ul>
<ul style="list-style-type: none"> <li>• Non completion of registers for plant and equipment on site</li> </ul>	<ul style="list-style-type: none"> <li>• Contractors not audited</li> </ul>	<ul style="list-style-type: none"> <li>• Workers transported in contravention of the OHS plan or legal requirements</li> </ul>
<ul style="list-style-type: none"> <li>• Lack of H&amp;S signage at work areas</li> </ul>	<ul style="list-style-type: none"> <li>• Working without training or the appropriate, approved H&amp;S method statements</li> </ul>	<ul style="list-style-type: none"> <li>• Invalid Letters of Good Standing</li> </ul>



<b>Minor: Penalty: R50/count</b>	<b>Medium: Penalty: R500/count and a non-conformance</b>	<b>Severe Penalty: R5000/count, a non- conformance and/or activity stoppage</b>
<ul style="list-style-type: none"> <li>Tools and equipment identified in poor condition during inspections</li> </ul>	<ul style="list-style-type: none"> <li>Legal non-conformances identified during the previous audit and not addressed within the agreed time frame</li> </ul>	<ul style="list-style-type: none"> <li>Non-compliance with traffic accommodation requirements: layout or physical conditions</li> </ul>
	<ul style="list-style-type: none"> <li>No monthly OHS report at site meeting to report on</li> </ul>	<ul style="list-style-type: none"> <li>Any serious breach of legal requirements</li> </ul>
	<ul style="list-style-type: none"> <li>No certificates of fitness for workers as required</li> </ul>	
	<ul style="list-style-type: none"> <li>Working without approved method statements</li> </ul>	

### 1. Failure to Comply with Provisions

Failure or refusal on the part of the PC or their Contractors to take the necessary steps to ensure the safety of workers and the general public in accordance with these specifications or as required by statutory authorities or ordered by the engineer, shall be sufficient cause for the engineer to apply penalties as follows:

- (i) A penalty as shown in the Table above shall be deducted for each and every occurrence of non-compliance with any of the requirements of the H&S Specification.
- (ii) In addition, a time-related penalty of R500,00 per hour over and above the fixed penalty may be deducted for non-compliance to rectify any non-conformance within the allowable time after a site instruction to this effect has been given by the Client's representative. The site instruction shall state the agreed time, which shall be the time in hours for reinstatement of the defects. Should the Contractor fail to adhere to this instruction, the time-related penalty shall be applied from the time the instruction was given.

The payment items for Occupational Health & Safety are contained in the Bill of Quantities. The same rules are applicable in respect of the pricing of these items as for every other payment item. Attention is drawn to the Pricing Instructions in this document.

### 23. INSPECTIONS, FORMAL ENQUIRES AND INCIDENTS

1. The contractor shall inform the relevant safety representative:
  - i. beforehand of inspections, investigations or formal inquiries of which he has been notified by an inspector; and
  - ii. as soon as reasonably practicable of the occurrence of an incident on the site.
2. The contractor shall record all incidents and notify the employer's health and safety agent of any incident, except in the case of a traffic accident on a public road, as soon as possible after it has occurred and report such incidence to an inspector of the department of labour and notify the Provincial Director of the Department of Labour of such incident within 7 days on the prescribed form.
3. The contractor shall investigate all incidents and issue the employer's health and safety agent with copies of such investigations.



4. The contractor shall in the event of an incident in which a person dies, or is injured to such an extent that he is likely to die, or suffered the loss of a limb or part of a limb:
  - i. notify the Provincial Director of the Department of Employment & Labor of such incident by telephone, facsimile or similar means of communication;
  - ii. ensure that no person disturbs the site at which the incident occurred or remove any article or substance involved in the incident therefrom, without the consent of an inspector, unless an action is necessary to prevent a further incident, to remove the injured or dead, or to rescue persons from danger;
  - iii. and provide the Provincial Director of the Department of Employment & Labor with a report which includes the measures that the contractor or his subcontractor intend to implement to ensure a safe site as reasonably practicable.
5. The contractor shall notify the Provincial Director of the Department of Employment & Labor of the death of any person which results from injuries sustained in an incident.

#### **24. EMERGENCY PROCEDURES**

The contractor shall submit for acceptance to the employer's health and safety agent an emergency procedure which include but are not limited to fire, spills, accidents to employees, exposure to hazardous substances, which:

- identifies the key personnel who are to be notified of any emergency;
- sets out details including contact particulars of available emergency services; and
- the actions or steps which are to be taken during an emergency.

The contractor shall within 24 hours of an emergency taking place notify the employer's health and safety agent in writing of the emergency and briefly outline what happened and how it was dealt with.



