

	OHS SPECIFICATION Supply and Delivery of Water to Refill Jojo Tanks and Water Dispenser Bottles	Document Identifier	240-180000591	Rev	1
		Effective Date	January 2025		
		Review Date	February 2029		

Project Name: Supply and Delivery of Water to Refill Jojo Tanks and Water Dispenser Bottles

Project / Delivery Address: NTCSA Western Grid – Nama CLN – Upington MTS

Contractor: TBN

Scope of the project: Supply and deliver water to refill Jojo Tanks and water dispenser bottles at Upington MTS Substation for a period of the contract is 36 months on an as and when required basis.

Details:

Water Quality

- ❖ Ensure drinking water is clean and meet the South African National Standard for Drinking Water Quality SANS 241.
- ❖ Provide water quality report for drinking water.

Supply Method

- ❖ Refill 4 x 10000l and 1x 5000l Jojo tanks depending how many are empty at the time.
- ❖ Refill 15 x 19l water dispenser bottles depending how many are empty at the time.
- ❖ Ensure that delivery tank has a pump and a level indicator.

Delivery Requirements

- ❖ Deliver water at Eskom Upington MTS Transmission Substation, N14 Road, between Keimoes and Upington. GPS coordinates (28.544958,21.138034).
- ❖ Delivery must be between 08:00 and 16:00 weekdays (as per request).
- ❖ Prior delivery arrangements must be made with the substation engineering assistant.


.....
NTCSA Contract's Manager / Client Representative
Name: **P. Jara**


.....
NTCSA Senior Advisor Safety
B. Cupido


.....
NTCSA Safety Officer
Name: **A. Crouch**

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INTRODUCTION

NTCSA's responsibility and commitment is to ensure a safe working environment is in line with its Safety, Health, Environmental and Quality Policy, along with legislative obligations.

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This OHS specification is NTCSA's minimum requirements which are required to be met for the specific contract and for the duration of the contract period by contractors and where required, the delivery organisation.

The contractor is expected to develop an OHS plan which meets these requirements as well as all the relevant applicable legislation they conform to.

NTCSA in no way assumes the contractor's legal responsibilities. The contractor is and remains accountable for the quality and the execution of his/her health and safety programme for his/her employees and appointed contractor employees.

This OHS specification reflects minimum requirements and should not be construed as all encompassing.

Note 1: All the requirements listed hereunder are in relation to the contract and do not supersede or replace any organizational OHS requirements.

Where requirements listed are already in place, then the organisational requirements must be taken cognisance of and listed in the respective OHS plan. If there are any additional NTCSA and or legislative requirements listed in the OHS specification, then these must be addressed.

1. SUPPORTING CLAUSES

1.1 SCOPE

This OHS specification lists the legislative and NTCSA requirements and where applicable, any requirements pertaining to Local Authorities / Municipal by-laws / Environmental legislation that must be met by the contractor.

1.1.1 Purpose

This document will provide a standardised approach to the compilation of OHS specifications throughout NTCSA for contracts and standard and NEC 3 contracts.

1.1.2 Applicability

This OHS specification is applicable to any contracting organisation who intends tendering for the contract.

1.2 NORMATIVE/INFORMATIVE REFERENCES

Parties using this document shall apply the most recent edition of the documents listed in the following paragraphs.

1.2.1 Normative

- [1] Basic Conditions of Employment Act No 75 of 1997.
- [2] Occupational Health and Safety Act and Regulations No 85 of 1993.
- [3] National Environmental Management Act 107 of 1998.

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[4] National Road Traffic Act 93 of 1996.

[5] 32-37 Eskom Substance Abuse Procedure.

1.2.2 Informative

[6] 32-726 Contractor and Contractor OHS Management

[7] 240-62196227 Eskom Life Saving Rules

[8] Tobacco Products Control Act 83 of 1993

[9] SANS 1186 Symbolic Safety Signs

[10] Constitution of the Republic of South Africa No 108 of 1996

[11] 32-95 Occupational Health and Safety Incident Management Procedure

[12] Code of Practice Managing Exposure To SARS-COV-2 In The Workplace 2022.

