



KWAZULU-NATAL PROVINCE

HEALTH
REPUBLIC OF SOUTH AFRICA

1. Introduction

The Department of Health Kwa Zulu Natal enters into contracts with Contractors for the installation of 20 kl steel elevated tanks at 3 various institutions (KwaMsane clinic, Mtubatuba clinic and Siphon Zungu Clinic). This document describes the requirements of compliance to which the Principal Contractor/Contractor is to adhere in relation to the scope of works. This document defines the minimum management requirement that is to be implemented by the Principal Contractor/Contractor for the management of Health and Safety on the Health care facilities.

The aim of this document is to present the health and safety aspects that need to be controlled and managed on this contract. The client reserves the right to make changes as and when the Client deems fit to address issues of Occupational Health & Safety (OHS) Compliance. The Client will not entertain any claim of any nature whatsoever which arises as a result of costs incurred or delays being experienced due to the Contractor not complying with the requirements of this document or any other applicable legislative requirements imposed on the contractor.

The Principle Contractor will be required to submit a Safety File for approval prior to commencement of work. Arrangements for such approval shall be made with the OHS Department. The Principal Contractor shall submit proof that its appointed contractors Safety file has been approved

2. Definitions & Abbreviations

For the purpose of the OHS Specification, the abbreviations and definitions given hereunder shall apply and the reference to on gender will also apply to the other gender.

“**Client**” means KZN Department of Health

“**Agent**” means a competent person who acts as a representative for a Client

“**CR**” refers to the Construction Regulations 2014

“**OHS**” means Occupational Health and Safety

“**DoL**” refers to the Department of Labour

“**DOH**” refers to the Department of Health

“**NIHL**” refers to the Noise Induced Hearing Loss Regulations

“**HCS**” refers to the Hazardous Chemical Substances Regulations

“**GSR**” refers to the General Safety Regulations

“**GAR**” refers to the General Administrative Regulations

“**FR**” refers to Facilities Regulations

“**PPE**” means Personal Protective Equipment

“**MSDS**” means Material Safety Data Sheets

“**EIR**” refers to the Electrical Installations regulations

“**EMR**” refers to Electrical Machinery Regulations

“**ERW**” refers to Environmental Regulations for Workplaces

“**Principal Contractor**” means an employer appointed by a Client to perform Construction Work

“**Construction Work**” means any work in connection with-:

(a) the construction, erection, alteration, renovation, repair, demolition or dismantling of a addition to a building or any similar structure or;

(b) the construction, erection, maintenance, demolition or dismantling of any bridge, dam, road, railway, runway, sewer or water reticulation system, or the moving of earth, clearing of land, the making of excavation, pilling, or any similar civil engineering structure or type of work.

“Construction Manager” means a competent person responsible for the management of the physical construction process and the co-ordination, administration and management of resources on a construction site

“Construction Supervisor” means a competent person responsible for supervising construction activities on a construction site

“Competent Person” means a person who –

Has in respect of the work or task to be performed the required knowledge, training and experience and where applicable, qualifications, specific to that work or task. Provided that where appropriate qualifications and training are registered in terms of the provisions of the National Qualifications Framework Act, 2000 (Act No. 67 of 2000), those qualifications and training must be regarded as the required qualifications and training, and

Is familiar with the Act and with the applicable regulations made under the Act

“OHS Plan” means a site, activity or project specific documented plan in accordance with the Client’s Health & Safety Specification

“OHS File” means a file or other record containing information in writing required by Construction Regulations

3. Principal Contractor Requirements

3.1 Section 37(2) (Legal) Agreement

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

The original copy of the section 37(2) agreements must be retained by the contractor and a copy retained by the responsible Project Manager. A copy all the agreement must form part of the respective contractor's OHS file.

3.2 Notification of Construction Work

The principal contractor must notify the relevant provincial director of the Department of Labour (DoL) of the intention of carrying out any construction work as defined in Construction Regulations 3.

A copy of the notification letter sent to the DoL shall be forwarded to the project manager on the same day as sent to the DoL. A copy of the letter and their approval must be kept in the OHS file.

3.3 Occupational Health and Safety (OHS) Act

The Principal contractor and contractor shall have an up to date copy of the OHS Act and regulations at all work sites which will be available to all employees.

3.4 OHS Policy

Principal Contractor and all appointed contractors shall have an OHS Policy. The policy must be signed by the organisation's CE or the appointed assistant to the CE Section 16(2). Where possible, the policy must be displayed in a prominent place within the workplace. A copy of the policy shall be kept in the OHS file.

