

# Laingsburg

*Munisipaliteit*

Munisipale-geboue  
Privaatsak X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Faks No. (023) 5511 019



*Municipality*

Municipal Buildings  
Private Bag X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Fax No. (023) 5511 019

E-pos / E-mail : [scm@laingsburg.gov.za](mailto:scm@laingsburg.gov.za)

## NOTICE: 106 / 2021 REQUEST FOR FORMAL WRITTEN PRICE QUOTATION: 01/12/2021

### GABIONS FOR GÖLDNERVILLE STORMWATER (SCHOOL SIDE)

Laingsburg Municipality awaits formal written price quotations from suitably experienced and qualified service providers for Gabions for Göldnerville Stormwater (School Side).

**Prospective bidders must be registered at the Construction Industry Development Board (CIDB).** No bids will be allowed from bidders who do not meet the grading requirements. A minimum grading of **ICE** is required.

A compulsory briefing session will be held at **10h00** on **Monday 13 December 2021** at the **EE Centre, Auditorium, Meiring Street, Laingsburg**. No grace period will be allowed. COVID-19 protocol will be applicable.

Bidders should be represented at the compulsory clarification meeting and site inspection by a **technical employee from the prospective bidder** who is suitably qualified and experienced to comprehend the implications of the work involved.

Quotations may only be submitted on the bid documentation that is issued. Failure to comply will result in the bid being **non-responsive**. Only **ONE** set of bid documents will be made available free, if the bidder requires another set of documents then a **non-refundable fee** will apply.

The municipal bidding documentation are available on the municipality's website at [www.laingsburg.gov.za](http://www.laingsburg.gov.za), or can be requested from the Finance Department (Supply Chain Management Division), from **09 December 2021** during working hours (09:00 - 15:00).

Should your offer be accepted, the contract will be governed by the General Conditions of Contract (GCC) issued by National Treasury. You will also be required to be registered on the Central Supplier Database ( [www.csd.gov.za](http://www.csd.gov.za) ). Registration is free of charge and can be done online.

Contact details for enquiries:

#### **Technical / Specification Enquiries**

Mr. John Komanisi  
Office: 023 55 11 019  
Email: [john@laingsburg.gov.za](mailto:john@laingsburg.gov.za)

#### **SCM Enquiries**

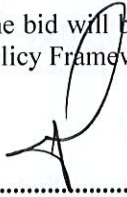
Mr. Keith Gertse  
Office: 023 55 11 019  
Email: [scm@laingsburg.gov.za](mailto:scm@laingsburg.gov.za)

The Municipality reserves the right to withdraw any invitation to bid and /or re-advertise or to reject any bid or to accept a part of it. The Municipality does not bind itself to accept the lowest bid or to award a contract to the Bidder scoring the highest number of points.

Bidders may submit their quotations to Laingsburg Municipality by no later than **17 December 2021** at **12:00** using one of the following options:

1. **Electronic submission (Email, no faxes allowed)**  
Documentation to be emailed to the Supply Chain Management Unit  
[scm@laingsburg.gov.za](mailto:scm@laingsburg.gov.za)
2. **Hand-delivered submission** to the following address:  
Supply Chain Management Unit (Municipal Building)  
02 Van Riebeeck Street  
LAINGSBURG  
6900

The bid will be subject to Council's Supply Chain Management Policy, the Preferential Procurement Policy Framework Act and Preferential Procurement Regulations of 2017.



.....  
**MR. J. BOOYSEN**  
**MUNICIPAL MANAGER**

**09 DECEMBER 2021**



MUNISIPALITEIT MUNICIPALITY uMASIPALA

## FORMAL WRITTEN PRICE QUOTATION

<b>NOTICE NUMBER:</b>		106 / 2021	
<b>RFQ NUMBER:</b>		SCM/8/2 – FWPQ – 01-12-2021	
<b>RFQ DESCRIPTION:</b>		GABIONS FOR GÖLDNERVILLE STORMWATER (SCHOOL SIDE)	
<b>CLOSING DATE:</b>	17 DECEMBER 2021	<b>CLOSING TIME:</b>	12H00
Email: <a href="mailto:scm@laingsburg.gov.za">scm@laingsburg.gov.za</a> ; or Hand-delivered to: MUNICIPAL BUILDINGS 02 VAN RIEBEECK STREET LAINGSBURG 6900		<b>NB:</b> 1. All bids must be submitted on the official forms – (not to be retyped) 2. Bids must be completed in black and white 3. <b>No bids will be considered from persons in the service of the state</b>	
<b>Name of Bidder:</b>			
<b>Total Bid Price:</b>			
<b>Estimated Delivery / Completion Period:</b>		8 Weeks	
<b>B-BBEE Status Level of Contributor:</b>			
<b>Preference Points Claimed:</b>			
<b>B-BBEE certificates or Sworn Affidavits submitted with the bid document MUST be VALID ORIGINAL BBEE CERTIFICATES or VALID CERTIFIED COPIES OF THE B-BBEE CERTIFICATES OR SWORN AFFIVADITS</b>			

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**LAINGSBURG MUNICIPALITY  
FORMAL WRITTEN PRICE QUOTATION NOTICE AND INVITATION TO BID**

<b>ADVERTISED IN:</b>	<b>MUNICIPAL NOTICE BOARD, MUNICIPAL WEBSITE</b>		
<b>RFQ NO:</b>	<b>SCM/8/2 - FWPQ-01-12-2021</b>	<b>NOTICE NO :</b>	<b>106 / 2021</b>
<b>PUBLISHED DATE:</b>	<b>09 DECEMBER 2021</b>	<b>DEPARTMENT:</b>	<b>INFRASTRUCTURE SERVICES</b>
<b>Formal Written Price Quotation:</b>	<b>GABIONS FOR GOLDNERVILLE STORMWATER (SCHOOL SIDE)</b>		
<b>CLOSING TIME AND DATE:</b>	<b>NO LATER THAN 12H00</b>	<b>ON THE DATE:</b>	<b>17 DECEMBER 2021</b>
	Bids must be submitted on the official forms and must be returned via: Email: <a href="mailto:scm@laingsburg.gov.za">scm@laingsburg.gov.za</a> ; or Hand-delivered to: <b>MUNICIPAL BUILDINGS 02 VAN RIEBEECK STREET LAINGSBURG 6900</b>		

**BID RULES:**

- Bids are to be completed in accordance with the conditions and bids rules contained in the bid document.
- Bids may only be submitted on the bid documentation issued by the Municipality.
- The Laingsburg Municipality does not bind itself to accept the lowest or any tender and reserves the right to accept any tender, as it may deem expedient.
- Bids are subject to the Laingsburg Municipality Supply Chain Management Policy.
- Price (s) quoted must be valid for at least thirty (30) days from date of your offer.
- Price (s) quoted must be firm and must be indicated;
- Only those suppliers who complies with specifications will be eligible for points.
- The successful provider will be the one scoring the highest points.
- Payments to the successful bidder in terms of this contract will be processed within 30 days after receipt of a valid tax invoice for goods and/or services rendered to the satisfaction of the municipality.
- The lowest or any bid shall not necessarily be accepted and the Municipality reserves the right to accept any part of the bid.
- Do not dismember this Bid Document (do not take it apart or put documents between its pages).
- All other documents of the submission must be attached behind this bid document.
- Please note that any suspicious collusive bidding behaviour and restrictive practices by bidders will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.
- Bidders who are not yet registered are required to register on the Central Suppliers Database (CSD). Bidders can register on the official website – [www.csd.gov.za](http://www.csd.gov.za).

<b>Tenders shall be evaluated in terms of the Preferential Procurement Regulations, 2017</b>	Bidders may claim preference points in terms of their B-BBEE status level of contribution.		
<b>Preferential Procurement Point System Applicable</b>	<b>80/20</b>	<b>Local Content Requirement</b>	<b>N/A</b>
<b>CIDB Registration Required</b>	<b>1CE</b>	<b>Validity Period</b>	<b>30 Days</b>
<b>Site Meeting/Information Session</b>	<b>Compulsory Site Meeting on 13 December 2021, 10H00 @ EE Centre, Meiring Street Laingsburg</b>		
<b>ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		<b>ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:</b>	
<b>Section:</b>	Infrastructure	<b>Section:</b>	Supply Chain Management
<b>Contact Person:</b>	Mr. Johan Mouton	<b>Contact Person:</b>	Mr. Keith Gertse
<b>Tel:</b>	023 55 11 019	<b>Tel:</b>	023 55 11 019
<b>Email:</b>	<a href="mailto:jmouton@laingsburg.gov.za">jmouton@laingsburg.gov.za</a>	<b>Email:</b>	<a href="mailto:scm@laingsburg.gov.za">scm@laingsburg.gov.za</a>
<b>Authorised by:</b>	Mr. J Booysen	<b>Authorised by:</b>	Municipal Manager

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)</b>			
BID NUMBER:	SCM/8/2 - FWPQ-01-12-2021	CLOSING DATE:	17 DECEMBER 2021
CLOSING TIME:			12H00
DESCRIPTION	GABIONS FOR GOLDNERVILLE STORMWATER (SCHOOL SIDE)		
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>			
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)			
<b>MUNICIPAL BUILDINGS</b>			
02 VAN RIEBEECK STREET			
PRIVATE BAG X4			
LAINGBURG			
6900			
<b>SUPPLIER INFORMATION</b>			
NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE	NUMBER	
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE	NUMBER	
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			
TAX COMPLIANCE STATUS	TCS PIN:	OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3 ]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT	INFRASTRUCTURE	CONTACT PERSON	JOHAN MOUTON
CONTACT PERSON	KEITH GERTSE	TELEPHONE NUMBER	023-5511019
TELEPHONE NUMBER	023-5511019	FACSIMILE NUMBER	023-5511019
FACSIMILE NUMBER	023-5511019	E-MAIL ADDRESS	<a href="mailto:jmouton@laingsburg.gov.za">jmouton@laingsburg.gov.za</a>
E-MAIL ADDRESS	<a href="mailto:scm@laingsburg.gov.za">scm@laingsburg.gov.za</a>		

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	<b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</b>
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b>	

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.  
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

DATE: .....

**4. DECLARATION OF INTEREST**

- 4.1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
- 4.2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudging authority.
- 4.3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

4.3.1. Full Name of bidder or his or her representative:  
 .....

4.3.2. Identity Number:  
 .....

4.3.3. Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):  
 .....

4.3.4. Company Registration Number:  
 .....

4.3.5. Tax Reference Number:  
 .....

4.3.6. VAT Registration Number:  
 .....

4.3.7. The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

4.3.8. Are you presently in the service of the state? **YES / NO**  
 a) If yes, furnish particulars: .....  
 .....



<sup>1</sup>MSCM Regulations: "in the service of the state" means to be –

- (a) A member of –
  - (i) Any municipal council;
  - (ii) Any provincial legislature; or
  - (iii) The national Assembly or the national Council of provinces;
- (b) A member of the board of directors of any municipal entity;
- (c) An official of any municipality or municipal entity;
- (d) An employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) A member of the accounting authority of any national or provincial public entity; or
- (f) An employee of Parliament or a provincial legislature.

<sup>2</sup> Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

4.3.9. Have you been in the service of the state for the past twelve months?  
**YES / NO**

a) If yes, furnish particulars: .....  
.....

4.3.10. Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?  
**YES / NO**

a) If yes, furnish particulars: .....  
.....

4.3.11. Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?  
**YES / NO**

a) If yes, furnish particulars: .....  
.....

4.3.12. Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?  
**YES / NO**

a) If yes, furnish particulars: .....  
.....

4.3.13. Are any spouse, child or parent of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?  
**YES / NO**

a) If yes, furnish particulars: .....  
.....

4.3.14. Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract?  
**YES / NO**

a) If yes, furnish particulars: .....  
.....

4.4. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

.....  
**Name of Bidder**

## 5. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

### 5.1. GENERAL CONDITIONS

5.1.1. The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- The 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

5.1.2. The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable;

5.1.3. Point for this shall be awarded for:

- a) Price; and
- b) B-BBEE Status Level of Contributor.

5.1.4. The maximum points for this bid are allocated as follows:

	POINTS
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	<b>20</b>
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

5.1.5. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

5.1.6. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

## 5.2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“Functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- B-BBEE Status level certificate issued by an authorized body or person;
  - A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

## 5.3. POINTS AWARDED FOR PRICE

### 5.3.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

80/20	or	90/10
$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

**5.4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

5.4.1. In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**5.5. BID DECLARATION**

5.5.1. Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**5.6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 5.1.4 AND 5.4.1**

5.6.1. B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 5.7.1 must be in accordance with the table reflected in paragraph 5.4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**5.7. SUB-CONTRACTING**

5.7.1. Will any portion of the contract be sub-contracted?  
 (*Tick applicable box*)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

5.7.2. If yes, indicate:

a) What percentage of the contract will be subcontracted.....%

- b) The name of the sub-contractor.....
- c) The B-BBEE status level of the sub-contractor.....
- d) Whether the sub-contractor is an EME or QSE

**(Tick applicable box)**

YES	NO
-----	----

- e) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**5.8. DECLARATION WITH REGARD TO COMPANY/FIRM**

5.8.1. Name of company/firm: .....

5.8.2. VAT Registration number: .....

5.8.3. Company registration number: .....

**5.8.4. TYPE OF COMPANY / FIRM**

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[Tick applicable box]

**5.8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....

.....

.....

.....

5.8.6. COMPANY CLASSIFICATION

- Manufacturer
  - Supplier
  - Professional service provider
  - Other service providers, e.g. transporter, etc.
- [Tick applicable box]

5.8.7. MUNICIPAL INFORMATION

**Municipality where business is situated:** .....

**Registered Account Number:** .....

**Stand Number:** .....

5.8.8. Total number of years the company/firm has been in business: .....

5.8.9. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- a) The information furnished is true and correct;
- b) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- c) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- d) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have
  - i. disqualify the person from the bidding process;
  - ii. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - iii. cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - iv. recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
  - v. Forward the matter for criminal prosecution.

WITNESSES

1. ....

2. ....

.....

SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....



## 6. DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

### 6.1. General Conditions

- 6.1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 6.1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 6.1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 6.1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 6.1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve

Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

**The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrialdevelopment/ip.jsp> at no cost.**

6.1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

6.2. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

**Description of services, works or goods      Stipulated minimum threshold**

**N/A**

6.3. Does any portion of the goods or services offered have any imported content? **(Tick applicable box)**

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

6.3.1. If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on [www.reservebank.co.za](http://www.reservebank.co.za)

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of SARB rate (s) of exchange used.

- 6.4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the DTI must be informed accordingly in order for the DTI to verify and in consultation with the AO/AA provide directives in this regard.

**LOCAL CONTENT DECLARATION**  
**(REFER TO ANNEX B OF SATS 1286:2011)**

**LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)**

**IN RESPECT OF BID NO FWPQ-01-12-2021**

**ISSUED BY:** (Procurement Authority / Name of Institution):

**LAINGSBURG MUNICIPALITY**

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrial-development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, ..... (full names),  
do hereby declare, in my capacity as .....  
of .....(name of bidder  
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

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

**WITNESS No. 1** \_\_\_\_\_

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

**WITNESS No. 2** \_\_\_\_\_

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

## 7. DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 7.1. This Municipal Bidding Document must form part of all bids invited.
- 7.2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 7.3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
- 7.3.1. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - 7.3.2. been convicted for fraud or corruption during the past five years;
  - 7.3.3. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - 7.3.4. Been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 7.4. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

### CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME) .....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS  
DECLARATION FORM TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY  
BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

## 8. CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 8.1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
- 8.2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 8.3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - 8.3.1. take all reasonable steps to prevent such abuse;
  - 8.3.2. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - 8.3.3. Cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 8.4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 8.5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.