1.3 Definitions

Definition	Explanation
Appointed contractor	Means a contractor appointed by the principal contractor
Baseline risk assessment	(32-520) baseline operational risks refer to the health and safety risks associated with all standard processes and routine activities in the business
Business unit (BU)	(32-296) means any defined unit within the Eskom environment, operating as a business under a particular cost-centre number. In the context of this document and in terms of health and safety, any reference to a BU includes a defined unit within any Eskom division and its subsidiaries
Client	(OHS Act) Eskom representative (Internal – Asset Owner), also referred to as the contract administrator/custodian or agent or project manager (as defined in the contract). He/she is the person responsible for ensuring that the works or services are executed in terms of the contract, as well as adherence to legislation pertaining to the contract.
Competent person	(OHS Act) means any person having the knowledge, training, experience, and qualifications, specific to the work or task being performed, provided that, where appropriate, qualifications and training are registered in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995)
Contractor	(OHS Act) means an employer as defined in section 1 of the Act who performs contracted work and includes principal contractors

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Definition	Explanation
Construction work	Any work in connection with a. the construction, erection, alteration, renovation, repair, demolition or dismantling of or addition to a building or any similar structure. b. the construction, erection, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer, or water reticulation system or the moving of earth, clearing of land, the making of excavation, piling or any similar civil engineering structure or type of work.
Consultant	means a person providing professional advice
Controlled disclosure	controlled disclosure to external parties (either enforced by law or discretionary)
Coronavirus (COVID-19)	Coronaviruses is a large family of viruses that cause illness ranging from the common cold to more severe diseases like pneumonia, etc. Virus transmission occurs via coughs or sneezes from infected persons or touching contaminated surfaces.
Duty of care to the environment	(32-136) anybody who causes or has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing, or recurring. If such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, such person must minimise and rectify such pollution or degradation of the environment
Employee	(OHS Act) means, subject to the provisions of subsection (2), any person who is employed by or works for an employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of an employer or any other person
Employer	(OHS Act) means, subject to the provisions of subsection (2), any person who employs or provides work for any person and remunerates that person or expressly or tacitly undertakes to remunerate him/her, but excludes a TES (ex labour broker) as defined in section 1(1) of the Labour Relations Act 1956 (Act No. 28 of 1956)

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Definition	Explanation
Environment	(32-94) means: a. the land, water, and atmosphere of the earth; b. micro-organisms and plant and animal life; and c. any part or combination of (a) and (b) and the interrelationships among and between them, and the physical, chemical, aesthetic, and cultural properties and conditions of the foregoing that influence human health and well-being
Environmental Management plan	A detailed plan of action prepared to ensure that recommendations for enhancing or ensuring positive impacts and limiting or preventing negative environmental impacts are implemented during the life-cycle of a project. This Environmental Management Plan should preferably form part of Eskom's Environmental Management System
Eskom requirements	Eskom requirements flowing from directives, policies, standards, procedures, specifications, work instructions, guidelines, or manuals
Fall protection plan	(OHS Act) means a documented plan of all risks relating to working from an elevated position, considering the nature of work undertaken, and setting out the procedures and methods to be applied in order to eliminate the risk
Hazard	(OHS Act) means a source of, or exposure to, danger
Hazard identification	(OHS Act) means the identification and documenting of existing or expected hazards to the health and safety of persons, which are normally associated with the type of construction work being executed or to be executed
Health and safety file	(OHS Act) means a file or other record in permanent form, containing the information required in relation to the contract.
Health and safety plan	(OHS Act) means a document plan that addresses hazards identified and includes safe work procedures to mitigate, reduce, or control hazards identified
Health and safety specification	(OHS Act) means a document specification of all health and safety requirements pertaining to associated to a contract, so as to ensure the health and safety of persons.

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Definition	Explanation
Health and safety requirements	means comprehensive health and safety requirements for a contract, project, site, and scope of work. This specification is intended to ensure the health and safety of persons, both workers and the public, and the duty of care to the environment. The health and safety requirements must be specific to each contract, project, site, and scope of work
Lifesaving Rules	(240-62196227) a rule that, if not adhered to, has the potential to cause serious harm to people
Medical Certificate of fitness	(OHS Act) means a certificate valid for one year, issued by an occupational health practitioner, issued in terms of the regulations, whom shall be registered with the Health Professions Council of South Africa
Medical surveillance	(OHS Act) means a planned programme or periodic examination (which may include clinical examinations, biological monitoring, or medical tests) of employees by an occupational health practitioner or, in prescribed cases, by an occupational medicine practitioner
Method statement	(OHS Act) means a written document detailing the key activities to be performed in order to reduce, as reasonably as practicable, the hazards identified in any risk assessment
Organisation	may be defined as a group of individuals (large or small) that is cooperating under the direction of executive leadership in accomplishment of certain common objects
Pre-job meetings	(34-227) means a meeting that is held prior to the commencement of the day's work and that is attended by all the relevant employees associated with the work task
Principal contractor	(In the text of this document) Means an employer, as defined in section 1 of the OHS Act, who intends to tender for or has signed a contract with Eskom for services rendered.
Provincial director	(OHS Act) means the provincial director as defined in Regulation 1 of the General Administrative Regulations under the Act

