
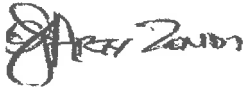




37.2 Agreement in terms of Occupational Health and Safety Act No. 85 of 1993

Document Title	37.2 Agreement in terms of OHS Act of 1993
Client	EThekwini Municipality
Project Name	Manufacture, Supply, Delivery and off-loading of High Density Polyethylene (HDPE) Pressure Pipes for a period of thirty six months.
Contract Number	WS7524
Revision	01
Internal Reference no.	S37(2)- 78/06/2022
(Safety officer)	Name and surname: Hlengiwe Njapha Signature:  Date: 03/06/2022
(Manager: Safety& Risk)	Name and surname: Arty Zondi Signature:  Date: 03/06/2022

ETHEKWINI MUNICIPALITY

OCCUPATIONAL HEALTH AND SAFETY



OCCUPATIONAL HEALTH AND SAFETY ACT 1993, (ACT NO. 85 OF 1993) MANDATORY AGREEMENT – 37.2

Contractor Acknowledgement of Responsibility in terms of the Occupational Health and Safety Act

Written agreement between ETHEKWINI Municipality (the “employer”)

I hereby declare that I,, representing eThekweni Municipality from Unit

And
(the “mandatary”)

as provided for in terms of Section 37 (2) of the Occupational Health and Safety Act No.85 of 1993 as amended by Act 181 of 1993.

I hereby declare that I,, am authorised to represent the “mandatary” and acknowledge that the “mandatary” is an employer in its own right with all duties and responsibilities as prescribed in the Occupational Health and Safety Act no. 85 of 1993 and its Regulation and other applicable Legislations .

I agree to ensure that all work performed, or machinery and plant used by the “mandatary” on any ETHEKWINI Municipality premises shall be in accordance with the provisions of the said Act.

Furthermore, I agree the “mandatary” shall comply with all ETHEKWINI Municipality site rules and safety, health, and environmental requirements as may be communicated or stipulated by ETHEKWINI Municipality prior to and during the course of any Contract awarded to the “mandatary” by ETHEKWINI Municipality.

Furthermore, I undertake to ensure that ETHEKWINI Municipality is timeously informed should the “mandatary”, for whatever reason, be unable to perform in terms of this agreement.

The Contractor must, before the commencement of any work and during work, have risk assessment performed by a competent person appointed in writing; the contractor must have a documented plan and applicable safe work procedures to mitigate, reduce or control the risks and hazards that have been identified.

The Contractor must keep the risk assessment and writing safe working procedures in the safety file.

The Contractor shall ensure that all vehicles are in good working condition and safe for use, and that they are used in accordance with their design and intended use. The vehicles shall only be operated by operators who have received appropriate training. All the vehicles shall be Road worth certified.

A Contractor must ensure that all his or her employees have a valid medical certificate of fitness and issued by Occupational Health Practitioner in the form of Annexure 3. The validity of the medical certificate of fitness shall be determined by Occupational Health Practitioner based on the risk.

The Contractor shall ensure that all employees under his control are always wearing the appropriate Personal Protective Equipment.

The Contractor shall provide a fully equipped first aid box with a trained employee to administer first aid treatment of employees. The Contractor must develop an Injury on Duty procedure to be followed by all employees in the event of work-related injuries and diseases.

The Contractor must be registered and in good standing with the Compensation Fund or a licensed Compensation Insurer, a proof of updated letter of Good Standing to be filed in the "Safety File"

The Contractors health and safety information and training records must be filed in the Health and Safety file.

The Contractor shall ensure that all his/her equipment are inspected on monthly basis using the appropriate register and service records are kept in the safety file.

Signed thisday of20.....

On behalf of the "mandatary" (print).....

(sign)


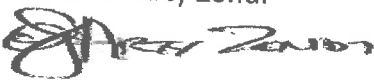
On behalf of the "employer" (print).....

(sign)

ETHEKWINI MUNICIPALITY
Occupational Health & Safety Unit



COVID 19 Health and Safety Specification

Document Title	COVID 19 Health & Safety Specification
Client	eThekwini Municipality – Water and Sanitation
Project Name	Manufacture, Supply, Delivery and off-loading of High Density Polyethylene (HDPE) Pressure Pipes for a period of thirty six months.
Contract Number	WS7524
Revision	01
Date	03/06/2022
Internal Reference no.	COVID 19- 166/06/2022
Compiled by (Client Construction Health and Safety Agent)	Name and surname: Hlengiwe Njapha Signature:  Date: 03 June 2022
Reviewed by (Manager: Safety & Risk)	Name and surname: Arty Zondi Signature:  Date: 03 June 2022



ETHEKWINI MUNICIPALITY

OCCUPATIONAL HEALTH AND SAFETY UNIT

COVID 19 CONTRACTORS HEALTH AND SAFETY SPECIFICATION

The COVID-19 National State of Disaster was terminated on 4 April 2022, as announced by the State President and published in the Government Gazette 46195.