I, the undersigned, in submitting the accompanying bid:

**SCM-8-2: FWPQ: 01-12-2021:**  
**GABIONS FOR GÖLDNERVILLE STORMWATER (SCHOOL SIDE)**  
(Bid Number and Description)

in response to the invitation for the bid made by:

**LAINGSBURG MUNICIPALITY**

(Name of Municipality)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

- 8.6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
- 8.7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - 8.7.1. prices;
  - 8.7.2. geographical area where product or service will be rendered (market allocation)
  - 8.7.3. methods, factors or formulas used to calculate prices;
  - 8.7.4. the intention or decision to submit or not to submit, a bid;
  - 8.7.5. the submission of a bid which does not meet the specifications and conditions of the bid; or
  - 8.7.6. Bidding with the intention not to win the bid.
- 8.8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 8.9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

8.10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

**LAINGSBURG MUNICIPALITY**  
**CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES**

(To be signed in the presence of a Commissioner of Oaths)

I, the undersigned, in submitting the accompanying bid, declare that I am duly authorised to act on behalf of:	(name of the enterprise)
--	--------------------------

Hereby acknowledges that according to SCM Regulation 38(1) (d) (i), the Municipality may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the Tenderer or any of its directors/members/partners to the Laingsburg Municipality, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

That to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

If the value of the transaction is expected to exceed R10 million (VAT included) I certify that the bidder has no undisputed commitments for municipal services towards a **Municipality** in respect of which payment is overdue for more than 30 days;

PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER	MUNICIPAL ACCOUNT NUMBER

**FURTHER DETAILS OF THE BIDDER'S Director / Shareholder / Partners, etc.:**

Director / Shareholder / partner	Physical address of the Business	Municipal Account number(s)	Physical residential address of the Director / shareholder / partner	Municipal Account number(s)

**NB: Please attach** certified copy(ies) of ID document(s)

Number of sheets appended by the tenderer to this schedule (If nil, enter NIL)	
--	--

Therefore hereby agrees and authorises the Laingsburg Municipality to deduct the full amount outstanding by the Tenderer or any of its directors/members/partners from any payment due to the tenderer; and

I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The Tenderer acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.

<b>NAME (PRINT)</b>		<b>SIGNATURE</b>	
<b>CAPACITY</b>		<b>DATE</b>	
<b>NAME OF ENTERPRISE</b>			

<p style="text-align: center;"><b>COMMISSIONER OF OATHS</b></p> <p>Signed and sworn to before me at _____, on this _____ day of _____ 20__</p> <p>by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.</p> <p><b>COMMISSIONER OF OATHS:-</b></p> <p>Position: _____</p> <p>Address: _____</p> <p>Tel: _____</p>	<p><b>Apply official stamp of authority on this page:</b></p>
--	---

# QUOTATION FORM

1. I / We ..... (full name of Bidder) the undersigned in my capacity as ..... of the firm ..... hereby offer to Laingsburg Municipality herein represented by the Manager: INFRASTRUCTURE SERVICES (hereafter referred to as the MES), to supply and deliver the goods described in accordance with the specification and conditions of contract to the entire satisfaction of the MES and subject to the conditions of bid, for the amount indicated hereunder:

Refer to the pricing schedule:        **R** .....

Address of Bidder: .....

.....

.....

Telephone No: .....

Banker: .....

Branch: .....

2. I / We acknowledge that I / we am / are fully acquainted with the contents of the conditions of bid of this bid form and that I / we accept the conditions in all respects.
3. I / We agree that the laws of the Republic of South Africa shall be applicable to the contract resulting from the acceptance of my / our bid and that I / We elect domicillium citandi et executandi in the Republic at:
- .....
4. I / We furthermore confirm I / we satisfied myself / ourselves as to the corrections and validity of my / our bid: that the price quoted cover all the work items specification in the bid documents and that the price cover all my / our obligations under a resulting contract and that I / we accept that any mistake(s) regarding price and calculations will be at my / our risk.

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

\_\_\_\_\_  
**SIGNATURE OF BIDDER**

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

\_\_\_\_\_  
**SIGNATURE OF WITNESS**

**SIGNATORY OF AUTHORITY**

**A. COMPANIES**

If a Bidder is a company, a certified copy of the resolution by the board of directors, duly signed, authorizing the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is, before the closing time and date of the bid

**AUTHORITY BY BOARD OF DIRECTORS**

By resolution passed by the Board of Directors on \_\_\_\_\_ 20\_\_\_\_\_,

Mr./Mrs. \_\_\_\_\_ (whose signature appears below) has been duly authorized to sign all documents in connection with this bid on behalf

of \_\_\_\_\_ (Name of Company) in

his/her capacity as \_\_\_\_\_

Full Name of Director	Residential address	Signature

<b>Sign on behalf of company</b>		<b>Date</b>	
<b>Print Name:</b>			
<b>Witness 1:</b>		<b>Witness 2:</b>	

**B. SOLE PROPRIETOR (SINGLE OWNER BUSINESS)**

I, \_\_\_\_\_ the undersigned, hereby

Confirm that I am the sole owner of the business trading as \_\_\_\_\_

<b>Sign on behalf of company</b>		<b>Date</b>	
<b>Print Name:</b>			
<b>Witness 1:</b>		<b>Witness 2:</b>	

**C. PARTNERSHIPS**

We, the undersigned partners in the business trading as \_\_\_\_\_

hereby authorize Mr. /Ms. \_\_\_\_\_ to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract for and on behalf of \_\_\_\_\_ (name of firm)

The following particulars in respect of every partner must be furnished and signed by every partner:

<b>Full Name of Director</b>	<b>Residential address</b>	<b>Signature</b>

<b>Sign on behalf of company</b>		<b>Date</b>	
<b>Print Name:</b>			
<b>Witness 1:</b>		<b>Witness 2:</b>	



**C. CLOSED CORPORATION**

In the case of a close corporation submitting a bid, a resolution by its members, authorizing a member or other official of the corporation to sign the documents on their behalf, shall be included with the bid.

By resolution of members at a meeting on \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_ Mr. /Ms., \_\_\_\_\_ whose

signature appears below, has been authorized to sign all documents in connection with this bid on

behalf of (Name of Close Corporation) \_\_\_\_\_

Full Name of Director	Residential address	Signature

<b>Sign on behalf of company</b>		<b>Date</b>	
<b>Print Name:</b>			
<b>Witness 1:</b>		<b>Witness 2:</b>	

**SECTION 37(2) OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993  
(ACT 85 OF 1993)**

**INTRODUCTION**

The Occupational Health and Safety Act, 1993 (Act 85 of 1993) stipulates that the Chief Executive Officer is primarily responsible or liable for the health and safety of all his/her employees. This is embedded in Section 16(1) of the said Act. This responsibility or liability is also extended to include a mandatory that performs work on behalf of the employer on his/her premises.

A “mandatory” is defined in the said Act as: - “Including an agent, contractor or subcontractor for work, but without derogating from his status in his own right as an employer or user”

In terms of Section 37(2), read with Section 41, of the said Act, it is legally possible for an employer to indemnify himself from this responsibility or liability regarding the actions of the mandatory. Section

37(2) stipulates that there should be a written agreement in place between the employer and the mandatory regarding the arrangements and procedures between them to ensure compliance by the mandatory with the provisions of the Occupational Health and Safety Act, 1993.

By ensuring that there is a written agreement in place, the Management of Laingsburg Municipality is acting in a responsible manner, so as to ensure that this requirement is indeed being met.

In order to ensure that this written agreement and compliance with the Occupational Health and Safety Act, Act 85 of 1993 and its Regulations is honored at all times, regular inspections will be conducted by the appointed health and safety agent and if found not complying with the said agreement and abovementioned legislation, a notice of noncompliance will be issued. All work will be stopped and reasons for non-compliance must be given and what corrective action will be taken to rectify the situation must be stipulated.

The contractor must also ensure compliance with the Baseline Risk Assessment and Health and Safety Specifications - Laingsburg Municipality (SHES/GFC/LMGSC/1/2021) attached to this RFQ.

**COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993 (ACT 130 OF 1993)**

Laingsburg Municipality has legal duty in terms of Section 89 of the said Act to ensure that all contractors with whom agreements are entered into for the execution of work are registered as employers in accordance with the provisions of this Act and that all the necessary assessments have been paid by the contractor.

In order to enter into this agreement, the following information is needed regarding the above-mentioned:

Contractor's registration number with the office of the Compensation Commissioner:

--

**NOTE:**

A copy of the latest receipt together with a copy of the relevant assessment OR a copy of a valid Letter of Good Standing must be handed in, in this regard.

<b>PRINT NAME:</b>			
<b>CAPACITY:</b>		<b>Name of firm</b>	
<b>SIGNATURE:</b>		<b>DATE:</b>	

<b>LAINGSBURG MUNICIPALITY</b>	
<b>SPECIFICATIONS / TERMS OF REFERENCE</b>	
<b>RFQ Number:</b>	<b>SCM/8/2 - FWPQ-01-12-2021</b>
<b>RFQ Description:</b>	<b>GABIONS FOR GÖLDNERVILLE STORMWATER (SCHOOL SIDE)</b>
<b>1. Background</b>	
1.1. The Municipality invites suitably experienced and qualified service providers to bid for the construction of gabions in a Stormwater channel situated in Göldnerville.	
<b>2. Current State</b>	
2.1. The channel embankments are exposed to erosion during a flash flood event.	
<b>3. Scope of Work</b>	
3.1. Quotations are herewith invited to construct gabions at the Göldnerville Stormwater trench.	
1.2. The following are to be quoted for:	
1.2.1. Preliminary and general as per Schedule of Quantities	
1.2.2. Site clearance – Clear and grub stream bed and sides	
1.2.3. Earthworks – Excavate in all materials and backfill or place in embankment and compact.	
1.2.4. Import material from sources to complete embankment.	
1.2.5. Gabions and pitching – Surface preparation for bedding of gabions.	
1.2.6. Construct gabions using galvanized wire mesh.	
1.2.7. Construct stone pitching on wall face facing stream.	
1.2.8. Geotextile Bidum A3 or similar to be used as specified in the bill.	
3.2 Notes:	
3.2.1. Tenderers should have a CIDB contractor grading of 1CE or higher and need to provide proof of experience in gabion work on one or more projects.	
3.2.2. All work and materials to conform to the relevant SABS 1200 series specifications as indicated in the bill of quantities.	
3.2.3. Measurement and payment shall be in accordance with the relevant provisions of clause 8 of each of the SABS 1200 Standardised Specifications for Civil Engineering Construction referred to in the Scope of Work.	
3.2.4. The units of measurement described in the Bills of Quantities are metric units.	
3.2.5. Unless otherwise stated, items are measured net in accordance with the drawings, and no allowance is made for waste.	
3.2.6. The prices and rates in these Bills of Quantities are fully inclusive prices for the work described under such items.	
<b>4. Invalid Bids</b>	
4.1. The following will render the bid invalid:	
4.1.1. The bid is not submitted on the official Form of Offer;	
4.1.2. The bid document is not completed in non-erasable handwritten, or printed, ink, or toner;	
4.1.3. The Form of Offer has not been signed with an original signature;	
4.1.4. The Form of Offer is signed, but the name of the bidder is not stated, or is indecipherable.	

## **5. Non-Responsive Bids**

5.1. Valid bids will be declared non-responsive and eliminated from further evaluation if:

- 5.1.1. The bidder has been listed on the National Treasury's Register for Tender Defaulters in terms of the Prevention and combating of Corrupt Activities Act, Act 12 of 2004, or has been listed of the National Treasury's List of Restricted Suppliers and who is therefore prohibited from doing business with the public sector.
- 5.1.2. The bidder is prohibited from doing business with the Laingsburg Municipality.
- 5.1.3. The bidder does not comply with the Specification(s).
- 5.1.4. The bidder does not comply with the instructions as contained in the Price Schedule and/or Contract Price Adjustments and Rate of Exchange Variation (where applicable).
- 5.1.5. The bidder does not comply with the production of local content (if applicable)

5.2. Bidders will be declared non-responsive if the tenderer fails to adhere to a written request (within the specified period set out in such request) to:

- 5.2.1. Comply with the general conditions applicable to tenders as set out in the Laingsburg Municipality's SCM Policy;
- 5.2.2. Comply with one or more of the provisions contained in the Conditions of Tender.
- 5.2.3. Comply with any other terms and conditions of the bid as contained in the bid documents;
- 5.2.4. Register on the Central Supplier Database;
- 5.2.5. Complete and/or sign any declarations and or/authorisations;
- 5.2.6. Submit an original valid tax clearance certificate or tax compliance pin from the South African Revenue Services (SARS) certifying that the taxes of the bidder are in order;
- 5.2.7. Comply with any applicable Bargaining Council agreements where applicable;

5.3. 5.3. Paragraph 5.1 & 5.2 above are not closed lists.

## **6. General Specifications**

- 6.1. The Municipality reserves the right to accept alternative bids. The Municipality is not bound to accept the lowest or any bid and reserve the right to accept any bid either wholly or a part thereof.
- 6.2. The submission of a bid signifies complete acceptance of the conditions contained in these instructions, the form of bid and the annexures.
- 6.3. Bids may only be submitted on the official bidding document. The bidding documents must be fully completed and signed.
- 6.4. Report must be provided to the Municipality on a monthly basis in respect of all work done and hours with full rates. (If applicable)
- 6.5. Successful bidder will be compelled to employ local labour in the specific area. (If applicable)
- 6.6. Council will reserve the right to appoint more than one successful bidder or any combination. (If applicable)

## **7. SPECIFICATION REQUIREMENTS**

7.1. Please see Bill of Quantities.

## **8. QUALIFIED BIDS**

8.1. Qualified bids may be disregarded at the discretion of the Municipality.

## **9. DOCUMENTATION REQUIRED**

**9.1. THE FOLLOWING DOCUMENTATION MUST BE SUBMITTED AS PART OF THE FWPQ:**

- 9.1.1. Tax Compliance Pin and/or Tax Clearance Certificate
- 9.1.2. Valid BBBEE Certificate or Sworn Affidavit
- 9.1.3. Latest Municipal Account / Lease Agreement
- 9.1.4. Central Supplier Database (CSD) Number
- 9.1.5. Completed Annexures (If applicable)

## 10. OCCUPATIONAL HEALTH AND SAFETY REQUIREMENTS

10.1.1. The service provider must adhere to all statutory requirements.

## 11. PRICING REQUIREMENTS

- 11.1. Bid prices must be in ZAR Currency (Rand).
- 11.2. The rates must remain firm for the period of 12 months (Only for annual contracts)
- 11.3. Rates must be inclusive of Value-added-Tax of 15%

## 12. EVALUATION

- 12.1. Bids will be evaluated on a comparative basis, which is the reason for the design of the bid specification.
- 12.2. All bids received shall be evaluated in accordance with the Municipal Finance Management Act, Act 56 of 2003 (read with its accompanying supply chain management regulations), Laingsburg SCM Policy, and the Preferential Procurement Policy Framework Act, Act 5 of 2000 (read with its accompanying regulations).
- 12.3. Points will be awarded to bidders who are eligible for preferences in terms of **LBM 6.1: Preference Point Claim Schedule** (where preferences are granted in respect of B-BBEE contribution).

**LAINGSBURG MUNICIPALITY**

**PRICING SCHEDULE / BILL OF QUANTITIES**

<b>RFQ Number:</b>	<b>SCM/8/2 - FWPQ-01-12-2021</b>
<b>RFQ Description:</b>	<b>GABIONS FOR GÖLDNERVILLE STORMWATER (SCHOOL SIDE)</b>
<b>PLEASE NOTE:</b>	1. Prices quoted must be inclusive of VAT. 2. Document <b>MUST</b> be completed in non-erasable black ink. 3. Please complete the attached Bill of Quantities.

