



## FOSKOR (PTY) LIMITED

### SCOPE OF WORK

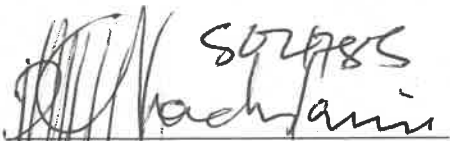
for


**Environmental Management Plan (EMPr) Annual External Audit at Foskor mine**  
**(Three-year contract)**

#### DOCUMENT AND SERVICE CONTRACT APPROVAL

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#### **1. INTRODUCTION**

Foskor (Pty) Ltd. is an opencast mining and beneficiation operation situated in Phalaborwa. The core business of the Phalaborwa operation is the mining and beneficiation of phosphate rock. (The Foskor operation situated in Richards Bay is primarily a producer of phosphoric acid, phosphate-based fertilizers, and lower volumes of sulphonic acid).

Foskor (Pty) Ltd (Mining Division) is an Open Cast Mine that produces phosphate rock for export or domestic beneficiation. Approximately 2.2 million tons of phosphate rock is produced annually. The product is finely ground apatite mineral from coarsely crystalline calcium-fluoride-phosphate compound of igneous origin. The intermediate and final products are for the domestic and international markets and provide the following advantages:

- Make South Africa self-sufficient from phosphate imports.
- Earn foreign currency from the export of the products.
- Create approximately 2000 direct job opportunities, with associated indirect job opportunities in the Greater Phalaborwa region.

The dominating rock type in the Phalaborwa area, older than 3000 million years, is granite-gneiss of the Archaic Complex. Intrusive in this are younger rock types of the Phalaborwa Igneous Complex. Inclusions of serpentine, talc and amphibole schist are found in the granite-gneiss and igneous rock.

#### **2. BACKGROUND**

Foskor is currently in possession of a mining right issued by the Department of the Mineral and Energy (DMRE) in 2009 and valid until 2039 and in support of the mining right is the consolidated Environmental Management Plan which was approved by DMRE in 2014 and the EMPr comes with specific conditions that Foskor should abide and comply with to ensure sustainable mining taking cognizance of the environmental responsibility and protection and one such condition requires that Foskor appoint an independent external auditor to assess compliance with the conditions of the EMPr as well as to confirm the continued adequacy of the EMPr.

### 3. SCOPE

The purpose of the audit is to ensure compliance with the requirements of the EMPr and. Additionally the audit must evaluate current environmental management and mitigation measures implemented and determine whether these are aligned with the requirements and commitments within the EMPr, relevant environmental legislation and it also assesses whether the prescribed measures in the EMPr are applicable.

The scope of the audit is to assess compliance with the conditions of the EMPr as well as to confirm the continued adequacy of the EMPr. The audit seeks to cover the following scope of work or part thereof:

- To determine: the level of performance against, and compliance of Foskor with the provisions of the EMPr.
- The extent of EMPr compliance
- The consistency of mine activities with activities provided for in the EMPr.
- The ability of the measures contained in the EMPr, to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the mining activity.
- The accuracy and effectiveness of data reporting processes to ensure the integrity of the reported data.
- To identify opportunities for improvement and make recommendations.

#### 3.1. METHODOLOGY

- Foskor Consolidated EMPr will be provided to the service provider to prepare an audit checklist based on the requirements of the EMPr. Where possible, documentation and records will be made available electronically for review prior to the site visit. Site visit must be undertaken by the external auditor to the mine to do site verification for the determination of compliance to the Foskor EMPr. A recognized predetermined scoring criteria must be documented and used for the evaluation of compliance and the results or findings must be presented in a report format with the recommendation for improvement based on the findings and observations.

### 4. DELIVERABLES

Deliverables include:

- Audit criteria for checklist
- Documented Audit methodology and scoring criteria.
- Audit report and all supporting documents

***Note: A non-compulsory site visit can be arranged prior to submission of the quotations***

### 5. BASIC SPECIFICATIONS, REQUIREMENTS AND RESPONSIBILITIES

The successful bidder is responsible to:

- a) Comply with all the specifications and requirements of this document.
- b) Comply to all the requirements of Foskor COP 25, Service Provider Control (Available on request).
- c) Supply and transport to site all labour, skill, expertise, and supervision.
- d) Supply required PPE (Personal Protection Equipment) and safety equipment to safely conduct the required service.

