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|  | Annexure B: Transmission Projects Delivery - Acknowledgement Form for OHS legal and other requirements | Template Identifier | 240-43921804 | Rev | 5 |
| | | Document Identifier | 240-77471499 | Rev | 3 |
| | | Effective Date | May 2021 | | |

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

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

1. Requirements

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

- a) Occupational Health and Safety Act 85 of 1993 and all applicable regulations
- b) Mine Health and Safety Act (where applicable)
- c) Compensation for Occupational Diseases and Illnesses Act 130 of 1993
- d) Eskom SHEQ Policy 32-727
- e) Eskom Occupational Health & Safety Risk Assessment Procedure 32-520
- f) Eskom Life Saving Rules Procedure, 240-62196227 and Eskom Life Saving Rules Acknowledgment Form, 240-4392180.
- g) Eskom Occupational Health & Safety Incident Management Procedure, 32-95
- h) Eskom Employees Right of refusal to Work in an Unsafe Situation Procedure 240-43848327.
- i) Eskom Vehicle and Driver Safety Management Procedure, 240-62946386
- j) Eskom Vehicle Safety Specification, 32-345
- k) Eskom Work at Heights, 32-418
- l) Eskom Personal Protective Equipment (PPE), 240-44175132
- m) Eskom Protective Equipment for Work at Heights Specification, 240-100979499
- n) Eskom Substance Abuse, 32-37
- o) Eskom Behavioural Safety Observations, 32-407
- p) Project Specific Health & Safety specification provided, form74
- q) Project Baseline Risk Assessment (BRA)
- r) Pre-Task Planning for Construction of Power Lines and Substations, 240-144640136
- s) SACPCMP Letter – section 18 categories of registration for contractor construction managers and internal controls & monitoring
- t) Emergency Planning Standard 32-123.
- u) TPD Letter - loading and off-loading of material / equipment on sites

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

2. Cost allocation for OHS Compliance

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

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

3. Induction

Eskom shall endeavour to provide induction where reasonably practicable based on mutual arrangement between the specific site (contractor) and the client. Where physical contact not possible, the client will provide the induction virtually.

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

4. Penalties

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

5. Medical Surveillance Programme

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

The certificate of fitness should be relevant to the type of work (risk based) that the employee will be exposed to. This will require each employee to have a risk-based person job specification that will be used as a basis for medical examination.

The Contractor must ensure that his employees have undergone pre-entry medical examination on commencement of the project.

The frequency to renew the medical fitness certificate shall be determined by the risk profile and/or as per the recommendation of the medical practitioner.

On completion of the project an exit medical examination shall be conducted, unless otherwise advised by the Occupational Health Practitioner.

Eskom will only accept medical surveillances conducted by an Occupational Health Practitioner who holds a qualification in occupational health within the borders of the Republic of South Africa.

6. Training

The Contractor/Incubates shall ensure that the resources to work on the project have the required related training, knowledge, and experience specific to the scope of work/services (task to be executed).

7. Compensation of Occupational Injuries and Diseases Act (COIDA)

The Contractor/Incubates shall submit proof of registration and letter of good standing with the compensation fund or with a licensed compensation insurer for his company; based on South African legislative requirements. This must remain valid for the duration of the contract. The Letter of Good Standing shall reflect the name of the Contractor.

8. OHS Audits

Eskom reserves the right to monitor and conduct unannounced audits to ensure compliance and provide assurance to the Client representatives and their key stakeholders.

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Eskom shall evaluate contractor/incubates OHS performance on an on-going basis against the legislative and Eskom requirements.

9. Incident Investigation

The Contractor/incubates shall report all incidents/accidents as required in terms of the legislation. All OHS incident reporting, recording, classification and investigation will be done according to the requirements set out in the Eskom document 32-95 (latest version)

10. Emergency Care

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

11. Risk Assessment

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

12. OHS Performance Status Reports

The Contractor/incubates shall provide an OHS Statistical and Non-Statistical Reports, dashboards, presentations as per the Client requirements. Reporting must be in accordance with agreed date.

13. Management of Contractors/Incubates/Suppliers

The principal contractor/incubates/supplier:

- a) Must demonstrate to Eskom the process and selection criteria applied when appointing sub-contractors/suppliers.
- b) Must provide notification to Eskom, prior to the appointment of sub-contractors/suppliers for the commencement of work.
- c) Must ensure that sub-contractors/ suppliers have adequate resources and competencies.
- d) Is accountable for the management of its sub-contractors/ suppliers to ensure that the applicable legal and Eskom requirements (that are applicable to the principal contractor/supplier during contract execution) are complied with by the sub-contractors/suppliers.
- e) The principal contractor shall monitor sub-contractors/suppliers through audits and assessments regarding OHS compliance during the execution of the work.
- f) The principal contractor shall monitor and ensure that Sub-contractor's/suppliers' incidents are managed in line with the Client's requirements.
- g) The grounds for the termination of work done by sub-contractors/suppliers shall be provided by the principal contractor/supplier.
- h) All non-conformances/non-compliance by the sub-contractors/suppliers (all tiers) to the principal contractor/supplier shall be dealt with directly with the principal contractor/supplier in terms of performance and penalty processes.
- i) Eskom reserves the right to verify this when deemed necessary. The contractor may be instructed to provide copies of testimonials/references and the contact detail of clients (including Eskom) for whom the Company has done previous work of a similar nature.

14. OHS Act 37(2) agreement

A section 37(2) agreement must be signed between the Client and the Contractor at the time of awarding the contract. A signed copy of this agreement is submitted to the Client prior to commencement of any activities on site. (Employer's document number 240-59678141).

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

Signed at on day of 20.....

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

Signature

Date

Witness 1

Witness 2

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