<b>Bill of Quantities GABIONS FOR GÖLDNERVILLE STORMWATER (SCHOOL SIDE)</b>						
<b>Item</b>	<b>Reference</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Rate (R)</b>	<b>Cost (R)</b>
<b>1</b>	<b>SANS 1200A</b>	<b>SECTION A</b>				
1.1	8.1.2	<b>PRELIMINARY AND GENERAL</b>				
1.2	8.3	Scheduled Fixed-Charge and Value-Related Items				
	8.3.1	Contractual requirements	Sum	1		
1.3	8.3.2.1	Facilities for Contractor	Sum	1		
1.4	8.3.2.2	Complying with the Occupational Health and Safety Act, Act 85 of 1993, its Regulations and the Health and Safety Specifications for the duration of the construction period	Sum	1		
1.5		Dealing with Stormwater during storm events	Sum	1		
1.6	8.4	Time related cost				
1.6.1	8.3.2.2	Tools and equipment	Sum	1		
1.6.2	8.3.2.2	Water and electricity supply	Sum	1		
1.6.3	8.3.2.2	Plant for construction	Sum	1		
1.6.4	8.3.4	Cleaning of site	Sum	1		
1.6.5	8.3.4	Removal of surplus excavated material and other associated materials, and making good of site to the satisfaction of the Employer	Sum	1		
<b>Total Carried over to Summary page</b>						

<b>Bill of Quantities GABIONS FOR GÓLDNERVILLE STORMWATER (SCHOOL SIDE)</b>						
<b>Item</b>	<b>Reference</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Rate (R)</b>	<b>Cost (R)</b>
2	1200DA	<b>SECTION B (Stormwater and Earthworks)</b>				
2.1	3.1	Excavation				
2.1.1	8.3.1	Excavation in soft material to shape channel embankment for gabions	m <sup>3</sup>	78		
2.1.2	3.2.1	Backfill, shape and compact	m <sup>3</sup>	94		
2.1.3	8.3.4	Import and shape embankment to fit new gabions	m <sup>2</sup>	40		
<b>Total Carried over to Summary page</b>						



<b>Bill of Quantities GABIONS FOR GOLDNERVILLE STORMWATER (SCHOOL SIDE)</b>						
<b>Item</b>	<b>Reference</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Rate (R)</b>	<b>Cost (R)</b>
3	1200 DK	<b>SECTION C (Gabion and Pitching)</b>				
3.1	8.2.1	Surface preparation for bedding of gabions	m <sup>2</sup>	260		
3.1.1	8.2.2	Construction of gabions using galvanised wire mesh supplied by Municipality at stores.				
		Toe mattress of depth 0.17m and 6m x 2m (x4)	m <sup>3</sup>	44.2		
		Gabions of section 3m x 0.5m x 1m for wall	m <sup>3</sup>	64		
		Gabions of section 2m x 0.5m x 0.5m for wall	m <sup>3</sup>	32		
3.1.1.1	8.2.3	Extra over item 3.2.2 for the selected stone in gabions sources from the Buffels River and carted to site.	m <sup>3</sup>	140.2		
<b>Total Carried over to Summary page</b>						

<b>Bill of Quantities GABIONS FOR GOLDNERVILLE STORMWATER (SCHOOL SIDE)</b>						
<b>Item</b>	<b>Reference</b>	<b>Description</b>	<b>Unit</b>	<b>Quantity</b>	<b>Rate (R)</b>	<b>Cost (R)</b>
4	1200GA	<b>SECTION D (Geotextile bidum)</b>				
4.1	8.2.4	Lay geotextile bidum supplied by municipality from the store on prepared surface				
4.1.1		Below mattress	m <sup>2</sup>	260		
		behind wall	m <sup>2</sup>	195		
<b>Total Carried over to Summary page</b>						

**SUMMARY PAGE**

<b>SUMMARY PAGE</b>		
SECTION A : PRELIMINARIES AND GENERAL		
SECTION B: EXCAVATION		
SECTION C: GABIONS AND PITCHING		
SECTION D: GEOTEXTILE BIDUM		
	<b>SUB-TOTAL</b>	
	<b>VAT</b>	
	<b>TOTAL</b>	

**LIST OF REFERENCES**

List of recent previous contracts of a similar nature undertaken by the firm to government institutions and corporates. Bidder must provide at least 1 reference per category / trade for successful similar projects completed. Non-submission of references will lead to immediate disqualification.

**(Please duplicate this page electronically for each contract completed, complete the information and attach with your bid)**

Description of Contract	Client contact details			Value of Contract	Year Completed
	Name of Client	Name of Responsible Official	Telephone no		

**SIGNED ON BEHALF OF BIDDER: .....**

<b>LAINGSBURG MUNICIPALITY</b>	
<b>Form of Offer and Acceptance</b>	
<b>RFQ NUMBER:</b>	<b>SCM/8/2 - FWPQ-01-12-2021</b>
<b>RFQ DESCRIPTION:</b>	<b>GABIONS FOR GÖLDNERVILLE STORMWATER (SCHOOL SIDE)</b>
<b>1. Part A: OFFER</b>	
<p>1.1. The Laingsburg Municipality has solicited offers to enter into a contract in respect of the abovementioned works.</p> <p>1.2. The bidder, identified in the Offer signature block, has examined the draft contract as listed in the Acceptance section and agreed to provide this Offer.</p> <p>1.3. By the representative of the Bidder, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Bidder offers to perform all of the obligations and liabilities of the Laingsburg Municipality under the contract, including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the Contract Data.</p>	
<b>2. THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VAT IS:</b>	
<p><b>3.</b> This Offer may be accepted by the Laingsburg Municipality by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer, whereupon the Tenderer becomes the party named as the <b>Contractor</b> in the conditions of contract</p>	

<b>Signature(s)</b>		
<b>Name(s)</b>		
<b>Capacity</b>		
<b>For the tenderer:</b>	<i>(Insert name and address of organisation)</i>	
<b>Name of witness:</b>		<b>Date</b>
<b>Signature of witness:</b>		

<b>LAINGSBURG MUNICIPALITY</b>	
<b>Form of Offer and Acceptance</b>	
<b>TENDER NUMBER:</b>	<b>SCM/8/2 - FWPQ-01-12-2021</b>
<b>TENDER DESCRIPTION:</b>	<b>GABIONS FOR GÖLDNERVILLE STORMWATER (SCHOOL SIDE)</b>
<b>4. Part B: ACCEPTANCE</b>	
<p>4.1. By signing this part of this Form of Offer and Acceptance, the Employer identified below accepts the tenderer's Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the conditions of contract identified in the Contract Data. Acceptance of the tenderer's Offer shall form an agreement between the Employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.</p>	
<p>4.2. Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Returnable Schedules as well as any changes to the terms of the Offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Form of Offer and Acceptance. No amendments to or deviations from said documents are valid unless contained in this Schedule.</p>	
<p>4.3. It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.</p>	

<b>Signature(s):</b>			
<b>Name(s):</b>			
<b>Capacity:</b>			
<b>For the Employer:</b>	<b>Laingsburg Municipality</b> <b>02 Van Riebeeck Street</b> <b>LAINGSBURG, 6900</b>		
<b>Name of witness:</b>		<b>Date:</b>	
<b>Signature of witness:</b>			

**DECLARATION BY BIDDER**

I / We acknowledge that I / we am / are fully acquainted with the contents of the conditions of tender of this tender form and that I / we accept the conditions in all respects.

I / We agree that the laws of the Republic of South Africa shall be applicable to the contract resulting from the acceptance of \*my / our tender and that I / we elect domicillium citandi et executandi in the Republic at:

I / We furthermore confirm I / we satisfied myself / ourselves as to the corrections and validity of my / our tender: that the price quoted cover all the work items specification in the tender documents and that the price cover all my / our obligations under a resulting contract and that I / we accept that any mistake(s) regarding price and calculations will be at my / our risk.

<b>NAME (PRINT)</b>		<b>SIGNATURE</b>	
<b>CAPACITY</b>		<b>DATE</b>	
<b>NAME OF ENTERPRISE</b>			
<b>WITNESS 1</b>		<b>WITNESS 2</b>	

*Munisipaliteit*

Munisipale-geboue  
Privaatsak X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Faks No. (023) 5511 019

*Laingsburg*



*Municipality*

Municipal Buildings  
Private Bag X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Fax No. (023) 5511 019

E-pos / E-mail : [scm@laingsburg.gov.za](mailto:scm@laingsburg.gov.za)

## **Baseline Risk Assessment and Health and Safety Specification**

### **RFQ Description**

**Construction of gabions in a stormwater channel situated in Goldnerville (South East)**

### **RFQ Number**

**SCM/8/2 - FWPQ-02-06-2021**



**GEORGE FARMER CONSULTANCY  
HEALTH AND SAFETY**



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## **1. Pre-construction Health and Safety Specification**

### **1.1 Introduction and background**

Historically, the building or construction industry has had poor health and safety records. Due to the complex and potentially dangerous operations being undertaken, there is a high risk of incidents and injuries. On the 7<sup>th</sup> of February 2014, the Minister of Labour promulgated the Construction Regulations 2014. The aim of these regulations is to place legal responsibilities on all key stakeholders in the construction industry to manage and improve health and safety on construction sites. This health and safety specification have been compiled under the guidelines of the Occupational Health & Safety Act no.85 of 1993 and its Regulations and the project scope of work. The Professional Team, Principal Contractors, Contractors and all other service providers linked to this project must comply with the minimum requirements as is set out within this specification as is applicable to their relevant disciplines and scope of work.

### **1.2 Purpose**

To indicate to all contractors the health and safety requirements on the project, upon which their health and safety system will be based on. The specification serves to assist the Principal Contractor and Contractors in achieving compliance with the Occupational Health & Safety Act 85/1993 and the Construction Regulations 2014. This health and safety specification and the baseline risk assessment must act as the basis for the drafting of the health & safety plan. Principal Contractors must forward a copy of this document to all Contractors at tendering stage to ensure that they can adequately allow for the compliance with this specification.

### **1.3 Implementation**

The specification forms an integral part of the contract and contractors are required to use it together with the baseline risk assessment when drawing up its project-specific health & safety plan. Should there be any contradiction between this document and the Act, the Act must take preference except where explicitly stated. Where this document does not address a specific health and safety requirement, the Act and its Regulations must be used as the minimum requirement.

### **1.4 Scope**

The specification covers the responsibilities and procedures for principal contractors and all contractors on the project. The scope also addressed legal compliance, hazard identification and risk assessment, risk control, and promoting a health and safety culture amongst those working in the project. The specification is a compliance document drawn up in terms of South African legislation and is therefore binding. It must be read in conjunction with relevant legislation as noted previously. It is a requirement of the Principal Contractor and all Contractors to conform to this legislation as part of the contract. The client or his health and safety agent (H&S Agent) reserves the right to stop work whenever safety, health or environmental violations are observed. The expense of such work stoppage and resulting standing time must be for the Principal Contractors account. No claim will be accepted as a result of any costs or delays being incurred due to the Principal Contractor not complying with the specification. Compliance with this document does not absolve the client from complying with minimum legal requirements and the client remains responsible for the health and safety of his employees and those of his mandataries. Laingsburg Municipality and their appointed H & S Agent (Mr. George Farmer of George Farmer Consultancy) reserves the right to audit, monitor and where necessary regulate the construction site work activities of any Principal Contractor or appointed Contractor as per Construction Regulations 5 and 7.

All contractors entering into a contract with Laingsburg Municipality shall, as a minimum, comply with:

- The Occupational Health and Safety Act and Regulations (Act 85 of 1993). A current, up-to-date copy of the OHS Act and Construction Regulations must be available on site at all times.
- The Compensation for Occupational Injuries and Diseases Act (Act 130 of 1993).
- All relevant Municipal bylaws, National Building Regulations and National Standards.

### **1.5 Definitions**

The definitions as listed in the Occupational Health & Safety Act 85/1993 and Construction Regulations shall apply.

## **2 Minimum administrative and physical requirements**

### **2.1 Laingsburg Municipality health and safety agreement**

The Principal Contractor is required to complete the health and safety agreement before work commencement on site. A copy of the signed 37 (2) agreement must be kept in the health and safety file. It is the responsibility of the Principal Contractor to ensure that there are 37(2) agreements between themselves and all their appointed Contractors.

### **2.2 Health and safety organogram**

The Principal Contractor shall submit an organogram outlining the health and safety site management structure including the relevant appointments / competent persons. In cases where appointments have not been made, the organogram shall reflect the intended positions. The organogram shall be updated when there are any changes in the site management structure and must be site specific.

### **2.3 Safety, health and environmental policy**

The Principal Contractor must submit a health and safety policy signed by their Chief Executive Officer (CEO) / Director / Managing Member. The policy must outline objectives and how they will be achieved and implemented by the organisation. The responsible person (Section 16.1) must, as far as is reasonably practicable, be responsible to ensure compliance with such policy.

### **2.4 Contractors health & safety plan / file (SHE Files)**

The Principal Contractor is required to provide the H & S Agent with a project specific health and safety file, at least 2 days before work commences on the site. The Principal Contractor and contractors SHE Files have to developed, implemented and maintained by a registered SACPCMP Health and Safety Officer (**No candidates**). The file must be in accordance with the health and safety specification. Once approved, the H&S Agent will provide the Principle Contractor with a letter of approval.

The Principal Contractor is required to keep and maintain an up to date Health & Safety filing system to demonstrate compliance with this Specification, the OHS Act 85/1993, and with the Construction Regulations 2014. It is The Principal Contractor responsibility to ensure that Contractors compile health and safety plans in line with this specification. Contractors SHE Files must be approved by the responsible Principal Contractor SHE Officer. Approval letters must be forwarded to the H & S Agent before work commences on the site.

The Principal Contractor and contractors must prepare a SHE File containing the processes / procedures and templates to be applied during the project period for the scope of work. The Principal Contractor will be evaluated during the contract period against the submitted SHE File.

At a minimum the SHE File shall contain the following documentation:

- Health and safety plan.(Signed by chief executive officer)
- Personnel list of employees working on the project. (with their ID numbers and positions listed)
- Safety, health and environmental policy and other policies.
- Updated copy of the Occupational Health and Safety Act (Act no. 85 of 1993) and its Regulations.
- Proof of valid registration and good standing with a Compensation Insurer.
- Approved risk assessments, review and monitoring plans and safe work procedures (method statements).
- Fall protection and rescue plans
- A list of contractors (sub-contractors) including copies of the agreements between the parties and the type of work being done by each contractor.
- Contractor monthly audit reports.
- H&S Agent audit and inspection reports.
- All written designations and appointments for project scope of work (CV and competency certificate copies).
- Management structure (inclusive of OH&S responsibility & meeting structure).
- Induction training and weekly toolbox talks.
- Daily safety task instructions and Planned job observations.

- Arrangements with contractors and/or mandatories.
- Competency certificates.
- Inspection and personal protective equipment registers.
- Incident reports.
- Emergency preparedness and response programmes.
- Medical fitness certificates.

Each contractor's health and safety plan will then need to be reviewed and updated as the project develops, as information becomes available pertaining to new risks and as information becomes available from the contractors carrying out specific activities on your behalf. Unforeseen circumstances or variations to planned work may also arise and must be dealt with by reviewing the health & safety plan (and activity-specific risk assessments) and updating the health & safety procedures set out in the plan (and risk assessments).

## 2.5 Notification of construction work (Annexure 2)

The Principal Contractor must notify the Provincial Director of the Department of Employment and Labour in writing before construction work commences. A copy of this notification must be held in their site H&S Files on site. Notifications must be emailed to the Department of Employment and Labour **7 days** prior to any work commences on the site.

## 2.6 Management and supervision of construction work

Principal Contractors and contractors must provide adequate levels of suitable trained, experienced and competent management and supervision to ensure that the works proceed safely and without risks to health or the environment, and that all operations and personnel for whom the contractor is responsible are adequately monitored and supervised. Appointments as stipulated by the OHS Act and Construction Regulations, 2014 must be in writing and proof of competency must be included. The Principal Contractor shall submit CV's of the responsible persons for approval by the appointed H&S Agent prior the commencement of work on site. The Principal Contractor's competent persons for the various risk management portfolios must fulfil the criteria as stipulated in terms of the definition 'competent person' in accordance with the Construction Regulations 2014. The Principal Contractor and contractors have to appoint a SACPCMP registered construction Health and Safety Officer (**No candidates**) to manage all activities on the construction site. The appointment and SACPCMP registration must be submitted to the H&S Agent before work commences on the site.

## 2.7 Health and safety representatives and committees

The Principal Contractor is required to elect and appoint health and safety representatives as stipulated in Section 17 of the Act. Such representative shall at all times be on the site and report to the part-time safety officer and construction manager.