**6. LEGISLATIVE- AND REGULATORY REQUIREMENTS**

- 7.1 The successful or appointed service provider shall comply with:
- a) The Mines Health and Safety Act with Regulations (Latest revision)
  - b) The National Road Traffic Act with Regulations (Latest revision)
  - c) All applicable national and international legislative requirements and regulations.
- 7.2 The successful or appointed service provider shall comply with the latest revisions of all Foskor COP's and SOP's (Compendium of Procedures, Standard Operating Procedures) (COP's, policies and procedures are available on request) and
- a) Any other Foskor safety, health, quality and environmental policies and procedures deemed applicable by a Foskor representative.
  - b) All other Foskor procedures and policies applicable to the successful application of this contract.
- 7.3 The successful or appointed service provider shall comply with all Foskor's Environmental Specifications, Policies and Procedure and also the national, provincial and local environmental legislation such as
- a) National Environmental Management Act 107 of 1998 (NEMA)
  - b) National Environmental Management Waste Act 59 of 2008 (NEMWA) as amended.
  - c) The successful service provider shall include in his/her SAFETY FILE, and comply with, the following documents:
    - i. Environmental Aspect and Impact Register (Applicable to this contract).
    - ii. Environmental Objectives and Targets (Applicable to this contract).
    - iii. Waste Management Plan (Applicable to this contract).
    - iv. FOSKOR Atmospheric Emissions License (Copy available on request)
    - v. FOSKOR Waste Management Licence (Copy available on request)
    - vi. FOSKOR Water Use Licence (Copy available on request)
- 7.4 The successful or appointed service provider shall ensure that all his/her on-site employees have been authorised by a Foskor regulation 2.13.1 appointee to:
- a) Perform job specific *hazard identification and risk assessments* (Foskor Annexure 1.3)
  - b) Operate trackless mobile machinery service provider employees (Foskor Annexure 59.7B)
  - c) Work at height (Foskor Annexure 96.1)
  - d) Any other Foskor activity requiring authorisation as deemed applicable by a Foskor representative.
- 7.5 Before entering and operating a service vehicle (Own vehicle) on the Foskor site, the appointed service provider shall:
- a) Ensure that:
    - i. In order to access in restricted areas, his vehicle has been fitted with an "internal safety cell" (ROPS – Roll Over Protection Structure) that has been designed, fabricated, tested and certified to comply with

the requirements of ISO 3471:2008 - EARTH-MOVING MACHINERY – ROLL-OVERPROTECTIVE STRUCTURES or similar specification.

ROPS COMPLIANCE CERTIFICATES (Fabrication and Installation) TO PRESENTED DURING VEHICLE INSPECTION (See item 5.b.ii)

- ii. His driver/s are in possession of a valid national driver's licence for the specific class of vehicle, has been tested by the Foskor mobile equipment training centre and authorised by a Foskor MHSA (Mines Health and Safety Act) regulation 2.13.1 appointee for the class of vehicle to be used on site.
- iii. His driver/s has been tested by the Foskor mobile equipment training centre and authorised by a Foskor MHSA (Mines Health and Safety Act) regulation 2.13.1 appointee to operate a vehicle in the mine open pits (Restricted or red-flag areas)  
(Contact the Foskor mobile equipment training centre on 015 789 2840 to make an appointment for competence testing and authorisations)
- b) The appointed service provider shall, before entering and operating a vehicle on the Foskor premises:
  - i. Obtain permission from the Foskor Safety & Security manager to operate his nominated service vehicle/s on the Foskor site. (Forms will be provided)
  - ii. Obtain a certificate of fitness from the Foskor Light Vehicle maintenance workshop supervisor or appointed Foskor inspector for his nominated service vehicle/s. Inspections conducted daily between 08:00 and 08:30 and between 13:30 and 14:00 (Excluding Fridays) at the Light Vehicle Maintenance workshop.
  - iii. Submit the above permission and COF in at the main security office for issue of a vehicle access disk.
- c) Ensure that his service vehicles have been inspected (Daily) in accordance with the Foskor standard (COP 59) to ensure that they are safe and fit for use. (Forms will be provided)
- d) See Foskor COP 59, Trackless Mobile Machinery for details.

7.6 Before entering and operating/working on the Foskor site the appointed service provider shall ensure that his driver/workmen are:

- a) Briefed on the required task and have been informed of any abnormal conditions/situations.
- b) Physically, emotionally, and mentally fit to perform their duty.
- c) Issued with the necessary PPE (Personal Protective Equipment) to safely operate his service vehicles and perform the required services on mine and enroute to the waste disposal sites.
- d) Before commencement of work:
  - i. All tools and equipment shall have been inspected and tested to be in a good and safe working order.
  - ii. All workmen have participated in the completion of a standard Foskor site risk assessment (Commonly known as a HIRA or Hazard Identification and Risk Assessment) and taken appropriate actions to mitigate any identified hazards.