3.5 Letter Of Good Standing

The principal contractor and all his/her appointed contractors shall be registered with an appropriate employment compensation commissioner and have available a valid letter of good standing from such commissioner. The obligation lies with the contractors to ensure

that the letter of Good standing remains valid throughout the contract period. A copy of the letter must be filed in the contract OHS file.

3.6 OHS Plan

The Principal Contractor must provide a suitable, sufficiently documented and coherent site specific OHS plan based on the Client Specification. The plan must be applied from the date of commencement of and the duration of the construction work and which must be reviewed and updated as work progresses.

The contents of the OHS plan shall include but not limited to the following:

- Brief description and duration of the project
- Letter of good standing
- Health & Safety policy
- Covid-19 management
- Incident management
- Waste management
- Baseline risk assessment
- Relevant checklists and registers
- Preliminary induction program
- Site specific organogram
- Public safety management
- First aid
- House keeping
- Personal Protective Equipment and clothing
- Safety monitoring
- Site rules
- Site access

- Restrictions
- Communication
- Toolbox talks
- Proof of competency for the following legal appointees:- Construction Manager; Construction Supervisor; Construction OHS Officer; Risk Assessor; Incident investigator; First Aider; Scaffold erector and inspector; and any other relevant appointees made under this project.

3.7 Management & Supervision of Work

Construction Manager: The Principal Contractor shall appoint in writing a full time competent person as construction manager with the duty of managing all the construction work on a single site, including the duty of ensuring Occupational Health & Safety compliance and in the absence of a manager an alternative must be appointed. The appointed construction manager may not manage any construction site other than the site in respect of which he or she has been appointed.

Construction Health & Safety Officer: The construction manager must in writing appoint a full time/Part time Safety Officer to assist in the control of all OHS related aspects in the site. The appointed Safety Officer shall be registered with the CPCMP or has proof of application for registration to the said body; furthermore, he/she must have 2 years relevant experience.

Construction Supervisor: The construction manager must in writing appoint construction supervisors responsible for construction activities and ensuring OHS compliance on the site.

3.8 Risk Assessment for Construction Work

The principal contractor must, before the commencement of any construction work and during such construction work, have risk assessments performed by a competent person appointed in writing, which risk assessments form part of the OHS plan to be applied on site. The risk assessment should include-

- (a) the identification of risks and hazards to which persons may be exposed to
- (b) an analysis and evaluation of the risks and hazards identified based on a documented method
- (c) a documented plan and applicable safe work procedures to mitigate reduce or control the risks that have been identified

(d) a monitoring plan and

(e) a review plan

Furthermore, the contractor shall conduct job/task specific risk assessment. Communication of the risk assessments shall be kept in the OHS file.

The principal contractor shall comply with the requirements of CR 9

3.9 Fall Protection

The principal contractor must designate a competent person to be responsible for preparation of a fall protection plan. The fall protection plan shall be implemented and reviewed accordingly. Fall protection plan must be specific to the work that is being conducted.

The principal contractor must comply with the requirements of CR 10

3.10 Construction Vehicles and Mobile Plant & Transportation

All motor vehicles driven / operated by contractors within the project shall, in all respects, comply with the National Road Traffic Act. Designated drivers shall be in possession of the relevant driver's licence, valid for the class of vehicle. Contractors must maintain their vehicles in a roadworthy condition and ensure a vehicle license is valid. Contractor vehicles can be subject to inspections by the Client/Agent's representative. Vehicles which are not roadworthy will not be permitted to be used on the project. The principal contractor must comply with the requirements of CR 23

3.11 Transportation of workers

Contractors shall not transport persons at the back of a truck/LDV except if a proper canopy and suitable seating has been provided. Contractors shall not transport persons together with goods or tools unless there are appropriate areas or sections of the vehicle in which such goods or tools are stored.

3.12 Housekeeping & General safeguarding on construction site

The principal contractor shall maintain a high standard of housekeeping within their sites for the duration of the project. Prompt disposal of waste materials, scrap and rubbish is essential. Materials/objects shall not be left unsecured in elevated areas –falling objects may cause serious injuries/fatalities.