## 2.8 Training

### 2.8.1 Safety Induction

#### **Safety induction is to comprise of the following:**

- **General site induction carried out by the Principle Contractor:**  
The Principal Contractor must ensure that all his employees undergo a site induction with regard to the general hazards prevalent on the site, the site rules and regulations and other related aspects as may be deemed necessary.
- **Job specific induction carried out by the supervisor on the site:**  
The Principal Contractor will be required to ensure that before an employee commences work on the project that the manager / supervisor charged with responsibility for the employee has informed the employee of his scope of authority and any hazards associated with the work performed. This will include the discussion of any standard task procedures or hazardous operational procedures to be performed by the employee. The Principal Contractor is to ensure that the manager / supervisor has satisfied himself that the employee is conversant with all hazards associated with any work to be performed.

The Principal Contractor must maintain comprehensive records of personnel under his control attending induction training. Acknowledge of receiving and understanding the induction must be signed by all persons receiving the induction accordingly.

## 2.8.2 Tool Box Talks

The Principal Contractor must ensure that on site periodic toolbox talks take place at least once every week or more often dependent on new activities and related risk assessment training required. These talks should deal with risks relevant to the construction work at hand. A record of attendance must be kept in the health & safety file. All contractors have to comply with this minimum requirement. Subject topics are applicable to the job at hand. "Near misses", accidents, and up-and-coming work will be discussed along with suggestions and comments.

## 2.9 Letter of Good Standing (COID, Act 130 of 1993)

The Principal Contractor and all ontractors must submit a letter of good standing with its Compensation Insurer to the H&S Agent as proof of registration. Records shall be kept in the H&S File.

## 2.10 General Record Keeping

The Principal Contractor must keep and maintain all the necessary health and safety records to demonstrate compliance with this specification, with the OHS Act 85/1993, and its Regulations. The Principal Contractor must also ensure that all records of incidents/injuries, emergency procedures, training, planned maintenance inspections, monthly contractor audits, etc. are kept in the health & safety file(s) held in the site office. The Principal Contractor must also ensure that contractors keep their own health & safety files, maintain the files and make them available on request (the file must include the contractor's health & safety plan and all relevant records). Such contractor H&S files' must be audited by the respective principal contractor H&S Officer on a monthly basis with audit reports kept as proof.

## 2.11 Communication

The Principal Contractor must have a system in place to ensure the immediate communication to his/her employees and the on-site application, of any new legislation, regulations or relevant standard that may come into effect during the course of the contract.

The principle contractor must hold a H&S meeting once a month with all appointed supervisors, the appointed H&S representative and other relevant employees. Copies of minutes of these meetings must be forwarded to the Client/Agent.

## 2.12 Hazard identification and risk assessment

Every contractor performing construction work shall, before the commencement of any construction work or work associated with the construction work, and during construction work, ensure that a risk assessment is undertaken by a competent person, appointed in writing, and the risk assessment shall form part of the SHE plan to be applied on the site. Risk assessments shall identify occupational health and safety hazards and risks and environmental aspects and impacts emanating from the activity to be performed by the principal contractor / contractor.

The risk assessment shall include at least the following items:

- Date on which risk assessments were conducted / reviewed.
- The identification of the risks / hazards and aspects / impacts to which persons may be exposed to per activity.
- The analysis and evaluation of the risks / hazards and aspects / impacts identified.
- Existing control measures and proposed corrective measures.
- A plan to review the risk assessments as the work progresses and changes are introduced.
- Identification of significant risks.
- A documented plan of Safe Working Procedures (SWP)', and its relevance to the risk assessment, inclusive of method statements, to mitigate, reduce or control the risks and hazards that have been identified.
- A plan to monitor the application of the Safe Working Procedures (SWP).
- Signature of appointed competent person conducting risk assessment.
- Signature of approval by principal contractor management and employees involved in risk assessment.

**Note: All identified risks and hazards must be based on a documented method (Risk Matrix).**

Based on the risk assessments, The Principal Contractor must develop a set of site-specific health and safety rules that will be applied to regulate the health, safety and environmental hazards/aspects of the construction work.

The risk assessments, together with the site-specific occupational health and safety rules, must be submitted to the H&S Agent before mobilisation on site commences. The Principal Contractor shall ensure through his risk management process the hierarchy of controls stipulated as follows, are implemented:

- Eliminate - The complete elimination of the hazard.
- Substitute - Replacing the material or process with a less hazardous one.
- Redesign - Redesign the equipment or work process.
- Separate - Isolating the hazard by guarding or enclosing it.
- Administrative - Providing control such as training, procedures etc.
- Personal Protective Equipment (PPE) - Use of appropriate and properly fitted PPE where other controls are not practical. (PPE as the last resort)

The Principal Contractor will be required to carry out the following three forms of risk assessment:

- Baseline risk assessment.
- Issue based risk assessment.
- Continuous risk assessments.

#### Baseline risk assessments

The Principal Contractor is required to develop a baseline risk assessment taking the resources, competency levels, nature and scale of their organization into consideration for submission during SHE File evaluation phase. The hazards and risks to which persons, plant, vehicles and facilities may be exposed during the construction should be identified and evaluated. Measures to reduce or control these risks or hazards should be defined during this assessment. The effectiveness of the measures defined and the baseline risk assessment prepared shall be monitored and reviewed from time to time to ensure that it remains relevant and accurate.

#### Issue based risk assessments

The Principal Contractor will be required to carry out separate risk assessments during construction of the project when methods and procedures are varied, for example when:

- Plant is periodically cleaned and maintained or when Indents or near-misses occur.

#### Continuous risk assessments

The Occupational Health and Safety Act (Act no. 85 of 1993) specifically requires that employers shall provide and maintain working environments that are safe and without risk to health. The general awareness of hazards needs to be raised as work ethic to maintain a safe and risk free environment on an on-going basis. This is achieved by continuous risk assessments, a form of risk assessment that takes place as an integral part of day-to-day management. Examples of continuous risk assessments include:

- Maintaining general hazard awareness and Pre-work risk assessments / Daily Safety Task Instructions.

Occupational health and safety risks that are identified during the risk assessment process shall be communicated before the commencement of the said activity to every employee whose work is associated with the risk. Each employee shall sign to confirm understanding of the safety, health or environmental risks in the tasks.

#### Review of risk assessments

The Principal Contractor is required to review the hazards identified, the risk assessments and the safe work procedures as the contract work develops and progresses and each time changes are made to the designs, plans and construction methods and/or processes. Risk assessments are to be reviewed whenever there is change on the scope of work, process, and accidents or when required by the H&S Agent.

## Scope of Work

The principal contractor and contractors risk assessment should take into consideration the following scope of work, but not limited to:

- Cleaning of site.
- Excavation in soft material to shape channel embankment for gabions.
- Removal of surplus excavated material and other associated materials.
- Backfill, shape and compact.
- Import and shape embankment to fit new gabions
- Gabions and Pitching - Surface preparation for bedding of gabions
- Construction of gabions using galvanised wire mesh
- Lay geotextile bidum

**NOTE:** Method statements must be compiled and submitted for approval by H&S Agent for all high risk activities.

### **Client identified hazards (Refer to the Baseline Risk Assessment – Annexure ‘A’ herein below)**

#### **2.13 Non-conformances and ratification**

The H&S Agent has the authority to issue a non-conformance report to Principal Contractors not complying to the H&S requirements on the site, with the necessary required rectification action required within a specific time frame.

It is also noted to The Principal Contractor that any expenses incurred due to non-conformances must be for the Principal Contractors account in question.

The H&S Agent and other authorized personnel have the authority to stop work if there is a life-threatening situation and/or the danger of substantial material loss/damage and direct immediate remedial action under the supervision of the principal contractor and/or construction manager is required.

Any unsafe condition must be followed up. The Principal Contractor must present a written report including remedial actions to avoid re-occurrence and the subject must be discussed at the next safety meeting.

#### **2.14 Potentially hazardous conditions / unforeseeable hazards**

The Principal Contractor must immediately notify contractors as well as the H&S Agent, in writing, of any hazardous or potentially hazardous situations that may arise during the performance of construction activities so that the necessary precautions may be taken before such work begins.

#### **2.15 Accident/incident Reporting**

The Principal Contractor must report incidents, accidents and diseases to the relevant authorities as stipulated in the Occupational Health and Safety Act and the Compensation for Occupational Injuries and Diseases Act. These incidents must also be reported to the responsible H&S Agent and Laingsburg Municipality Safety Officer within 24 hours after the incident.

The Principal Contractor must collect all safety-related statistics and must report it to the H&S Agent at the end of each month.

#### **2.16 Accident/Incident Investigation**

All incidents and accidents must be investigated as stipulated in the Occupational Health and Safety Act. The Principal Contractor and all Contractors must investigate incidents involving their employees and forward a copy of the 'annexure 1' investigation report to the principal contractor concerned forthwith. The Principal Contractor must report all injuries to the H&S Agent within 7 working days in the form of an injury report.

Thereafter corrective actions and recommendations agreed upon must be followed-up on to assess the effectiveness of the remedial measures taken.



## 2.17 Health and safety audits and inspections (SHE Audits)

SHE audits are to comprise of:

- The H&S Agent weekly audit and inspections on the SHE performance of The Principal Contractor on the site. The document audit and site inspection will be conducted on a date and time scheduled by the H&S Agent. Reports will be circulated to all parties within 7 days.
- The Principal Contractors monthly audit on the SHE performance of direct contractors on the site. Reports must be forwarded to the H&S Agent.

Detailed reports of the audit findings and results must be reported on at all levels of project management meetings. Copies of the audit reports must be kept in the Health & Safety File.

A compliance rating will be calculated for the principal contractor as per a formula determined by the H& S Agent. The H&S Agent reserves the right to adjust the monthly compliance calculation formula as and when required.

The Principal Contractor is required to maintain a minimum compliance rating of **91% (Ninety One Percent)**.

The following score matrix will be used:

Score Matrix with the Scoring ranging from 0 - 2	
Score	Discription of what each score value is rated on
0	Non - Compliant in terms of the OHS Act 85/1993 and needs urgent attention.
1	Partially Compliant, however attention is to be given to achieve full marks.
2	Fully Compliant as required by the OHS Act 85/1993

Score Matrix with the Scoring ranging from 0 - 10	
Score	Discription of what each score value is rated on
0	Non - Compliant in terms of the OHS Act 85/1993
2	Very Poor / Major Non- Compliance
4	Poor / Non-Compliance, however, major attention is required.
6	Partially Compliant, However, Attention required.
8	Good Compliance, However, Minmil rectification required.
10	Fully Compliant as required by the OHS Act 85/1993

91 -100%: Above Average Compliance: The contractor is compliant
81 – 90%: Average Compliance: The contractor is compliant but more consistent effort is required.
<80%: Below Average Compliance: The contractor is generally non-compliant – urgent action is needed

**The Principal Contractor shall provide a corrective action plan within 3 days for all noncompliance's noted in the H&S Audits conducted by the Health and Safety Agent. Note: An electronic copy must be sent to the client representative including the appointed H&S Agent.**

## 2.18 Work stoppages

Work stoppages will be identified for 2 (two) types of work stoppages to be implemented:

- Overall work stoppage – The Principal Contractor is not allowed to continue with any type of construction / site work up until the work stoppage has been closed-out.
- Activity work stoppage – The Principal Contractor is not allowed to continue with the specific activity / task / job up until the work stoppage has been closed-out.

Overall work stoppages will be issued where non-conformances are identified against the criteria in the following table.

<b>Description of audit non-conformance / non-compliance</b>
Proof of registration with Compensation Commissioner or other insurer not available / Registration with Compensation Commissioner or other insurer not valid and up-to-date.
SHE Plan not compiled, approved by contractor management and available on site.
Signed section 37(2) Agreement not signed and available on site.
Risk assessments not developed / not applicable to scope of work issued by H&S Agent.
No construction manager appointed / on site / construction manager not full time on site / Appointed construction manager does not meet requirements.
No safety officer appointed / available on site / Safety officer does not meet requirements. Safety not on site as required by this Specification. SHE Officers (All employers) not SACPCMP registered.
No file on site.
Corrective action plan not provided within 3 days after receipt of health and safety audit report. All non-compliances not closed out.
Health and Safety Management System not monitored, reviewed and maintained as required by Act and Regulation / SHE Specifications.

Activity work stoppages will be issued where non-conformance are identified per activity where the health and safety of employees or the public is compromised.

### **2.19 Contractor competency assessment**

The Principal Contractor must be reasonably satisfied that the contractors they intend to appoint have the necessary competencies and resources to safely conduct the work they will be appointed for. This should be established at tender stage and before appointments are made. Safety plans must be approved for implementation by the principal contractor H&S Officer.

### **2.20 First aid facilities**

The Principal Contractor must appoint in writing at least one (1) Level 1 First Aider on site regardless of the number of labour on site. Valid certificates are to be kept on site. The Principal Contractor with more than 5 employees must supply their own first aid box.

Taking into account the type of injuries that are likely to occur on site, the nature of the activities performed and the number of employees at such a work site, the principal contractor must ensure that the first aid box contains the minimum requirements in accordance with the General Safety Regulations.

First aid kit or boxes must not contain anything besides material for first aid emergencies.

### **2.21 Personal protective equipment (PPE)**

The provision and use of PPE by employees is the contractors responsibility. Contractors must be responsible to ensure that such equipment is worn at all times.

It is also the responsibility of The Principal Contractor to do a risk assessment to establish what type of PPE his employees are required to wear based on the nature of the hazard and the type, range and performed of the protection required. The H&S Agent reserves the right to impose additional PPE requirements as per the assessment of risk associated with activities identified on site.

## 2.22 Emergency preparedness

The Principal Contractor shall submit a detailed emergency procedure and evacuation plan with assembly point and contact details in the case of any emergency. The procedure shall detail the response plan including the following key elements as a minimum:

- List of key competent personnel;
- Details of emergency services;
- Actions or steps to be taken in the event of the specific types of emergencies;
- Steps to be taken when exposed to ammonia gas released from Laingsburg Municipality ammonia plants.
- Emergency procedure(s) shall include, but shall not be limited to, fire, spills, accidents to employees, use of hazardous substances, bomb threats, major incidents/accidents, etc.
- Possible Fire
- Adequate Signage to be displayed for easy evacuation
- Clear and obstruction free access routes

The Principal Contractor shall advise the Client, H&S Agent, and all relevant authorities forthwith, of any emergencies, together with a record of action taken. A contact list of all service providers (Fire Department, Ambulance, Police, Medical and Hospital, etc.) must be maintained and available to site personnel. All emergency procedures must be monitored on a regular basis and must be in line with the building program. The Emergency / Evacuation plan and routes must be revised on a regular basis for all employees and contractor (including staff) should any unforeseen event take place during the implementation phase/s of the project. Evacuation Drills must be conducted as and when needed. Contractor to assess all activities to ensure this is implemented with proof placed on file.

## 2.23 Safety signage

The Principal Contractor must display all the necessary health and safety warning signs in accordance with the identified hazards for the applicable work site. (General Administration Regulation 13)

The Principal Contractor shall provide adequate on-site OHS signage. Including but not limited to: “no unauthorised entry”, “report to site office”, “site office”, and “hard hat area”. Signage shall be posted up at all entrances to site as well as on site in strategic locations e.g. access routes, entrances to structures and buildings, and other potential risk areas / operations. Activity-specific signage in accordance with legislation will also be required i.e. scaffold tags; electrical warning signs; mandatory personal protective equipment signs, etc.

## 2.24 Public and site visitor health and safety

The Principal Contractor must ensure that every person working on or visiting the site, as well as the public in general, shall be made aware of the dangers likely to arise from site activities, including the precautions to be taken. Records must be kept in the file of all inductions conducted. Appropriate health and safety notices and signs must be posted up as per the hazards identified. Site must be fenced of 1.8m high substantial material with shade cloth installed on outside of fencing. All construction activities including deliveries and driving onto site must be hoarded off completely. Site fencing must be inspected daily with proof available inside the SHE files. Controlled access points must be provided. The construction manager will ensure that apron fans are cleaned and well maintained and that the site is secured, even when no work activities are taking place. All tools, equipment and hazardous materials must be locked away at the end of each day. Proper access control measures must be implemented. The construction manager must ensure that suitable measures (e.g. spotters) will be in place during offloading of material. Precautionary measures must also be implemented when there might be an increase in pedestrian traffic and vehicles in proximity to the construction area.