The COVID-19 pandemic is not over, and the risk of infection remains high as we approach the fifth wave with rising infections throughout the country. It will thus be extremely important for us to remain vigilant and ensure that we continuously practice all the necessary COVID-19 precautionary measures in order to limit the spread of the disease especially transmission of infection in the workplace.

Upon termination of the National State of Disaster, all previous regulations and directions under the Disaster Management Act (DMA) are no longer in effect. The eThekweni Municipality Standard Operating Procedures and Guidelines which are aligned to the DMA regulations and directions are therefore no longer applicable.

With the end of the National State of Disaster, the Code of Practice: Managing Exposure to SARS-CoV-2 in the Workplace, dated 15 March 2022 (Government Gazette 46058/ Annexure A) came into effect. In addition, the Hazardous Biological Agents Regulations now includes SARS-CoV-2 as a recognized workplace hazard and thereby the employer and employee have legislated responsibilities in terms of Sections 8 and 14 respectively of the Occupational Health and Safety Act to ensure that mitigation measures for COVID-19 are implemented on an ongoing basis.

It will remain the responsibility of Construction Manager to ensure that the necessary precautionary measures, as per their construction sites respective COVID-19 risk assessment, are maintained at all construction sites.

The following aspects must be implemented until further notice:

1. Review of COVID-19 risk assessments: Risk assessments were conducted during the State of Disaster and informed each construction site return to work plans. Review of these risk assessments has become necessary as the epidemic has progressed and the effects of COVID-19 disease is moving towards prevention of severe disease, hospitalization and death and at the

same time maintaining controls to prevent infection as far as possible. Hence reviews should commence as soon as possible, in compliance with the requirements stipulated in the Code of Practice and in liaison with the construction site Health and Safety Representative/s and the Health and Safety Committee. Please note that all amended risk assessments need to be consulted with labour representatives and construction site health and safety committees.

soon as possible, in compliance with the requirements stipulated in the Code of Practice and in liaison with the construction site Health and Safety Representative/s and the Health and Safety Committee. Please note that all amended risk assessments need to be consulted with labour representatives and construction site health and safety committees.

2. Employee obligation: All employees must comply with the precautionary measures in the interest of their health and safety as well as those around them.
3. Wearing of masks: It remains mandatory to wear a mask while indoors or in any other instances as dictated by the risk assessment such as working together outdoors where social distancing cannot be maintained and travelling in municipal vehicles.
4. Gatherings and meetings: These are permitted subject to compliance with the Health Regulations dated 4 May 2022. Safety precautions must be taken when having face-to-face meetings.
5. Physical distancing: Physical distancing requirement remains at 1 metre.
6. Point of Entry Symptom Screening (POE): Universally applied Point of Entry Symptom Screening is no longer required however persons with flu-like symptoms are prohibited from entering the buildings. Prominent display of bi-lingual posters indicating COVID-19 symptoms which need to be monitored must be placed at every point of entrance by line management. Further mechanisms must be put in all construction sites to prevent sick employees with flu-like symptoms from entering the construction site.

The most common symptoms are fever, cough, loss of taste or smell, fatigue or tiredness. Serious symptoms are shortness of breath, chest pain or pressure and loss of speech or movement. Employees who experience symptoms should seek immediate medical attention. They should always call before visiting the doctor or health facility.