The principal contractor must comply with the requirements of CR27 and ERW

3.13 Stalking and Storage on Construction Sites

The principal contractor must comply with the requirements of GSR 8 and CR 28

3.14 Fire Precautions on construction sites

The principal contractor must comply with the requirements of ERW 9 and CR 29

3.15 Construction Employees Facilities

The principal contractor must provide at or within reasonable access of every construction site the following clean, hygienic and maintained facilities:

- (a) Shower facility
- (b) at least one (1) sanitary facility for each sex and for every 30 workers
- (c) Changing facility for each sex and
- (d) sheltered eating areas

The principal contractor must comply with the requirements of CR 30 and FR

3.16 Emergency management

The art of emergency preparedness and response is to minimise the effects of any emergency and to restore normal activities as soon as practical. The Principal Contractor, together with his appointed contractors, shall develop their own emergency response plan for both their worksites and offices. Periodic emergency drills must be undertaken to test the effectiveness of the plan. This must be recorded and provided on request.

3.17 First Aid Facilities

The principal contractor must appoint in writing a competent first aider trained to level 2. A first aid box depending on the number of people on site must be provided and inspected on a monthly basis. A list of emergency numbers must be posted at phones and in all offices and available in vehicles if practicable. All first aid incidents must be reported to the project manager and OHS department.

The principal contractor must comply with the requirements of GSR 3

3.18 Medical Certificates

The principal contractor must ensure that all employees have valid medical certificates. DOH will only accept medical certificates conducted by an Occupational Health Practitioner. The principal contractor shall provide a documented process for managing those employees who are issued with a conditional certificate of fitness.

3.19 Induction training

The principal contractor shall ensure that all employees undergone the project safety induction programme prior to commencing work on site. Attendance registers must be completed of any induction training given, which must indicate that they are receiving and understanding the induction training

3.20 Tool box talks / pre job meetings

A meeting must be held prior to the commencement of the day's work with all relevant personnel associated with the work task in attendance. The job, relevant procedures, associated hazards, safety measures, i.e., the task risk assessments shall be discussed. Each employee who attends the briefing shall sign an attendance list of that pre-job brief form undertaking that they have an understanding of the tasks, risks and control measures required.

Where possible, tool box talks can be included in the pre-job brief meetings. If this does not occur, then weekly tool box talks must be conducted. The toolbox talk topics will be based on OHS issues pertaining to the construction site and or the project. The topic contents shall be in writing. Attendance registers with the topic listed shall be kept.

3.21 Extreme Weather Conditions

If weather conditions pose a threat to Health & Safety of employees, be it extreme heat, cold, lightening or any weather condition, the Principal must apply appropriate safety measures. For hot environments; cool portable water shall be provided.

3.22 Incident Management

The principal contractor must have a detailed; clearly defined incident management procedure. A competent person to investigate incidents must be appointed in writing. All incidents including near misses shall be reported to the DOH OHS & Project Manager before the end of the shift. All incidents shall be reported and investigated in terms of the section 24, 25, GAR 8 and 9 of the OHS Act. Copies of the investigation reports must be filed in the OHS file. A comprehensive and detailed investigation report shall be submitted to the OHS Department & Project manager within 14 days after the incident

3.23 Personal Protective Equipment

The principal contractor must provide free of charge all the necessary PPE required for the task. A detailed programme for issuing, maintenance and replacement of PPE shall be provided by the principal contractor. PPE must comply with the PPE requirements as per the SABS. All employees must be trained on the correct use of PPE. Monthly PPE inspections must be conducted. Employees must sign an undertaking to wear such PPE as supplied to them. A PPE issuing register shall be kept in the OHS file

3.24 Environmental Management

The principal contractor must prevent environmental degradation throughout the project. The contractor must provide an environmental management plan detailing what actions will be taken for the activities to ensure environmental impact is avoided and or reduced. Where hazardous waste is generated, a record for its disposal shall be kept on file. All waste must be disposed in a registered waste disposal site. The principal contractor must comply with the requirements of HCS regulations

3.25 Audits

The principal contractor's OHS Plan will be audited as to confirm compliance to the requirements in the OHS specification. Once there is compliance only then will the principal contractor's SHE plan be approved by the OHS department and or project manager. The implementation of the SHE Plan will be audited by Client or its agent on a monthly basis.

Note: DOH/the client reserves the right to conduct unannounced audits on contractors

3.26 OHS File

A SHE file means a file or other record in permanent form, containing the information about the safety and health management system during construction and all information relating to the post-construction phase after handover to the client, so that the client can maintain the works in a healthy and safe way. The principal contractor is required to keep a SHE file on every project site.