## 2.25 Excavations

The Principal Contractor to ensure that:

- a) The excavations are inspected before every shift and a record is kept;
- b) Adequate precautions must be taken by the contractor to prevent slumping of excavations, as well as to prevent rocks and loose material falling onto workers.
- c) All excavations by the contractor are to be clearly demarcated to prevent accidental access.
- d) Safe work procedures have been communicated to the workers;
- e) The safe work procedures are enforced and maintained by the Contractor's Responsible Person at all times.
- f) The requirements as per section 13 of the Construction Regulations are adhered to.

## **2.26 Hand tools and safeguarding of plant and machinery**

The Principal Contractor must ensure that all hand tools, plant and machinery comply with the requirements of the OHS Act 85/1993 and Construction Regulations. The Principal Contractor must inspect and keep records of inspections of the construction plant used on site. Only authorized / competent persons (SAQA Unit Standards) are to use machinery under proper supervision. Appropriate PPE and clothing must be provided and maintained in accordance with General Safety Regulation 2.

## **2.27 Stacking and storage of materials**

The Principal Contractor must ensure stacking and storage of articles on construction sites must be undertaken in terms of regulation 28 of the Construction Regulations.

The Principal Contractor must ensure that stacks are safe. Stacking is to be executed by a person (Stacking Supervisor) with specific knowledge and experience of this type of work.

## **2.28 Housekeeping**

The Principal Contractor must ensure that the work site is kept tidy for the duration of the contract. Waste from the construction process must be removed and appropriately dumped.

Waste and debris must not be disposed of from a high place with a chute, unless the chute complies with requirements as set out in Construction Regulation.

On completion, The Principal Contractor is responsible for clearing the site of all materials, scrap, temporary buildings and building bases to the satisfaction of the Client / H&S Agent.

## **2.29 Environmental Management**

Adequate care must be taken by all contractors to prevent pollution of the environment in any way whatsoever.

Any material, which can harm or is likely to harm the environment, must only be disposed of through a recognised waste disposal method with the approval of the Client.

Plans to deal with spillages must also be in place. No open or unattended fires are allowed within the construction site. The Contractor shall ensure that staff is trained on environmental issues relevant to their work. This training shall be structured within the context of the Contractor's approved Environmental Management Plan.

## **2.30 Fire extinguishers and prevention**

The Principal Contractor must take the necessary precautions to prevent fires and to minimize the consequences of fire, while performing work on the construction site. Fire extinguishing equipment must be properly maintained and located at strategic points on site, specific to the classes of fire likely to occur. The appropriate notices and signs must be posted up as required. A sufficient number of workers must be trained in the use of fire extinguishing equipment, so that adequately trained personnel are readily available during all working periods.

Access to fire extinguishers such as hydrants, portable extinguishers and connections for hoses must be kept clear at all times.

## **2.31 Hired plant and machinery**

The Principal Contractor must ensure that any hired plant and machinery used on site is safe for use. The necessary requirements as stipulated by the OHS Act 85/1993 and Construction Regulations must apply. The Principal Contractor must ensure that operators hired with machinery are competent (SAQA Unit Standards) and that certificates are kept on site in the health & safety file.

## **2.32 Electrical installations and portable electrical tools**

The Project Manager / Principal Agent must ensure that The Principal Contractor is made aware of the positions of all existing electrical installations and cables by means of as-built drawings and other methods. The Principal Contractor must notify the Project Manager /Principal Agent should they not be sure of the location of any electrical installations.

Portable electrical tools and equipment, including electrical extension leads must be visually inspected daily before use with records kept. Such inspections must be carried out by persons trained in the inspection criteria.

### 2.33 Transport and vehicles

The Principal Contractor must ensure that, when workers are transported by motor vehicles such as light duty vehicles or “bakkies”, they are seated within the load area which must be fully enclosed on the sides and not seated on the edges. Persons may not be conveyed when sitting with their legs hanging over the sides of the vehicle nor whilst standing. No transporting of employees on the back of open bakkies. Provision of a serviced portable fire extinguisher in all construction vehicles and mobile plant at all times. All contractors to adhere to the speed limit of 20km/h on the site. No employees will be transported on the back of vehicles not designated for passengers, i.e. open trucks and bakkies

### 2.34 Structures

The Principal Contractor must ensure that all reasonably practicable steps are taken to prevent the uncontrolled collapse of any new or existing structure or any part thereof, which may become unstable or is in a temporary state of weakness or instability due to the carrying out of construction work.

### 2.35 Night work

The Principal Contractor may not undertake night work without prior arrangement with the client.

### 2.36 Detection and location of existing services/utilities

The client must ensure that all existing services are clearly indicated and contractors notified in the form of drawings and specifications before starting any work on site. The Client must instruct the electrical contractor to identify the existing electrical installations and make the area under construction safe before contractors start their activities on site. Should the location of services (electrical, water, telecommunications, fire, security, etc.) not be known or if it is suspected that services might be present, the client must mandate the contractor to make use of the necessary detection equipment in order to accurately identify services before starting any demolition / stripping / alterations work.

### 2.37 Cost of health and safety measures

The Principal Contractor and contractors shall ensure that the cost of all health and safety measures (personal protective equipment, fall protection and arrest equipment, site hoarding, etc.) are included in the quotation. All parties bidding to do work on this construction project must ensure that they have made provision for the cost of complying with this specifications document as well as with the OHS Act and incorporated Regulations as a minimum requirement in their tender documentation. The Principal Contractor shall stipulate in writing (on company letterhead) to the Client / H&S Agent that they have made provision for the cost of health and safety measures.

### 2.38 Health and safety officer (Part-time)

The Principal Contractor and contractors must appoint a competent Part -Time Health and Safety Officer who is registered with SACPCMP. **(No Candidates allowed to manage health and safety on the project)**

The following Health & Safety Officer related duties will have to be carried out:

- Weekly site visits for all Principal Contractor SHE Officers.
- Attend monthly site audits conducted by H & S Agent.
- Health & safety audits and inspections including administrative and physical audits of all Contractors' health & safety plans, files and activities, and record findings in the form of audit reports to be kept in the health & safety file. Weekly audit reports must be forwarded to the H & S Agent.
- Regular Risk assessments – written reports **(weekly as a minimum)** to be available.
- Evaluate, and finally approving sub-contractor health & safety plans.
- Incident investigations.
- Reviewing the hazard identifications and risk assessments and ensuring that up-coming activities are assessed for risk.
- Assisting with method statements and safe work procedures and checking whether the responsible persons on site follow these safe work procedures.
- Enforcing discipline on site and checking on compliance with health & safety procedures, standards and rules.

### **2.39 Fall Protection / Excavations**

Working in a fall risk position includes any work where there is a risk of a person falling. The Principal Contractor must prepare an activity-specific fall protection plan in accordance with the Construction Regulations before their work is undertaken.

### **2.40 Ladder work**

The Principal Contractor must ensure that all ladders are:

- Inspected daily before use with monthly records kept.
- The correct height for the task.
- Extend at least 1m above the landing being served if an access ladder.
- Fastened and secured in position.
- Wherever necessary and where a risk assessment finds it to be required, ladders must be substituted for scaffolding.
- Records of inspections must be kept in a register on site.

### **2.41 Existing Structures**

Any adjacent structures that may be affected by work must be considered in the planning process. Precautionary measures must be detailed and applied to prevent damage, uncontrolled collapse of existing structures.

### **2.42 Medical fitness certificates**

The Principal Contractor to ensure that all his or her employees have a valid medical certificate of fitness specific to the construction work to be performed and issued by an Occupational Health Practitioner in the form of an Annexure 3. Should a questionnaire be used as an assessment tool then such questionnaire must be administered by a certified occupational health practitioner.

Note that the CR's 2014 requires all contractor personnel to undergo medical assessments based on the work they undertake (not merely work in elevated positions or plant operators).

### **2.43 Welfare facilities**

The Principal Contractor must make suitable arrangements with the client regarding the following welfare facilities:

- Sanitary facilities
- Changing facilities
- Sheltered eating area and drinking water on site.

### **2.44 Hazardous chemical agents**

Each Contractor must identify the hazardous chemical agents to be used and ensure that the necessary safety data sheets (SDS) are available indicating the first aid and other emergency information.

Suitable personal protective equipment to be available for all possible exposures to chemical agents.

Employees to be trained on the SDS.

### **2.45 Consolidation of health & safety documentation**

It is the duty of Principal Contractor to ensure that all documentation required to be kept or generated during the construction stage is consolidated into one set of documents that must be handed over to the H&S Agent upon completion of the construction work. These consolidated safety file(s) should include all instructions /guidelines/ specifications / information from the design team that will be required for the continued safe operation and maintenance of the new structure(s) or part(s) thereof.

### **2.46 Liquor and other drugs**

Intoxicating liquor and narcotic drugs are not permitted on site, nor will anyone under the influence of either be permitted on site. Any person found with these substances or under the influence of alcohol/ drugs may be handed over to the SAPS and in addition, blacklisted from site.

### **2.47 Offences and Penalties**

Penalties may be imposed on Principal Contractors and/or contractors by the H&S Agent for ongoing non-compliance with the provisions of the Client's health & safety specifications, the Principal Contractors' health & safety plans, and the site health & safety procedures and rules.

Non-compliances identified during safety agent audits and visits will be categorised into one of three levels based on severity.

These will be as follows:

- Life threatening situation - a prohibition order will be issued by means of a written instruction in the site instruction book or an explanation in an audit report. This activity must be seized immediately and corrective measures taken.
- Serious injury possible – a contravention notice will be issued with a time frame for compliance stipulated. Failure to comply within the time frame may result in a maximum R2000 penalty per non-compliance item per day that the non-compliance persists.
- Minor or no injury may result – an improvement notice will be issued. The corrective measures stipulated in the audit report must be taken.

## Annexure A - Baseline Health and Safety Risk Assessment

Contractors must ensure that they include an assessment of the activities listed below in their health & safety plan and risk assessment documents. This list is not exhaustive and only includes the activities foreseen by the H&S Agent as posing a substantial risk of injury and/or property damage. The risk ratings (H, M, L) are an indication of the perceived inherent risk (injury and/or property damage) assessed by the H&S Agent based on: severity of injury/damage and likelihood of injury/damage.

1. Cleaning of site
2. Site establishment
3. Public safety
4. Delivery of materials and equipment to site – construction vehicles and mobile plant
5. Off-loading of material
6. The presence of existing services such as electricity, water, sewerage, communications, fire systems, security, etc.
7. Carrying of material
8. Removal of surplus excavated material and other associated materials
9. Excavation in soft material to shape channel embankment for gabions
10. Backfill, shape and compact.
11. Import and shape embankment to fit new gabions
12. Gabions and Pitching - Surface preparation for bedding of gabions / Construction of gabions using galvanised wire mesh
13. Lay geotextile bidum
14. Use of ladders
15. Work at fall risk positions
16. Stacking and storage of material
17. Noise
18. Fires
19. Portable electrical tools and electrical extension leads
20. Exposure to hazardous chemical substances
21. Operating vehicles and mobile plant - Rigging
22. Temporary works
23. Medical fitness certificates
24. Slips, trips & falls
25. Musculoskeletal injuries
26. Health and safety plans / files
27. Letter of good standing
28. Management and supervision of construction work
29. Risk assessment for construction work
30. Fall protection plans
31. Control of records / registers



Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
<b>1. Cleaning of site</b>	<p>Moving Machinery</p> <p>Poor Visibility</p> <p>Housekeeping</p> <p>Fire</p>	<p>Possible injury and or death due to the plant and machinery used.</p> <p>Falling objects due to poor planning or machine failure.</p> <p>Poor housekeeping and waste management practice could result in fire.</p> <p>All staff to be provided with and be required to wear the personal protective equipment as per the personal protective equipment risk assessment conducted.</p> <p>All staff to receive induction training prior to being allowed on site.</p> <p>All work to be done under the general supervision of competent persons.</p> <p>All equipment to be inspected and declared safe prior to staff members being allowed to use the equipment or machinery.</p> <p>Construction areas to be barricaded / fenced off with construction netting or other suitable material.</p>	<p>High</p>
<b>2. Site establishment</b>	<p>Visibility of people and/or material and/or machinery</p> <p>Movement of material or machinery.</p>	<p>All staff to be provided with and be required to wear the personal protective equipment as per the personal protective equipment risk assessment conducted;</p> <p>All staff to receive induction training prior to being allowed on site;</p> <p>All work to be done under the general supervision of competent persons;</p> <p>All equipment to be inspected and declared safe prior to staff members being allowed to use the equipment or machinery;</p> <p>Construction areas to be barricaded / fenced off with construction netting or other suitable material.</p>	<p>High</p>

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
<b>3. Public safety</b>	<p>Visibility of people and/or material and/or machinery</p> <p>Movement of material or machinery.</p>	<p>Where possible visitors will be restricted from entering construction sites;</p> <p>All visitors to the construction site to be trained on the dangers and hazards to be anticipated while on the construction site;</p> <p>Visitors only to be allowed on site should they be in possession of the required personal protective equipment;</p> <p>All excavations which are accessible to the public to be barricaded by means of a barrier or fence of at least one meter in height; and fitted with warning lights should these excavations be accessible at night.</p>	High
<b>4. Delivery of materials and equipment to site – construction vehicles and mobile plant</b>	<p>Unsafe movement of delivery vehicles on the site.</p> <p>Injures</p>	<p>Ensure that all vehicles use the agreed traffic routes and procedures on site.</p> <p>Vehicles are not to exceed 20 km/h.</p> <p>Flagmen/spotters when reversing.</p> <p>Vehicles to be banked at all times while on site.</p> <p>Driven Machinery Regulations to be adhered to – mechanical lifting operations.</p> <p>Vehicles and plant to be fitted with reversing alarm / flashing amber lights.</p>	Medium
<b>5. Off-loading of material</b>	<p>Vehicle accidents</p> <p>Injuries</p>	<p>All work areas to be adequately demarcated.</p> <p>All Activities to done under supervision.</p> <p>Ensure a spotter is available if and when needed.</p> <p>Once site has been secured it must be maintained to avoid unauthorized persons.</p>	Medium

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
		<p>Relevant construction signage to be displayed.</p> <p>Contractors to be aware of live services e.g. electrical cables.</p>	
<p><b>6. The presence of existing services such as electricity, water, sewerage, communications, fire systems, security, etc</b></p>	<p>Contact with services</p> <p>Injuries</p>	<p>Locate services prior to work.</p> <p>Isolate services prior to work.</p> <p>All areas are to be adequately fenced.</p> <p>As-built drawings to be issued to contractors.</p> <p>Good warning signage in place.</p> <p>No unauthorised persons to be allowed in construction area.</p>	<p>High</p>
<p><b>7. Carrying of material</b></p>	<p>Possible contact with fellow employees and results into possible injuries.</p>	<p>Employees to take caution when walking on site.</p> <p>Employees to keep material as close to themselves or structure as possible to avoid possible contact with persons.</p> <p>Ensure your vision is not obstructed.</p> <p>Watch your blind spots and get assistance when carrying heavy objects.</p>	<p>Medium</p>
<p><b>8. Removal of surplus excavated material and other associated materials.</b></p>	<p>Moving vehicles</p> <p>Noise and dust</p> <p>Weather elements</p>	<p>All staff to be provided with and be required to wear PPE as per PPE HIRA.</p> <p>The Local Traffic Department to be informed or permission to be obtained from them if required;</p> <p>Safe use of tools and equipment.</p>	<p>High</p>