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Definition	Explanation
Responsible Manager	Is a Manager of a department, section or operating/business unit who has been appointed as part of the Eskom delegation of authority process with the aim to assist the applicable 16(2) assigned person in executing his/her duties in terms of the Occupational Health and Safety Act
Risk assessment	(OHS Act) means a programme to determine any risk associated with any hazard at a construction site in order to identify the steps needed to be taken to remove, reduce, or control such hazard.
Site	(34-228) means an Eskom department, unit, complex, building, specific project, work site, or the site where agents, clients, principal contractors, contractors, suppliers, vendors, and service providers provide a service to Eskom, directly or indirectly
Service provider	any private person or legal entity that provides any service(s) to Eskom for compensation
Subsidiary	(32-94) an enterprise controlled by another (called the parent) through the ownership of greater than 50% of its voting stock
Supplier	(32-1034) means a natural or legal person who renders a service and may include the following current or potential supplier vendor, contractor, consultant
Task	(34-227) a segment of work that requires a set of specific and distinct actions for its completion
Toolbox talks	(34-227) where the team leader, after conducting pre-task planning, shares all the tasks at hand and discusses task allocation, the identified risks, and the control measures with all his/her team members on site before commencing a specific task and documenting the agreed strategy. (This shall be done to ensure common understanding of the tasks, risks, and control measures required.)
The Act	(OHS Act) means the Occupational Health and Safety Act No. 85 of 1993, as amended, and the Regulations thereto
Visitor	any person visiting a workplace with the knowledge of, or under the supervision of, an employer.

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1.4 Abbreviations

Abbreviation	Description
BU	Business Unit
CE	Chief Executive
COID Act	Compensation for Occupational Injuries and Diseases Act
DoL	Department of Labour (Inspection and Enforcement services – Provincial office)
EP	Emergency Preparedness
EAP	Employee Assistance Program
ERfW	Environmental Regulations for Workplaces
GAR	General Administrative Regulations
GSR	General Safety Regulations
HCA	Hazardous Chemical Agents
LDV	Light Delivery Vehicle
SDS	Safety Data Sheets
NEMA	National Environmental Management Act
OHS Act	Occupational Health and Safety Act and Regulations, 85 of 1993
SABS	South African Bureau Standard
SANS	South African National Standard

1.5 Related/Supporting Documents

Eskom OHS Act section 37 (2) agreement (to be completed by the contract responsible manager).

2. Specification

2.1 Scope of work

Supply and deliver water to refill Jojo Tanks and water dispenser bottles at Upington MTS Substation for a period of the contract is 36 months on an as and when required basis.

Details:

Water Quality

❖ Ensure drinking water is clean and meet the South African National Standard for Drinking Water Quality SANS 241.

❖ Provide water quality report for drinking water.

Supply Method

❖ Refill 4 x 10000l and 1x 5000l Jojo tanks depending how many are empty at the time.

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- ❖ Refill 15 x 19l water dispenser bottles depending how many are empty at the time.
- ❖ Ensure that delivery tank has a pump and a level indicator.

Delivery Requirements

- ❖ Deliver water at Eskom Upington MTS Transmission Substation, N14 Road, between Keimoes and Upington. GPS coordinates (28.544958,21.138034).
- ❖ Delivery must be between 08:00 and 16:00 weekdays (as per request).
- ❖ Prior delivery arrangements must be made with the substation engineering assistant.

2.2 LEGAL COMPLIANCE

2.2.1 Section 37(2) (Legal) Agreement

A section 37(2) agreement must be signed between NTCSA and the principal contractor at the time of awarding the contract. The principal contractor must ensure that a section 37(2) agreement is compiled between the principal contractor and all their appointed contractors for the contract.

The original copy of the section 37(2) agreement must be retained by the contractor and a copy retained by the responsible manager.