The sequence of filing the documentation must be kept in the same sequence as listed in this SHE specification. Each record shall be separated by partitions to afford easy identification and access. Each partition must be labelled. On completion of the construction work/project, the principal contractor must hand over a consolidated safety and health file to the project manager. The principal contractor must also hand over all drawings, designs,

lists of materials used, and other applicable information about the completed structure, as well as the list of subcontractors, the agreement, and the type of work completed

3.27 Appointment of a Principal Contractor

The principal contractor will be appointed by DOH on the awarding of the contract and will be responsible and accountable for all legislative and DOH requirements for the duration of the contract. Principal contractor shall not commence with the project work until such times as he/she has been appointed in writing in terms of OHS Act Construction Regulation 5(1) (k),

3.28 Appointment of contractors

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

3.29 Principal Contractor Organogram

The principal contractor must provide an organisational organogram related to this contract, depicting all the levels of responsibility from the CE down to the supervisors responsible for the contract. The relevant positions held names of appointees and legal appointments must be listed. The principal contractor must ensure that all appointed contractors comply with this requirement. The principal contractor is responsible for keeping copies of all of the organograms' as well as submitting them with the OHS plan. All organograms' shall be updated timeously when appointments are changed. This diagram must be kept up to date and filed in the project OHS files.

3.30 Legal & Other Appointments

The principal contractor must make the relevant legislative and non-statutory appointments, which will be required to remain valid throughout the life of the project. The responsibilities of the individual appointments made must reflect the requirements as listed in the respective Acts and form a part of the appointment. Appointees shall be suitably trained and found to be competent for the responsibilities assigned. Copies of all the appointments must be kept in the OHS file.

4. Management of Covid-19

- The contractor must appoint in writing a covid-19 compliance officer
- The contractor must develop a covid-19 management policy & procedure
- The contractor must provide handwashing facilities; where not possible; a sanitising agent to the employees; free of charge
- The contractor must comply with the requirements of Disaster Management Act and regulations

5. Smoking

- The Contractor must not permit smoking at the Site except within designated smoking areas.

6. Intoxicating Liquor or Drugs

- The contractor must implement and comply with OH&S Act – General Administrative Regulation 10
- Any person found on the site or attempting to enter site, in possession of or consuming intoxicating liquor or illegal drugs or considered unfit for work from the apparent influence of intoxicating liquor or illegal drugs or prescription drugs, must be removed from the site.

7. Fundamental health and safety requirements

Before any work commences, proof of and the following non-negotiable deliverables are required:

- Incident investigation training by Construction Manager and or Safety Officer
- Letter of good standing with the Workman's Compensation Commissioner
- Legal liability training of all Supervisors and Construction Managers
- Original of the notification of construction work stamped by the Department of Labour
- Public Liability Insurance
- Competency training certificates of people to execute the job
- Method statements for work to be conducted
- A Baseline Risk Assessment

- Risk Assessments for every Job/Task
- Signed legal appointments as required by legislation
- Contractors' Safety Officer CV and competency certificates
- Health and Safety Management Plan
- Health and Safety file
- All equipment to be on a current register, backed up by relevant test certificates
- A Medical fitness certificate for each employee with Annexure 3 completed per employee
- Proof of induction (Contractor induction training)

8. Close out report

- The Health & Safety file for the Principal contractor and all contractors requires closure and handover to the client at the completion of the project. Documentation required includes all records from the start of the project.
- Daily or monthly plant inspection records are not required unless they are related to an incident.
- All records to be in electronic format and submitted to DOH for approval before final submission.

The list of documents to be submitted includes but not limited to:

- Client specification
- Principal contractor's OHS plan
- Covid-19 management plan
- Organogram/s
- Legal appointments
- Letters of good standing for the project
- Incident records
- Non-conformance records
- Audits
- Method statements
- Risk assessments
- Safe work procedures
- Medical certificates of fitness
- And any other document that may be requested by DOH

9. OMISSIONS FROM HEALTH SAFETY AND REQUIREMENTS SPECIFICATION

- By drawing up this OHS specification, DOH has endeavoured to address the most critical aspects relating to OHS issues in order to assist the contractor in adequately providing for the health and safety of employees on site. Should DOH not have addressed all SHE/Q aspects pertaining to the work that is tendered for, the contractor needs to include it in the SHE plan and inform DOH of such issues when submitting.

Contractor's Acceptance & Acknowledgement of the Health & Safety Specification:

I, _____ (print name in full), the undersigned responsible person (Contractors 16.1/16.2 Appointee) for:

_____ (Company Name)

declare that I have read, understood and accept the responsibilities and requirements of this Health & Safety Specification for the project: **Installation of elevated water tanks: 03 various institutions** will ensure that this Health & Safety Specification is communicated to the relevant parties so that the requirements hereto can be complied with.

Contractor's Responsible Person
(16.1/ 16.2 Appointee)

Date