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
<b>9. Excavation in soft material to shape channel embankment for gabions</b>	Ergonomics Poor Visibility Housekeeping Dust Inhalation Possible collapse of the structure and subsequent injury to staff Injuries sustained due to unsafe equipment and tools used Injuries to staff due to falling items	Competent excavation supervisor must be appointed to ensure compliance with Construction Regulation 13.  All excavations which are accessible to the public to be barricaded by means of a barrier or fence of at least one meter in height; and fitted with warning lights should these excavations be accessible at night.  All tools and machinery used to be inspected for safety prior to use. Unsafe machinery and tools not to be used until properly repaired and declared safe for use after re-inspection was done.  Good housekeeping practices to be maintained on site.  All staff or persons entering the construction site, to be provided with PPE as per the requirements stated in this Health and Safety plan.	High
<b>10. Backfill, shape and compact.</b>	Working at Heights Ergonomics Poor Visibility Housekeeping Fire Dust Inhalation Objects/Debris Falling from Height Possible collapse of the	Competent excavation supervisor must be appointed to ensure compliance with Construction Regulation 13.  All tools and machinery (compactors) used to be inspected for safety prior to use. Unsafe machinery and tools not to be used until properly repaired and declared safe for use after re-inspection was done.  Good housekeeping practices to be maintained on site.  All staff or persons entering the construction site, to be provided with PPE as per the requirements stated in this Health and Safety plan; and  Construction areas to be barricaded / fenced off with construction netting or	High

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
	<p>structure and subsequent injury to staff</p> <p>Injuries sustained due to unsafe equipment and tools used</p> <p>Injuries to staff due to falling items</p>	<p>other suitable material.</p>	
<p><b>11. Import and shape embankment to fit new gabions</b></p>	<p>Working at Heights</p> <p>Ergonomics</p> <p>Poor Visibility</p> <p>Housekeeping</p> <p>Dust Inhalation</p> <p>Objects/Debris Falling from Height</p> <p>Possible collapse of the structure and subsequent injury to staff</p> <p>Injuries sustained due to unsafe equipment and tools used</p> <p>Injuries to staff due to falling items</p>	<p>Competent excavation supervisor must be appointed to ensure compliance with Construction Regulation 13.</p> <p>All tools and machinery used to be inspected for safety prior to use. Unsafe machinery and tools not to be used until properly repaired and declared safe for use after re-inspection was done.</p> <p>The structure to be properly re-enforced as per the design specifications or good management practices.</p> <p>All staff working on ladders should be trained according to the requirements stated in this Health and Safety or Fall Protection plan.</p> <p>All equipment or hand tools used, should be lifted with a rope and not be carried up a ladder unless tool belts are used.</p> <p>Proper eye protection to be worn when using angle grinders or brick cutters to cut bricks / stones.</p> <p>Good housekeeping practices to be maintained on site.</p> <p>Grinding to be done only when using the required personal protective equipment and safe distances from other staff.</p> <p>All electrical equipment used should be inspected daily as per the</p>	<p>High</p>

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
		<p>requirements stated in this Health and Safety plan.</p> <p>All staff or persons entering the construction site, to be provided with PPE as per the requirements stated in this Health and Safety plan; and</p> <p>The presence of occupational diseases such as dermatitis to be monitored and sufficiently treated when working with cement.</p>	
<p><b>12. Gabions and Pitching - Surface preparation for bedding of gabions / Construction of gabions using galvanised wire mesh</b></p>	<p>Working at Heights</p> <p>Ergonomics</p> <p>Poor Visibility</p> <p>Housekeeping</p> <p>Fire</p> <p>Dust Inhalation</p> <p>Objects/Debris Falling from Height</p> <p>Possible collapse of the structure and subsequent injury to staff</p> <p>Injuries sustained due to unsafe equipment and tools used</p> <p>Injuries to staff due to falling items</p>	<p>Competent excavation supervisor must be appointed to ensure compliance with Construction Regulation 13.</p> <p>All tools and machinery used to be inspected for safety prior to use. Unsafe machinery and tools not to be used until properly repaired and declared safe for use after re-inspection was done.</p> <p>The structure to be properly re-enforced as per the design specifications or good management practices.</p> <p>All staff working on ladders should be trained according to the requirements stated in this Health and Safety or Fall Protection plan.</p> <p>All equipment or hand tools used, should be lifted with a rope and not be carried up a ladder unless tool belts are used.</p> <p>Proper eye protection to be worn when using angle grinders or brick cutters to cut bricks / stones.</p> <p>Good housekeeping practices to be maintained on site.</p> <p>Grinding to be done only when using the required personal protective equipment and safe distances from other staff.</p> <p>All electrical equipment used should be inspected daily as per the requirements stated in this Health and Safety plan.</p>	<p>High</p>

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
		<p>All staff or persons entering the construction site, to be provided with PPE as per the requirements stated in this Health and Safety plan; and</p> <p>The presence of occupational diseases such as dermatitis to be monitored and sufficiently treated when working with cement.</p>	
<b>13. Lay geotextile bidum</b>	<p>Ergonomics</p> <p>Housekeeping</p> <p>Fire</p> <p>Dust Inhalation</p> <p>Objects/Debris Falling from Height</p> <p>Injuries sustained due to unsafe equipment and tools used</p>	<p>Competent excavation supervisor must be appointed to ensure compliance with Construction Regulation 13.</p> <p>All tools and machinery used to be inspected for safety prior to use. Unsafe machinery and tools not to be used until properly repaired and declared safe for use after re-inspection was done.</p> <p>All staff working on ladders should be trained according to the requirements stated in this Health and Safety or Fall Protection plan.</p> <p>Good housekeeping practices to be maintained on site.</p> <p>All staff or persons entering the construction site, to be provided with PPE as per the requirements stated in this Health and Safety plan; and</p> <p>The presence of occupational diseases such as dermatitis to be monitored and sufficiently treated when working with chemical agents</p>	High
<b>14. Use of ladders</b>	Unsafe ladder / use of ladders	<p>Ensure compliance with General Safety Regulation 13 A.</p> <p>Step ladders to be the correct height for the work.</p> <p>Straight ladders to be secured in position, angled adequately, and long enough for the area being accessed.</p>	High
<b>15. Work at fall risk positions</b>	<p>Working at heights</p> <p>Tools and equipment used at</p>	<p>All work conducted at a height to be performed under the direct supervision of a Competent Person who has been appointed and made responsible for employee's safety;</p>	High

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
	heights	<p>All ladders used while performing work at heights must conform to the requirements as per this Health and safety and Fall Protection Plan;</p> <p>Employees who perform work at a height will at all times be required to keep the fall arrest systems properly secured to the structures provided for this purpose;</p> <p>When performing work at heights a rescue plan and rescue equipment suitable for the tasks performed should be available on site; and</p>	
<b>16. Stacking and storage of material</b>	Unsafe Stacking and storage of material on the site.	Designated, demarcated areas to be identified and adhered to. Delivery routes to be designated.	Medium
<b>17. Noise</b>	Noise induced hearing loss	Noise zone to be installed on site during excessively noisy activities. Compulsory wearing of hearing protection will be enforced in noise zones.	Medium
<b>18. Fires</b>	Fire risks due to hot works.	<p>Preliminary fire risk assessment to be carried out by each P/Contractor – specific fire risk assessments.</p> <p>Hot works requires the presence of fire-fighting equipment.</p> <p>Hot work permit system to be adhered to.</p>	Medium
<b>19. Portable electrical tools and electrical extension leads</b>	<p>Unsafe portable electrical equipment</p> <p>Untrained operators.</p>	Tools and leads to be inspected by each contractor on a daily basis. Ensure competent operators.	Medium
<b>20. Exposure to hazardous chemical agents</b>	<p>Employees uninformed</p> <p>SDS not available</p> <p>Unlabeled containers</p>	<p>Each Contractor must identify the hazardous chemical agents to be used and ensure that the necessary safety data sheets (SDS) are available indicating the first aid and other emergency information.</p> <p>Suitable personal protective equipment to be available for all possible exposures to chemical substances.</p> <p>Employees to be informed.</p>	Medium



Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
<p><b>21. Operating vehicles and mobile plant</b></p>	<p>Visibility of people and/or material and/or machinery</p> <p>Movement of material or machinery.</p>	<p>Construction vehicles to be inspected on a daily basis by a competent person appointed for this purpose in writing;</p> <p>The outcome of all inspections to be recorded in a register kept for this purpose;</p> <p>Equipment and material to be transported to be separated by means of a physical barrier from any compartments with employees;</p> <p>Equipment and material to be transported to be secured as to prevent movement;</p> <p>Drivers to take regular breaks as to ensure that they are well rested and vigilant at all times.</p> <p>All applicable inspections and testing conducted on lifting machinery.</p> <p>Load test certificates must be placed on file.</p>	<p>High</p>
<p><b>22. Temporary works</b></p>	<p>Unsafe/unstable structure</p>	<p>All temporary work operations to be conducted under the supervision of a competent person who has been appointed in writing.</p> <p>All temporary work operations to be conducted as per the design specs provided by the Temporary Works Designer appointed in writing;</p> <p>All equipment used in temporary work structures to be inspected and declared safe for use by the Competent Person appointed for this purpose;</p> <p><b>All temporary work structures to be inspected:</b></p>	<p>High</p>

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
		<p>Before, during and after the placement of concrete or any other load; and</p> <p>Daily before the shift. Details of the inspections conducted will be entered into a register, which will be kept on site and be signed by the competent person appointed for this task;</p> <p><b>To ensure the safety of staff and structures the following safety rules will be complied with:</b></p> <p>No concrete is cast until written authorization has been given by the Temporary Works Designer;</p> <p>Any damaged or broken temporary work structures will be removed immediately after detecting the broken or damaged items;</p> <p>The temporary work structure will be left in place long enough as to ensure the concrete has acquired a sufficient strength or as per the design specifications;</p> <p>Safe access in the form of ladders or staircases to be provided;</p> <p>Competent staff to be used during all temporary work structure activities;</p> <p>Staff to be provided with safety shoes as to prevent injuries due to them slipping on the oily surfaces; and</p> <p>Staff to be provided with safety gloves as to prevent illnesses such as dermatitis due to the chemical used.</p>	
<b>23. Medical fitness certificates</b>	Medical fitness certificates not available in the files.	Contractors to ensure all employees have valid medical fitness certificates in the form of annexure 3.	High

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
<b>24. Slips, trips &amp; falls</b>	Poor housekeeping practices	<p>Good housekeeping to be maintained on site.</p> <p>Clear up any spillages promptly.</p> <p>Eliminate uneven ground areas where reasonably practicable.</p> <p>Maintain clear access routes – clear away any accumulation of rubbish, materials, cables and hoses to prevent obstructions.</p> <p>Install adequate lighting to work areas.</p> <p>Display information/safety signage.</p>	Medium
<b>25. Musculoskeletal injuries</b>	Carry heavy loads	<p>Utilise mechanical lifting and carrying aids where possible.</p> <p>Operatives to assess physical capability of load prior to lift.</p> <p>Team lifts to be employed where necessary.</p> <p>Ensure good housekeeping standards i.e. site kept tidy/waste build-up minimised.</p>	High
<b>26. Health and safety plans / files</b>	<p>SHE Plans not received, discussed and approved.</p> <p>SHE Plans not implemented and maintained on the site.</p>	<p>SHE Plans to be discussed and approved before work commences.</p> <p>SHE Plans to be implemented and maintained on the site.</p>	High

Activity / process / machine	Hazards / Risks	Control measures to be considered by contractors	Rating
<b>27. Letter of good standing</b>	Letter of good standing not in SHE files.	Ensure all contractor are registered and in good standing with a compensation insurer.  To be updated when expired.	High
<b>28. Management and supervision of construction work</b>	Lines of responsibilities not clearly defined.  Incompetent managers / supervisors appointed.	Competent construction manager and supervisors to be appointed.  Competency certificates to be kept in the files.	High
<b>29. Risk assessment for construction work</b>	Risk assessments not conducted before work commences and during construction activities.  SWP not complied for all high-risk activities. Employees not trained on the SWP.	Contractor must, before the commencement of construction work and during construction work, have risk assessments to be conducted by a competent person who has been appointed in writing to implement and maintain the risk management programme	High
<b>30. Fall protection plans</b>	Competent person not appointed to ensure that a fall protection plan is prepared, implemented, amended where and when necessary and maintained as required.	Contractors to appoint a competent person to prepare, implement and maintain fall protection plans for all fall risks.	High
<b>31. Control of records / registers</b>	Daily, weekly and monthly inspections not recorded as per legal requirements.	Appointed construction manager to manage appointments and all applicable registers.	High
<p><b>Note:</b></p> <p>The above list is by no means exhaustive and the Principal Contractor and Contractors Risk Assessments should not be limited to these activities but must cover <b><u>all</u></b> activities that forms part of the construction work.</p>			

# **Annexure B- Covid-19 Health Requirements**

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## **1. Project Covid-19 Information**

The global pandemic of coronavirus disease 2019 (COVID-19) was first reported on 31 December 2019 by the World Health Organization country office following a cluster of pneumonia cases in Wuhan City, Hubei Province of China. Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) has been confirmed as the causative virus of COVID-19. To date, COVID-19 has become a global pandemic and it is continuing to spread across the globe.

All Covid-19 requirements is based on the requirements of Government Gazette No 43257 (479) (COVID-19 Occupational Health and Safety Measures in Workplaces, Covid19 (C19 OHS) dated 2020, and the Disaster Management Act, Act 57 of 2002 as amended.

**b**

### **1.1 Purpose**

To indicate to all contractors the Laingsburg Municipality Covid-19 requirements on the project, upon which their planning for the management of Covid-19 should be based on.

### **1.2 Implementation**

The Principal Contractor must appoint a manager in terms of Section 16 (5) of Government Gazette No 43257 (479) (COVID-19 Occupational Health and Safety Measures in Workplaces, Covid19 (C19 OHS) dated 2020 to address employees concerns and keep them informed regarding COVID-19. The contractor also have to appoint a COVID-19 Compliance Officer in terms of Regulation 16 (6) (a) of the Disaster Management Act 2002.

This compliance officer is responsible for overseeing the following:

- Implementation of the workplace plan and adherence to the standards of hygiene and health protocols relating to COVID-19 at the workplace.
- Develop measures to ensure that the workplace meets the standards of health protocols, adequate space for employees and social distancing measures for the public and service providers, as required.

### **1.3 Reference Documents**

- Covid-19 Occupational Health and Safety Measures in Workplaces Covid-19 (C19 OHS), 2020.
- Directive by the Minister of Employment and Labour in terms of Regulation 10 (8) of the regulations issued by the Minister of Cooperative Governance and Traditional Affairs in terms of Section 27 (2) of the Disaster Management Act, 2002 (Act no. 57 of 2002).
- Notice on Compensation for Occupationally- Acquired Novel Corona Virus Disease (Covid -19) and the Compensation for Occupational Injuees and Diseases Act, 1993 (No. 130 Of 1993) as Amended.
- Applicable Risk Adjusted Strategy Regulations 2021 issued by the Minister of Cooperative Governance and Traditional Affairs in terms of Section 27 (2) of the Disaster Management Act, 2002 (Act no. 57 of 2002)

The Principal Contractor must familiarize themselves with all new COVID 19 legislation and guidelines from the Department of Employment & Labour, the Department of Health and other legislative authorities in order to ensure mitigation on the spread of COVID 19.

### **1.4 Definitions**

The definitions as listed in all the abovementioned legislation shall apply.

## **2 Minimum Administrative and Physical Requirements**

### **2.1 Workplace Ready Plan**

Principal Contractors and Contractors are required to compile a Workplace Plan in accordance with the Disaster Management Act 2002.

## 2.2 Covid-19 Health Policy

The Principal Contractor must submit a Health Policy signed by their Chief Executive Officer (CEO)/ Director / Managing Member. The Policy must outline objectives and how Covid-19 will be managed by the Company / Contractor. The responsible person (Section 16) must, as far as is reasonably practicable, be responsible to ensure compliance with such policy.

## 2.3 Transportation of Employees

Daily vehicle inspections and cleaning of vehicles should be conducted. Employees should be advised that if using transport, passengers must wear a cloth mask to be allowed entry into the vehicle. Hand sanitisers must be made available, and all passengers must sanitise their hands before entering. Please note that the government mandated limit on passengers per vehicle must be strictly adhered to.

## 2.4 Laingsburg Municipality Access Control

The Principal Contractor to adhere to the security requirements laid down by Laingsburg Municipality. All Visitors/Employees to sign in and out. Entry to site may only be through pre-arranged security-controlled access points.