A copy all the agreements must form part of the respective contractor's OHS file.

2.2.2 Hazardous Work by Children (Child Labour)

The constitution of the Republic of South Africa, in the "Bill of Rights" is clear on the rights of children, especially when it comes to:

1. being protected from exploitative labour practices.
2. not to be required or permitted to perform work or provide services that:
 - i. are inappropriate for a person of that child's age; or
 - ii. place at risk the child's well-being, education, physical or mental health or spiritual, moral or social development; and the Basic Conditions of Employment Act, Chapter six Section 43 "Prohibition of employment of children".

Before resorting to the use of child labour, due consideration must be given to the rights of the child in terms of the constitution. Where work is being performed which is not prohibited in terms of the constitution, then such work must be conducted in terms of the OHS Act "Regulations on Hazardous Work by Children in South Africa" with emphasis on paragraph 2 Purpose and Interpretation. NTCSA does not condone the use of child labour and therefore all effort must be exercised, and child labour should not be used.

2.2.3 OHS Act

The principal contractor and appointed contractors shall have an up-to-date copy of the OHS Act and regulations which will be available to all employees.

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2.2.4 Legislative Compliance

All contractors will comply with all the legislation pertaining to this contract being:

- The Constitution of the Republic of South Africa (particularly Section 24 of the Bill of Rights).
- Occupational Health and Safety Act 1993 (Act 85 of 1993) and its Regulations.
- Compensation for Occupational Injuries and Diseases Act.

2.3 NTCSA requirements

All contractors shall, before commencement of the work ensure that all their employees are familiar with the relevant NTCSA OHS documentation that is applicable to their services.

2.3.1 Appointment of a Contractor

The principal contractor will be appointed by NTCSA on the awarding of the contract and will be responsible and accountable for all legislative and NTCSA requirements for the duration of the contract.

2.3.2 Appointment of sub-contractors

The principal contractor may appoint contractors to assist in the contract. All appointments shall be done in writing and will form part of the OHS plan that is required to be submitted to NTCSA. Adequate training and instruction must be given to the appointees and the principal contractor must ensure that all the appointed contractors understand their roles and responsibilities.

Note: Copies of contractor appointments must be kept in the respective OHS file.

2.3.3 OHS Policy

A OHS policy is a statement of intent and a commitment by the organisation's CE and senior management in relation to the relevant OHS roles and responsibilities, the achievement of their strategic objectives, values of integrity, customer satisfaction, excellence, and innovation.

The principal contractor and all appointed contractors, if already not in place, will be required to compile an organisational OHS policy in line with their OHS responsibilities. The policy must be signed by the organisation's CE or the appointed assistant to the CE OHS Act Section 16(2). The policy must be displayed in a prominent place within the workplace. A copy of the policy must be filed in all the contract OHS files and as an annexure the OHS Plan.

2.3.4 COID

The principal contractor and all his/her appointed contractors shall be registered with an appropriate employment compensation commissioner and have available a valid letter of good standing (LoGS) from such commissioner. The obligation lies with the contractors to ensure that the LoGS remains valid throughout the contract period. A copy of the LoGS must be filed in the entire contract OHS files and as an annexure the OHS Plans.

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2.4 OCCUPATIONAL HEALTH, HYGIENE AND REHABILITATION,

All contractors are required to develop an Occupational Health, Hygiene and Rehabilitation program. The program is intended to ensure that the risks to health are identified and controlled.

2.4.1 Medicals

Note: NTCSA will only accept medical surveillances conducted by an Occupational Health Practitioner who holds a qualification in occupational health.

1. Principle contractors must ensure that their and their appointed contractors have a medical surveillance program whereby their employees undergo entry, periodic and exit medical fitness examinations.
2. For the appropriate medical examinations to be conducted, each employee must have a person job specification (profile), which must indicate the description of work, list of hazards and potential occupational exposure limits, physical hazards and required physical attributes.
3. For employees working on the contract, medical fitness certificates shall be renewed annually for employees who are not office bound including drivers and once every 3 years for employees that are office bound. This shall be maintained until completion of the contract.
4. The Principal Contractor must ensure that his / her employees and sub-contractor employees have undergone pre-entry medical examination before starting work on the contract, should it be for longer than three (3) days.
5. The principal contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.