7.7 Before entering and operating/working on the Foskor site the appointed service provider shall ensure that his portable electrical equipment has been tested and declared safe to use by the Foskor electrical services workshop.

- 7.8 Before accessing overhead cranes and/or vehicle post lifts whereupon work is to be conducted, the equipment shall be locked out at the power source. The lock shall be marked and tagged. The tag shall contain the service providers business name, employee name responsible for lock and contact numbers. See Foskor COP 53, Lock-out system, and usage for details.
- 7.9 Although every effort has been made to ensure that the information contained within this document is correct, it remains the responsibility of the bidder to verify actual status and site conditions. (A site visit can be arranged)

## 7. PERMIT TO WORK

Before any on-site work under this contract may commence, the appointed or successful service provider shall obtain from Foskor a PERMIT TO WORK. The following guidelines are provided in order to assist the appointed service provider in obtaining a PERMIT TO WORK. (See Foskor COP 28, Permit to work and COP 25, Service provider control for details):

- 8.1 The PERMIT TO WORK can be obtained from- and on completion returned to the Legal Administrator, Foskor Safety department.
- 8.2 Obtain a contract or order number from the Foskor procurement department.
- 8.3 Provide a name list, including ID numbers, residential and postal addresses, and telephone numbers of all the appointed service providers' on-site employees.
- 8.4 All the appointed service providers' on-site employees shall undergo a full medical examination at the Foskor on-site Clinix Clinic. The clinic can be contacted at 015 789 2427 for an appointment.
- 8.5 (NOTE: All NEW- and Employees LEAVING the service of the appointed service provider must undergo an entry or exit medical examination)
- 8.6 The appointed service providers designated on-site drivers shall receive competence testing and authorisation to operate vehicles on the Foskor site (See item 5 under the heading LEGISLATIVE REQUIREMENTS).
- 8.7 All the appointed service providers' employees shall receive/have received training in:
- a) - First aid level 1 (Provide own training)
  - Working at heights (Provide own training)
  - Basic Health & Safety Principles (Provide own training)
  - HIRA (Provide own training)
  - Basic firefighting. (Provide own- or receive Foskor training, contact 015 789 2531 to book)
  - Lock out. (Provide own- or receive Foskor training, contact 015 789 2531 to book)
  - b) All training not provided by Foskor must be verified by the Foskor training superintendent Mr. Johan Fouche. Please contact him on 015 7789 2525 to make an appointment or alternatively email proof of training and certificates to [joanfo@foskor.co.za](mailto:joanfo@foskor.co.za) to confirm compliance before requesting his approval on the PERMIT TO WORK.
- 8.8 All the appointed service providers' on-site employees shall receive the basic Foskor site induction training at the Foskor Security office.
- 8.9 All the appointed service providers' on-site employees shall receive site specific induction training provided by the Foskor area Regulation 2.6.1 appointee/s.

- 8.10 A HIRA (Hazard Identification and Risk Assessment) shall be completed for ALL "typical" tasks that will be completed under this contract. HIRA's to be signed by all service provider employees. Make use of Foskor's own HIRA document, Annexure 1.2, contained in of COP 1, Foskor risk management (Available on request)
- 8.11 Attach a detailed SCOPE OF WORK describing the required task and -outcome of this contract.
- 8.12 All Foskor's appointed MHSA Regulation 2.9.2, 2.6.1, 2.13.1 and 3.1.a managers must undersign/approve the PERMIT TO WORK.
- 8.13 Registration and proof of payment under the Compensation for Occupational Injuries and Diseases Act, no. 130 of 1993. Registration number must be provided.
- 8.14 All relevant documentation and/or evidence of compliance must be attached to the PERMIT TO WORK.
- 8.15 Upon successful completion and approval of the PERMIT TO WORK the security department will issue the appointed service providers' employees with access ID cards valid for 12 months.
- 8.16 Any other documents, certificates or records as requested by a Foskor official deemed necessary to ensure that all safety, legislative and administrative requirements have been met must be attached to the PERMIT TO WORK.
- 8.17 The appointed service provider must allow at least three to ten working days to complete all the PERMIT TO WORK requirements.

## **8. SAFETY FILE**

Before any work may commence, the appointed service provider must, IN CONJUNCTION WITH THE FOSKOR SAFETY DEPARTMENT, compile a SAFETY FILE specifically for THIS contract. Contact the area responsible safety representative or attend the monthly service providers meeting every 2<sup>nd</sup> Monday of the month (3<sup>rd</sup> Monday if 1<sup>st</sup> or 2<sup>nd</sup> Monday a public holiday) at 13:30 in the Foskor Plant Training Hall).