## 2.5 Screening and Emergency Management

The Principal Contractor must ensure that all employees and visitors are screened on a daily basis (**before arrival on site**) for symptoms of COVID-19 prior to entering the site. Screening to include a symptom check as well as temperature assessment (digital thermometer). The Principal Contractor must describe their procedure for employees on site suspected of having COVID-19.

Screening procedure to include at least:

- Infrared Thermometer Testing (< 38°C is acceptable)
- Self-Assessment (Questionnaire)
- Refusing to undergo medical examination
- Isolation, and quarantine.

## 2.6 Hazard Identification and Risk Management (Covid-19 Health Risk Assessment)

Mitigating the spread of COVID-19 (coronavirus)

A key theme of all COVID 19 notices and legislation is that all employers must conduct risk assessments at their workplace to determine areas of high risk and provide adequate controls to mitigate such risk.

The Principal Contractor must provide control measures regarding COVID 19 and must comply with all amended legislation.

To ensure and maintain a safe and healthy working environment for employees and members of the public, The Principal Contractor must assess the workplace risks posed by the COVID-19 pandemic, giving due consideration to the response measures announced by Government.

The Principal Contractor must therefore determine mitigation measures to minimize risk as far as reasonably practicable, allowing work to continue safely and without harm to all relevant stakeholders, including Clients, Employees, Contractors, Suppliers, Manufacturers and all interested and affected parties.

Risk Assessments have to be communicated to all on site and records kept thereof.

## 2.7 Incident Management

The Principal Contractor must submit a procedure for the investigation of the causes of COVID-19. All incidents have to be investigated, recorded and reported in accordance with Section 25 of the OHS Act 85 of 1993 and the General Administrative Regulations 8 and 9 promulgated in terms of the Act.

## **2.8 Waste Management**

All corona virus waste shall be treated as hazardous waste and must be double bagged in preferably red plastic inside of 50 L or 142 L single use boxes and must be labelled "SUSPECTED COVID- 19" whilst the employees' status is not confirmed.

Sufficient refuse bins must be on site for disposal of possible contaminated material or used PPE. Procedure for safe removal of contents of bins should be made in contractors procedure.

## **2.9 Social Distancing**

The Principal Contractor must arrange the workplace e.g. through staff rotation, staggered working hours, shift systems, remote working arrangements or similar to achieve social distancing of at least 2 metres between workers.

The Principal Contractor must describe as far as practicable how can numbers of workers be minimised on site at any one time.

## **2.10 Sanitising and Disinfection of Welfare Facilities and Offices**

The Principal Contractor must describe how good personal hygiene practices will be maintained on the site e.g. correct manner of washing / disinfecting hands, 20 second rule and the use of paper towels. Contractor to describe a procedure to clean work surfaces and equipment before work begins, regularly during day and after work ends. Toilets, common areas, door handles, shared electronic equipment and any other shared equipment must be regularly cleaned and disinfected.

Hand sanitizer must be one that has at least 70% alcohol content and is in accordance with the recommendations of the Department of Health.

Contractors to prepare and maintain a cleaning schedule for all facilities.

## **2.11 Personal Protective Equipment**

The Principal Contractor to document a procedure for the issuing and wearing of PPE on site. The Principal Contractor to provide each employee with at least 2 cloth masks and must make appropriate arrangements for washing, drying and ironing of cloth masks. Require any other worker to wear masks in the workplace. The Principal Contractor must ensure that workers are informed, instructed, trained and instructed as to the correct use of cloth masks.

Surgical masks and N95 masks should only be worn by health workers and first aiders.

## **2.12 Covid-19 Awareness**

Employees to be kept informed and up to date with the latest news regarding COVID 19 by means of Awareness Training. Toolbox talks should be conducted on a daily basis. Contractor to describe a procedure for conducting information sessions.

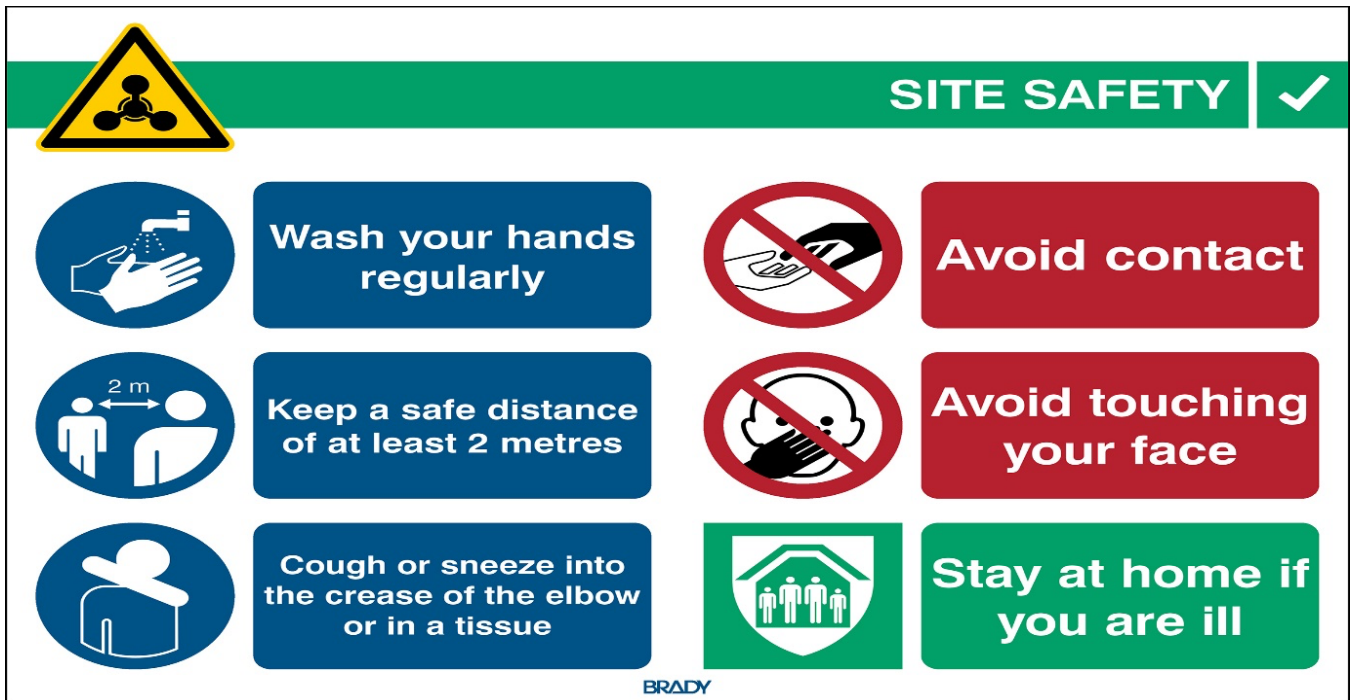
## **2.13 Supervision on site**

The OHS Manager, Construction Manager and Compliance Officer to ensure compliance with all applicable legislation.

## **2.14 Covid-19 Signage**

The Principal Contractor must ensure that the relevant signage is clearly displayed at entrance and on site. The Covid-19 hotline number to be available on the site.





**SITE SAFETY** ✓

**Wash your hands regularly**

**Avoid contact**

**Keep a safe distance of at least 2 metres**

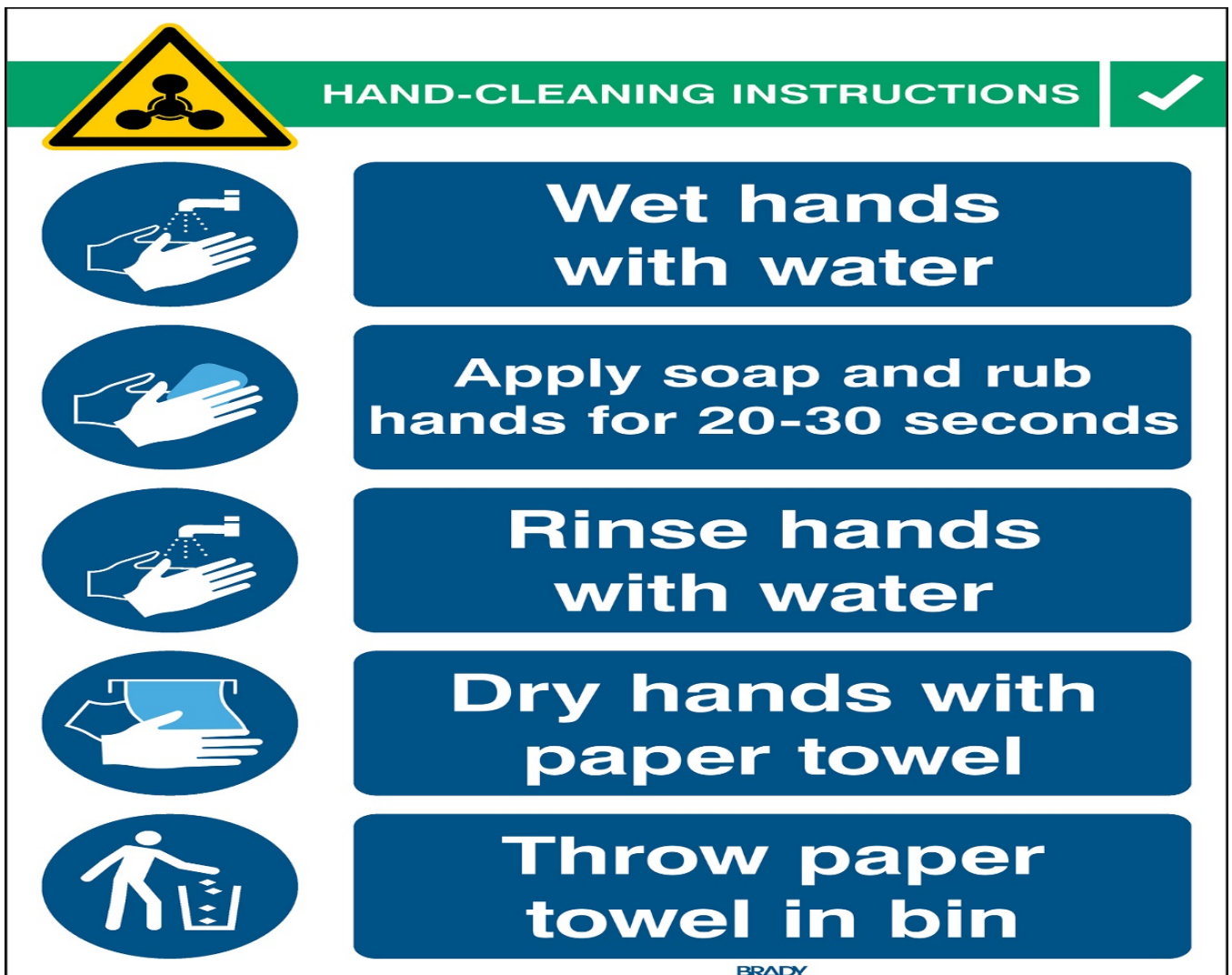
**Avoid touching your face**

**Cough or sneeze into the crease of the elbow or in a tissue**

**Stay at home if you are ill**

BRADY

This signage block features a yellow triangular warning icon with a black biohazard symbol. The main title 'SITE SAFETY' is in white on a green background with a white checkmark. Below are six instructional panels. The first three are blue: 'Wash your hands regularly' (with a hand-washing icon), 'Keep a safe distance of at least 2 metres' (with a 2m distance icon), and 'Cough or sneeze into the crease of the elbow or in a tissue' (with a coughing icon). The next two are red: 'Avoid contact' (with a hand-to-hand contact icon crossed out) and 'Avoid touching your face' (with a hand-to-face contact icon crossed out). The final panel is green: 'Stay at home if you are ill' (with a house and people icon). The 'BRADY' logo is at the bottom center.



**HAND-CLEANING INSTRUCTIONS** ✓

**Wet hands with water**

**Apply soap and rub hands for 20-30 seconds**

**Rinse hands with water**

**Dry hands with paper towel**

**Throw paper towel in bin**

BRADY

This signage block features a yellow triangular warning icon with a black biohazard symbol. The main title 'HAND-CLEANING INSTRUCTIONS' is in white on a green background with a white checkmark. Below are five instructional panels, all in blue. Each panel has a circular icon on the left and text on the right: 'Wet hands with water' (hand under water tap), 'Apply soap and rub hands for 20-30 seconds' (hands being rubbed with soap), 'Rinse hands with water' (hand under water tap), 'Dry hands with paper towel' (hand holding a paper towel), and 'Throw paper towel in bin' (hand dropping a paper towel into a bin). The 'BRADY' logo is at the bottom center.

## Covid-19 Baseline Health Risk Assessment

1. Transportation, to, from and on sites
2. Screening
3. Management of isolating potentially infected workers
4. Tracing of infected employees
5. Site Entrance
6. Changing facilities
7. Welfare facilities
8. Use of hand and portable electrical power tools
9. Confined working areas
10. First aid facilities and emergency situations
11. Proper Use of mask, handling of used mask, and disposal of used mask
12. Use of PPE
13. Storage of alcohol based sanitizers
14. Training and inductions
15. Cleaning offices
16. Persons having tea or lunch breaks and leaving site at end of shift
17. Stock control

No	LIST ACTIVITIES OF TASK	LIST HAZARDS / RISKS	LIST CONTROL MEASURES / SAFE WORK PROCEDURES	RATING
1	Transportation, to, from and on sites	<p>Spreading of virus through handshake greeting, coughing and sneezing.</p> <p>Overcrowded vehicles</p> <p>No PPE (Masks)</p>	<p>All vehicles to be cleaned and disinfected before workers being transported.</p> <p>Screen all workers, at the time that they report for work, to ascertain whether they have any of the observable symptoms associated with COVID-19, namely fever, cough, sore throat, shortness of breath, difficulty in breathing, body aches, redness of eyes, loss of smell and taste, nausea, vomiting, diarrhoea, fatigue, weakness or tiredness.</p> <p>Require every worker to report whether they suffer from any of the following additional symptoms: body aches, loss of smell or loss of taste, nausea, vomiting, diarrhoea, fatigue, weakness or tiredness.</p> <p>Supply construction manager with hand sanitizer (70% alcohol content) and let construction manager apply the sanitizer to all persons before workers enter the vehicle.</p> <p>Provide employees, free of charge, with a minimum of two cloth masks.</p> <p>Instruct all employees as to the correct use of cloth masks.</p> <p>Instruct workers to wear masks in vehicles.</p>	High
2	Screening	<p>Spreading of virus through hand shake greeting, coughing and sneezing.</p> <p>Overcrowded areas</p> <p>Coming into contact with sick employees</p> <p>No PPE for screening team.</p>	<p>Screening team shall be issued with correct personal protective equipment namely Face shield, (Surgical) safety goggles, gloves, sanitizers, mask and overall.</p> <p>Screening Team to keep safe distance when screening employees and visitors coming into site.</p> <p>Screening team to ensure where high temperature (above 38°C) is registered, possible Infected person will report his/her symptoms to his/her construction manager who will contact NICD hotline on 080002999.</p>	High

No	LIST ACTIVITIES OF TASK	LIST HAZARDS / RISKS	LIST CONTROL MEASURES / SAFE WORK PROCEDURES	RATING
			<p>Persons under investigation being removed from site.</p> <p>The Possible infected person will only be allowed to return to site after being tested and being given a certificate that clears him/her from COVID 19.</p> <p>Screening must be done before employees arrive on the site and records must be kept in the SHE Files.</p>	
3	Management of isolating potentially infected workers	<p>Infected worker</p> <p>Spreading of coronavirus.</p> <p>Possible incubation period.</p>	<p>Possible infected person will report his/her symptoms to his/her line manager whom will contact NICD hot line on 080002999.</p> <p>Possible infected person being removed from site.</p> <p>The Possible infected person will only be allowed to return to site after being examined by Doctor and being given certificate that clears him/her from COVID 19.</p>	High
4	Tracing of infected employees	<p>Infected worker</p> <p>Spreading of coronavirus.</p> <p>Possible incubation period.</p>	<p>Security to keep record of all employees that has shown high temperature of fever symptoms.</p> <p>Register to be available at entrance.</p>	High
5	Site Entrance	<p>Spreading of virus through handshake greeting, coughing and sneezing.</p> <p>Uncontrolled of large numbers of employees entering site upon arrival.</p> <p>No PPE</p>	<p>Screen all workers, at the time that they report for work, to ascertain whether they have any of the observable symptoms associated with COVID-19, namely fever, cough, sore throat, redness of eyes or shortness of breath (or difficulty in breathing).</p> <p>Require every worker to report whether they suffer from any of the following additional symptoms: body aches, loss of smell or loss of taste, nausea, vomiting, diarrhoea, fatigue, weakness or tiredness.</p> <p>Security and the health and safety officer to ensure that people are social distancing.</p>	High