FROM:		TOILET CHECKLIST			TO:
<b>MONDAY</b>	<b>07:30</b>	<b>11:00</b>	<b>14:00</b>	<b>REMARKS</b>	
TOILETS					
T/PAPER					
MIRRORS					
W/H BASINS					
H/WASH LIQUID					
BINS					
FLOORS					
<b>TUESDAY</b>	<b>07:30</b>	<b>11:00</b>	<b>14:00</b>	<b>REMARKS</b>	
TOILETS					
T/PAPER					
MIRRORS					
W/H BASINS					
H/WASH LIQUID					
BINS					
FLOORS					
<b>WEDNESDAY</b>	<b>07:30</b>	<b>11:00</b>	<b>14:00</b>	<b>REMARKS</b>	
TOILETS					
T/PAPER					
MIRRORS					
W/H BASINS					
H/WASH LIQUID					
BINS					
FLOORS					
<b>THURSDAY</b>	<b>07:30</b>	<b>11:00</b>	<b>14:00</b>	<b>REMARKS</b>	
TOILETS					
T/PAPER					
MIRRORS					
W/H BASINS					
H/WASH LIQUID					
BINS					
FLOORS					
<b>FRIDAY</b>	<b>07:30</b>	<b>11:00</b>	<b>14:00</b>	<b>REMARKS</b>	
TOILETS					
T/PAPER					
MIRRORS					
W/H BASINS					
H/WASH LIQUID					
BINS					
FLOORS					

**CLEANING OF TOILETS SHOULD BE DONE BEFORE 08H00 AM**  
**PLEASE REPORT DEFECTS TO \_\_\_\_\_**

**FLOOR:**

**CLEANER NAME:**



**SECTION 37(2) AGREEMENTS**  
**CONCLUDED BETWEEN**  
**DEPARTMENT OF PUBLIC WORKS**  
(Hereinafter referred to as Department of Public Works)

**AND**

.....

**(Name of contractor/supplier/Agent/)**

I, ..... [ (name)representing ..... *[Insert name of contractor/supplier]*, do hereby acknowledge that ..... *[insert name of contractor/supplier]* is an employer in his/her own right, with duties as prescribed in the Occupational Health and Safety Act No. 85 of 1993 ("the Act"), as amended, and agree to ensure that all work will be performed and/or machinery or plant used in accordance with the provisions of the Act.

I undertake that ..... *[insert name of contractor/supplier]* shall strictly adhere to, and ensure that his/her employees adhere to, the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).

I have been provided with SHE specifications for project/service ..... *[insert brief details of project/service, for example, name, contract/project number]* .....and will comply with the requirements set out in these.

I accept and agree that the SHE specifications constitute arrangements and procedures between ..... *[Insert name of contractor/supplier/Agent Safety Manager/Safety Officer]* and Department of Public Works, which will ensure compliance by ..... *[Insert name of contractor/supplier]* with the provisions of the Act, as contemplated in section 37(2) of the Act.

This agreement constitutes the sole agreement between the parties, and no variation, modification, or waiver of any of the provisions of this agreement or consent to any departure from these shall,



in any manner, be of any force or effect, unless confirmed in writing and signed by both parties, and such variation, modification, waiver, or consent shall be effective only in the specific instance and for the specific purpose and to the extent for which it was made or given.

This agreement is signed on behalf of the parties, each signatory to this warranting that he/she has the requisite authority to do so.

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

..... (Place)

(Full name)..... (Signature)..... on

behalf of .....(Supplier/contractor/Agent)

**Contractor Responsible Manager** (*responsible for signing the Department of Public Works' contract on behalf of the contractor*)

Witnesses

1. ....
2. ....

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

at.....(Place)

(Full name..... (Signature)..... on

Behalf of **Department of Public Works.**

**(Contracts and/or Project Manager or Department of Public Works representative)**

Witnesses

1. ....
2. ....



**PROJECT:** \_\_\_\_\_  
(full name AND site address of project)  
(and full or proper description of project)

**SCMU NO:** \_\_\_\_\_

**SUPERVISION BY THE DEPARTMENT OF PUBLIC WORKS**

**Mr /Ms/Me** - **PROJECT MANAGER**  
(add full details of the project manager)  
.....  
.....

**Mr /Ms/Me** - **MANAGER**  
(add full details)  
.....  
.....

**Mr /Ms/Me** **PRINCIPAL AGENT:**  
(full particulars of agent)  
.....  
.....

**SUPERVISION BY THE PRINCIPAL CONTRACTOR:**

**PRINCIPAL CONTRACTOR:** (full particulars of principle contractor / contractor)  
.....  
.....

**Mr /Ms/Me** - **CLEANING MANAGER**  
(add full details of the head of the project)  
.....  
.....