The SAFETY FILE must always be available for inspection by a Foskor official.

## **9. REPORTING**

- The successful contractor must report to Environmental Specialist at Foskor Environmental Department.

## 10. PRICING SCHEDULE

Description (Environmental Management Plan Programme (EMPr) Annual External Audit)	Rate per hour	Number of hours	Total
Travel and accommodation	Year 1	Year 1	Year 1
	Year 2	Year 2	Year 2
	Year 3	Year 3	Year 3
Total			
Medical surveillance/ certificate for the auditor (cost for the medical for the Red ticket)	Year 1	Year 1	Year 1
	Year 2	Year 2	Year 2
	Year 3	Year 3	Year 3
Total			
Compilation of their audit criteria checklist using the provided Foskor Consolidated EMPr	Year 1	Year 1	Year 1
	Year 2	Year 2	Year 2
	Year 3	Year 3	Year 3
Total			
Review of any applicable requested documents (if requested)	Year 1	Year 1	Year 1
	Year 2	Year 2	Year 2
	Year 3	Year 3	Year 3
Total			
Undertaking a site visit which also include the actual auditing of the mine	Year 1	Year 1	Year 1
	Year 2	Year 2	Year 2
	Year 3	Year 3	Year 3
Total			
Compilation of the draft and final Audit report	Year 1	Year 1	Year 1
	Year 2	Year 2	Year 2
	Year 3	Year 3	Year 3
Total			
Submission of the final audit report to Foskor	Year 1	Year 1	Year 1
	Year 2	Year 2	Year 2
	Year 3	Year 3	Year 3
Total			
Others			
a)			
b)			
c)			
d)			
Project Total Cost (Year 1, 2 and 3)			



# 11. EVALUATION CRITERIA AND BID ASSESSMENT

As part of the process to assist with the evaluation of the bidder's proposal/quotation and to make an informed decision in the awarding of this contract, the following information is required:

## Technical Evaluation

	MEASUREMENT CRITERIA	Criteria scoring (%)	Score (%)	Type of proof to be submitted.
1	Company- Years in business of the external environmental management auditing	No experience = 0% 1- 3 years combined experience = 10% >4 years combined experience = 20%	20%	Confirmation letter from the companies indicating the type of work done and the dates or duration of the contract
2	List the top five (5) similar/same contracts awarded in past five years. Provide the following information/details: a) Brief description of the contract type b) Address/ site of the contract c) Name and telephone/ cell number of clear contact person	No previous projects = 0% 3- 4 Projects = 10% >4 projects = 20%	20%	Confirmation letter from the companies indicating the type of work done and the dates or duration of the contract
3	Team Leader/ project specialist individual experience in environmental auditing	<1 year= 0% 1-2 years= 5% 3- 4 years= 10% >5 years= 20%	20%	CV indicating number of years the individual was involved with similar type of projects
4	Team Leader/ Project Specialist relevant qualification	Degree/ Diploma in Natural Sciences or Environmental Management and (environmental Auditing) Provide copies of CVs and qualification	10%	Copies of certificate
<b>Mandatory requirement below</b>				
<b>***NB - Failure to provide the mandatory documents will lead to disqualification and your company will not be evaluated further</b>				
5	SACNASP or EAPASA registered professional scientist or environmental practitioner	No certificates provided = 0% certificates provided = 20%	20%	Certificates
6.	Understanding of the project- The proposal stipulating the whole EMPr audit protocol	Proposal not submitted = 0% Proposal submitted = 10%	10%	Provide detailed proposal for EMPr audit protocol
<b>For the bid to be considered for shortlisting, the bidder needs to score 70% and above and comply to all mandatory requirements</b>				

**TAKE NOTE:**

- 1) Any bidder/service provider that fails to comply or to provide/include/supply requested information and/or copies of all requested supporting certificates and documents will result in a reduced evaluation score that could adversely affect the bidder/service providers chance of being awarded this contract/order.
- 2) Any MANDATORY REQUIREMENT not met will result in immediate rejection of bid/quotation.
- 3) Any bid/quotation with an evaluation score of less than 70% will not be considered.

**TECHNICAL:**

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BIDDER: \_\_\_\_\_

**SIGNATURE**

\_\_\_\_\_  
**DESIGNATION**

\_\_\_\_\_  
**DATE**

**COMPANY STAMP**