No	LIST ACTIVITIES OF TASK	LIST HAZARDS / RISKS	LIST CONTROL MEASURES / SAFE WORK PROCEDURES	RATING
			<p>Supply areas with hand sanitizer and let security apply the sanitizer to all persons before people enter the site.  Implement visible lines that will be marked by a chalk /tape 2 m line in intervals on the ground for employees and visitors to understand.</p> <p>Each member of site to be issued with two fabric masks that are sanitised on both sides along with their hands as they enter the site.  No mask no entry.</p> <p>Members are to wash and sanitise the spare mask at home while the other is used.</p> <p>Members will then be scanned once their mask is on and their hands have been sanitised or vice versa.</p> <p>If the person is found to be ill the person is requested to leave and see their GP immediately.</p> <p>The name, company and details of the person are recorded and put on our records.</p> <p>Health and safety officers are to follow up the following day that the person has indeed visited a GP.</p> <p>This person may not return to site unless they have a valid all clear from a registered practitioner.</p>	
6	Changing facilities	<p>Overcrowded areas</p> <p>Contaminated surfaces</p> <p>No PPE</p>	<p>All work areas to be cleaned and disinfected before work begins, regularly during the working period and after work ends.</p> <p>Cleaning staff to monitor and permanently move through the facilities sanitising all work areas every three hours.</p> <p>Where possible basins are to be provided with soap.</p> <p>Employees to be separated when going to change facilities and to keep 2</p>	High

No	LIST ACTIVITIES OF TASK	LIST HAZARDS / RISKS	LIST CONTROL MEASURES / SAFE WORK PROCEDURES	RATING
			<p>meters distance apart from each other.</p> <p>Require every worker to report whether they suffer from any of the following additional symptoms: body aches, loss of smell or loss of taste, nausea, vomiting, diarrhoea, fatigue, weakness or tiredness.</p>	
7	Welfare facilities	<p>Unhygienic, unhealthy and insufficient handling of facilities</p> <p>Contaminated surfaces, Viral infection, spreading of the Corona Virus</p> <p>Overcrowded areas</p>	<p>All work areas to be cleaned and disinfected before work begins, regularly during the working period and after work ends.</p> <p>Cleaning staff to monitor and permanently move through the facilities sanitising all work areas every three hours.</p> <p>Where possible basins are to be provided with soap.</p> <p>Employees to be separated when going to facilities and to keep 2 meters distance apart from each other.</p> <p>Require every worker to report whether they suffer from any of the following additional symptoms: body aches, loss of smell or loss of taste, nausea, vomiting, diarrhoea, fatigue, weakness or tiredness.</p> <p>Only paper towels are provided to dry hands after washing – the use of fabric towelling is prohibited.</p>	High
8	Use of equipment, hand and portable electrical power tools	Spreading of virus through contact after changing and touching uncleaned hand and power tools	<p>Storeman to ensure all tools are cleaned properly before issued to employees.</p> <p>Passing of a tool from one person to another must be accompanied by the sanitising thereof.</p> <p>Where possible basins are to be provided with soap.</p>	High
9	Confined working areas	Spreading of Covid 19 virus.	Screen all workers, at the time that they report for work, to ascertain whether they have any of the observable symptoms associated with COVID-19, namely fever, cough, sore throat, redness of eyes or shortness of breath (or difficulty in breathing).	High

No	LIST ACTIVITIES OF TASK	LIST HAZARDS / RISKS	LIST CONTROL MEASURES / SAFE WORK PROCEDURES	RATING
			<p>Require every worker to report whether they suffer from any of the following additional symptoms: body aches, loss of smell or loss of taste, nausea, vomiting, diarrhoea, fatigue, weakness or tiredness.</p> <p>Supply construction manager with hand sanitizer (70% alcohol content) and Provide employees, free of charge, with a minimum of two cloth masks.</p> <p>Instruct all employees as to the correct use of cloth masks.</p> <p>Instruct workers to wear masks in vehicles.</p>	
10	First aid facilities and emergency situations	<p>Overcrowded areas</p> <p>Social distance not possible.</p> <p>Infected person</p> <p>No PPE</p>	<p>All emergency response team to ensure they wear correct PPE when responding to any possible Covid 19 case.</p> <p>PPE will consist of face shields, latex gloves and mask.</p> <p>First aiders to wear correct PPE when attending to possible corona virus case or any other injury onsite.</p> <p>Record incident register and report the positive case to site management immediately.</p>	High
11	Proper Use of mask, handling of used mask, and disposal of used mask	<p>Sharing of PPE</p> <p>Unsafe disposal of mask</p> <p>Unsafe wearing of mask</p>	<p>Safety Officer to give training on proper use / wearing of mask.</p> <p>Do not touch the outside of the mask when wearing it.</p> <p>Always mark your mask using mark Pen to different the inside and outside of the mask.</p> <p>When removing your mask use ear loops, and after wash your hands with water and soap or sanitizer.</p> <p>Inspect the mask - if dirty don't reuse it.</p>	High

No	LIST ACTIVITIES OF TASK	LIST HAZARDS / RISKS	LIST CONTROL MEASURES / SAFE WORK PROCEDURES	RATING
			<p>If Mask will be reused put it in the sealed bag.</p> <p>Again wash your hands after taking off your mask.</p> <p>When taking out mask for reuse clean your hands first and only touch your mask by ear loops.</p> <p>All unused mask must be disposed in the plastic bag which will be closed and being disposed.</p>	
12	Use of PPE	<p>Spreading of virus causing COVID-19</p> <p>Sharing of PPE</p> <p>Not wearing correct PPE</p> <p>Unsafe disposal of mask</p> <p>Unsafe wearing of mask</p>	<p>Safety Officer to give training on proper use of PPE.</p> <p>Construction manager to ensure every employee onsite has correct PPE and induction has been conducted in the safe use of PPE.</p> <p>CHSO with appointed supervisors to facilitate list of PPE signed by employees as proof.</p> <p>Security to check that visitors and deliveries personnel are wearing correct PPE before being given access to site.</p> <p>No site access will be given to any visitors, deliveries when not wearing correct PPE.</p> <p>Re-usable Mask should be thoroughly cleaned after use and not shared between workers</p> <p>Single use PPE should be disposed in the closed black bag and it will be treated as per SANS 10248-1:2008 so that it cannot be reused.</p> <p>All used mask must be disposed in the plastic bag which will be closed and being disposed.</p>	High



No	LIST ACTIVITIES OF TASK	LIST HAZARDS / RISKS	LIST CONTROL MEASURES / SAFE WORK PROCEDURES	RATING
13	Storage of alcohol-based sanitizers	Flammable substance No signage Unsafe storage	No open flames or smoking should be permitted in storage areas. Containers or dispensers should be stored in a dry cool place. Suitable signage to be displayed.	High
14	Training and inductions	Persons gathering Higher number of persons per m2 Speaking in a room setup Not wearing PPE Social distance not possible, spreading of the Coronavirus, contracting the virus.	Safety Officer to conduct risk assessment training for new and old employees. Employees to observe social distancing of 2 meters apart. Employees to sanitize the pen before use. Team leaders and Supervisors to limit numbers of employees and at all times maintain social distancing 2 meters. Covid-19 posters and banners to be displayed at the entrance and notice boards to inform employees.	High
15	Cleaning offices / containers	Contaminated surfaces Contaminated surfaces, Viral infection, spreading of the Corona Virus	All work areas to be cleaned and disinfected before work begins, regularly during the working period and after work ends. Cleaning staff to monitor and permanently move through the facilities sanitising all work areas every three hours. Where possible basins are to be provided with soap. Employees to be separated when going to change facilities and to keep 2 meters distance apart from each other. Require every worker to report whether they suffer from any of the following additional symptoms: body aches, loss of smell or loss of taste, nausea, vomiting, diarrhoea, fatigue, weakness or tiredness.	High

No	LIST ACTIVITIES OF TASK	LIST HAZARDS / RISKS	LIST CONTROL MEASURES / SAFE WORK PROCEDURES	RATING
			<p>Social distancing to be maintained and desk layouts and positions to be reconsidered, areas sanitised every 3 hours and no cooking allowed on site.</p> <p>Tea and coffee cups, staff to bring their own and the tea lady to ensure they are washed in hot soap and water.</p> <p>Social distancing to be maintained in offices / containers.</p>	
16	Persons having tea or lunch breaks and leaving site at end of shift	<p>Social distance not possible.</p> <p>Spreading of the Coronavirus.</p> <p>Workers socialising during tea, lunch and end of shift.</p> <p>Break Times not staggered.</p> <p>No PPE.</p>	<p>Dedicated eating areas to be identified on site to reduce food waste and contamination.</p> <p>Break times to be separated to reduce congestion and contact.</p> <p>Hand cleaning facilities or hand sanitiser should be available at the entrance of any room where people eat and should be used by workers when entering and leaving the area.</p> <p>The workforce should be asked to bring pre-prepared meals and refillable drinking bottles from home.</p> <p>Workers should sit 2 metres apart from each other whilst eating and avoid all contact.</p> <p>Tables to be cleaned every time after and before use.</p> <p>Employees to wash hands or sanitize when leaving site.</p>	High

No	LIST ACTIVITIES OF TASK	LIST HAZARDS / RISKS	LIST CONTROL MEASURES / SAFE WORK PROCEDURES	RATING
17	Stock control	Spreading of virus or bacteria causing illness (COVID-19)  Contaminated surfaces  No PPE	All work areas to be cleaned and disinfected  Store man to ensure that stock is sufficient at all times.  Bulk orders to be maintained to avoid running out stock	High

Annexure C - Appointment as Principal Contractor

Laingsburg

Munisipaliteit

Munisipale-geboue  
Privaatsak X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Faks No. (023) 5511 019



Municipality

Municipal Buildings  
Private Bag X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Fax No. (023) 5511 019

E-pos / E-mail : [scm@laingsburg.gov.za](mailto:scm@laingsburg.gov.za)

IN TERMS OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, ACT 85 OF 1993 & CONSTRUCTION REGULATIONS 2014, REGULATION 5 (1) (k)

I, \_\_\_\_\_ (Client responsible person) for **Laingsburg Municipality** do hereby appoint:

.....as the Principal Contractor for the **Construction of gabions in a stormwater channel situated in Goldnerville Project.**

**Responsibilities:**

- 1 Prepare a Health and Safety Plan to comply with the requirements of the Construction Regulation 5(1) (b), and in compliance with the Health and Safety Specification for the Project.
- 2 Ensure co-operation between all contractors to enable each of those contractors to comply with the provisions of these regulations.
- 3 Provide all contractors with the required safety specification for their area of responsibility.
- 4 Appoint each contractor in writing in accordance with Construction Regulations.
- 5 Ensure implementation of the contractor's health and safety plan
- 6 Stop contractors from working if not in accordance with the client specification
- 7 Provide health and safety information to contractors should their design change
- 8 Ensure all contractors are registered and in good standing with the compensation commissioner
- 9 Ensure contractors submitting tenders have made provision for health and safety during construction
- 10 Ensure risk assessments are conducted & the identified controls are communicated to all employees and visitors.
- 11 Ensure Compliance to Occupational Health and Safety Act 85/1993, Construction Regulations 2014, Community Fire Safety Bylaw and Relevant Sans Codes.

**Signature:** .....

**Date:** .....

**Client**

**Acceptance**

I, .....hereby accept and acknowledge that I understand the requirements of this appointment.

**Signature:** .....

**Date:** .....

**Principal Contractor**

*Laingsburg*

*Munisipaliteit*

Munisipale-geboue  
Privaatsak X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Faks No. (023) 5511 019



*Municipality*

Municipal Buildings  
Private Bag X4  
LAINGSBURG, 6900  
Tel. (023) 551 1019  
Fax No. (023) 5511 019

E-pos / E-mail : [scm@laingsburg.gov.za](mailto:scm@laingsburg.gov.za)

## **WRITTEN AGREEMENT**

THIS IS IN TERMS OF SECTION 37(2) OF THE  
OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT 83 OF 1993)

BETWEEN:

**Laingsburg Municipality**

AND

.....  
CONTRACTOR

## INTRODUCTION

The occupational Health and Safety Act, 1993 (Act 85 of 1993) stipulates that the Chief Executive Officer is primarily responsible or liable for the health and safety of all his/her employees. This is embedded in Section 16(1) of the said Act. This responsibility or liability is also extended to include a mandatory that performs work on behalf of the employer on his/her premises.

A “mandatory” is defined in the said Act as: - “Including an agent, contractor or subcontractor for work, but without derogating from his status in his own right as an employer or user”

In terms of Section 37(2), read with Section 41, of the said Act, it is legally possible for an employer to indemnify himself from his responsibility or liability regarding the actions of the mandatory. Section 37(2) stipulates that there should be a written agreement in place between the employer and the mandatory regarding the arrangements and procedures between them to ensure compliance by the mandatory with the provisions of the Occupational Health and Safety Act, 1993.

By ensuring that there is a written agreement in place, the Management of LAINGSBURG MUNICIPALITY is acting in a responsible manner, so as to ensure that this requirement is indeed being met.

In order to ensure that this written agreement is honoured at all times, regular inspections of work that is performed will be conducted and if found not complying with the said agreement, a notice of non-compliance will be issued. All work will be stopped and reasons for non-compliance must be given and what corrective action will be taken to rectify the situation must be stipulated.

Management:

## WRITTEN AGREEMENT

This is a written agreement between Laingsburg Municipality  
and the Mandatory:

.....

in terms Section 37(2) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993)  
as amended.

I ..... representing the MANDATARY do hereby acknowledge

that .....  
(mandatory) is an employer in its own right with duties as prescribed in the Occupational Health and Safety Act, 1993 (Act 85 of 1993) as amended and agree to ensure that all work that will be performed, any article or substance that will be produced, processed, used, handled, stored or transported and plant and machinery that will be used, will be done in accordance with the provisions of the said Act.

I furthermore agree to comply with the Health and Safety requirements of Laingsburg Municipality (Pty) Ltd as contained in the documents attached hereto and to liaise with the employer should I, for whatever reason, be unable to perform in terms of this Agreement.

Signed on this ..... day of .....2021/2022 at .....

Signature .....

On behalf of MANDATARY .....

Signature .....

On behalf of LAINGSBURG MUNICIPALITY

**Annexure D - Acknowledgement of Receipt of the Health and Safety Specifications  
Project: Laingsburg Municipality - Construction of gabions in a stormwater channel  
situated in Goldnerville**

**Acknowledgement of Receipt of the Health and Safety Specifications:**

I, \_\_\_\_\_ representing \_\_\_\_\_ Principal  
Contractor

Have satisfied myself with the content of the construction health and safety specification and shall ensure that the contractor and its personnel comply with all obligations / requirements in respect thereof.

\_\_\_\_\_  
Signature of contractor

Date \_\_\_\_\_

\_\_\_\_\_  
Signature of client / agent.

Date \_\_\_\_\_

**COMMENTS:**



Health & safety documentation was developed by George Farmer Consultancy CC for the sole use on this project and not intended for any other purpose.

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**Project: Laingsburg Municipality - Construction of gabions in a stormwater channel situated in Goldnerville**

Date: 01 December 2021

**Compiled by:** George Farmer (Bachelor of Technology – Environmental Health / National Diploma in Public Health)

Pr CHSA/085/2018 (Professional Construction Health and Safety Agent – 085/2018)