7. Other, preventative measures that must continue include the following, which should be practiced diligently:

- Wash hands regularly and thoroughly with soap and water.
 - Use alcohol-based sanitiser to disinfect hands.
 - Ensure that there is always good ventilation.
 - Continue to use screens between yourself and clients where such screens are available and necessary.
8. Close Contact Quarantine is No Longer necessary as per revised Department of Health requirements: Close contacts without symptoms MUST report to work. Employees who are close contacts, whether workplace or community acquired, should take all precautions to protect themselves. Construction Manager still needs to keep records of construction site close contacts. Close contacts must self-monitor and seek medical assistance and test should they develop any symptoms of COVID-19.
 9. Symptomatic positive COVID-19 cases: The isolation period has been reduced to a minimum of seven (7) days from date of symptom onset and will be guided by the medical assessment and sick leave authorisation by the treating medical or health care practitioner. Isolation rules are applicable to both vaccinated and unvaccinated individuals. Return to work will occur from day 8 onwards. Essentially, symptomatic positives will be isolated, will be off work on sick leave for the period of isolation (minimum 7 days) / ill health as per a valid sick leave certificate. If sick leave is exhausted, an application for special leave should be followed.
 10. Asymptomatic COVID-19 cases no longer need to isolate and must report to work. Additional or enhanced non-pharmaceutical measures for the 5 days post-test will include the following: Wear a close-fitting face mask whilst at work Construction Manager to arrange FFP2 mask to be worn at all times; avoid any social gatherings; strictly maintain physical distancing at all times.
 11. Return to work after symptomatic COVID-19 infection: The treating medical or health care practitioner will decide on how long the person must be booked off on sick leave, based on their own assessment of the patient, and will issue a medical certificate or letter accordingly. Some patients may need a follow-up consultation with their medical practitioner. No COVID-19 test (either PCR or antigen-based) is required prior to an employee returning to work after the isolation period.

There is no need for Construction Manager to submit details/ information to CDC for all employees returning to work post-covid-19 isolation. However, certain categories of employees, on returning to work post Covid-19 isolation, will require a return-to-work medical assessment by the health clinic.

These categories include employees who: • have been admitted to hospital, or • work in a safety risk environment (working with moving machinery, hazardous chemicals etc) • have a stipulated/ specified fitness level (eg employees that work at heights, PrDP requiring drivers), or • are unable to continue with their substantive duties.

12. Leave Provisions: Employees who have been diagnosed with COVID-19 and are symptomatic will qualify for paid sick leave subject to the production of a medical certificate or note from a registered medical practitioner.
13. Paid time off and leave provisions for vaccinations is still applicable and also covers booster shots.
14. COVID-19 Vaccination: We encourage all employees to vaccinate and to take their booster shots when eligible. Those that have already vaccinated still need to comply with all the health and safety measures in workplace. Vaccination prevents serious illness, hospitalization and complications of COVID-19.
15. Disclosure of Vaccination Status: In terms of the Code of Practice, measures need to be taken to determine the vaccination status of their workers. Information will be gathered by the respective units on a monthly basis.

Construction Managers and employees must ensure compliance with the above safety requirements.



TENDER / BID ADVERT INSTRUCTIONS

TRADING SERVICES WATER AND SANITATION UNIT WATER OPERATIONS

31 May 2022

- TO : 1) Manager : Tenders and Contract Coordination
2) Legal Services

PLEASE ARRANGE TO ADVERTISE THE UNDERMENTIONED CONTRACT

WATER AND SANITATION UNIT

Documents can be obtained electronic format, issued by the eThekweni Municipality:

- Electronically downloaded documentation is obtainable from the National Treasury's eTenders website or the eThekweni Municipality's Vendor Portal. The entire document should be printed and suitably bound by the tenderer.

Tender / Bid Number	Contract Title	Bid Advertising Date	Bid Closure Date	Estimated CIDB Grading and Class	Non-Refundable Tender Charge	
WS 7524	Manufacture, Supply, Delivery and off-loading of High Density Polyethylene (HDPE) Pressure Pipes for a period of thirty six months.	08/07/2022	05/08/2022	n/a	n/a	
	There will be no clarification meeting. Bidders are requested to submit email queries related to the bid. All email queries are to be submitted by 2022-07-22. Emailed questions and answers will be consolidated and posted on eTenders/ Municipal website for the benefit of all tenderers by 2022-07-28.					
	General Enquiries	Technical Enquiries	Preference Point System	Functionality Evaluation and Minimum Points	Local Production Content	30% Sub-Contracting Provision
	Christopher Kasie (t) Tel: 031-311-8535	Zama Xolo (t) 031-311-8037	80/20	No	No	n/a
	Functionality Criteria (Weight)		Pre-Qualifying Criteria (ito PPPFA)			
	n/a		<ul style="list-style-type: none">Tendered PriceBBBEE Level of contribution			

BU	Item	Funding	Costing	Project	Region	Name	Signed
60262	14300	11500	0000	MRC01	R003	ZAMA XOLO Jawani Mayse	

Date : 31/05/2022