2.5 APPOINTMENTS

For the duration of the contract, the principal contractor and all appointed contractors shall appoint competent employees who will meet the requirements of the OHS Act. Where appointments are made, contractors shall ensure that the appointees have been suitably trained and or informed of their responsibilities before getting them to accept such appointment. The relevant statutory appointments shall be made in accordance with the requirements of the OHS Act which includes the requirement of a competent person being appointed in the relevant roles. The statutory appointments should include but not limited to: Fire Fighter and Evacuation warden, First Aider, 16(2) appointment.

2.6 ROLES AND RESPONSIBILITIES

All contractors are required to list employee's roles and responsibilities pertaining to the contract.

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2.7 RISK ASSESSMENTS

It is a legal requirement in terms of Section 8 (2)(d) of the OHS Act for an employer to carry out risk assessments to establish what hazards to the health and safety of persons are attached to any work which is performed, any article or substance which is, handled, stored, transported. A risk assessment is defined as an identification of the hazards present in an organisation and an estimate of the extent of the risks involved, considering whatever precautions are already being taken. It is essentially a three-stage process:

- identification of all hazards;
- evaluation of the risks;
- measures to control the risks.

Risk assessments are required to be maintained. This means that significant changes to a process or activity, or any new process or activity should be subjected to a risk assessment and that if new hazards come to light during the work process, then these should also be subjected to risk assessments. Risk assessments for long term processes should be periodically reviewed and updated. Method statements or written safe work procedures are an effective method as information and record of the way jobs / tasks must be performed. Prior to start of work, risk assessments on every job / task are ideal to allow managers and employees to assess any inherent risks that could have been overlooked during the initial risk assessment or any changes that might have occurred in a period of absence. In particular, if a job / task is extended over a day or halted due to inclement weather.

2.7.1 Risks and Hazards

Hazard	Risk	Consequences
Manual Handling	Unsafe lifting techniques, poor body posture, not medical fit, struck by falling loads, heavy loads	Back injuries, sprains and strains, soft-tissue injuries to wrists, arms, shoulders, neck or legs.
Driving on-site and offsite	Weather conditions , Mist/Fog/heavy rain	Motor vehicle Accidents causing injuries and/or fatalities
	Road users, pedestrians and/or stray animals	
	Road conditions, potholes, curves, road construction, road works, bends, steep heels, rail crossings	
	Nighttime driving	

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2.8 INCIDENT INVESTIGATION

All incidents shall be investigated in terms of OHS Act General Administrative Regulations 8 and 9, using Eskom Procedure 32-95 as a reference, and where injuries as contemplated in sections 24 and 25 have been sustained, be reported to the Department of Labour.

Contractors shall use the standard General Administrative Regulation Annexure 1 “Recording of an Incident” form for all incident investigation reports. The objective of incident investigation, not only being a legal requirement, is to establish why and how the incident occurred, but to find out the real causes of the incident and to decide on precautionary measures that are required to address the causes to prevent any further recurrences of the same or similar incidents.

2.9 EMERGENCY MANAGEMENT

2.9.1 The art of emergency preparedness and response is to minimise the effects of any emergency and to restore normal activities as soon as practical. The supplier must develop their own emergency response in their work premises.

2.9.2 Non-Conformance and Compliance

1. Any non-compliance to any health and safety requirement in this OHS specification is subject to discipline in terms of the Eskom Procurement and Supply Management Procedure.
2. Principal contractors are required to implement a non-conformance procedure (if not already in place) for issuing to contractors for transgressions. The procedure can include “quality” related non-conformance issues. Similarly, appointed contractors must implement a non-conformance procedure.
3. The procedure for the issuing and closing off of non-conformance reports shall be strictly adhered to.
4. Contract management must close out non-conformances issued, in not doing so, will not ensure that any recommendations made have been carried out and or implemented.
5. Where non-conformances are issued by NTCSA, then one of the close-out steps of the procedure will be for the offender to be called on by the contractor responsible manager to explain the non-conformance issued and what they intend doing to prevent a recurrence of the non-conformance.
6. Contractor failure to provide adequate PPE to their employees for the tasks being performed and/or to visitors and failure to enforce the wearing of such PPE will be viewed as a transgression of the legislative and NTCSA requirements.

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3. AUTHORIZATION

Nil

4. REVISIONS

Date	Rev.	Compiler	Remarks
January 2025	1	B C Cupido	OHS specification requirements that must be met by the contractor/supplier who have been awarded a contract for the work to be performed for NTCSA.

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