

Brackenridge Contractors Cover Letter.

All contractors to Brackenridge Residential Estate to complete the following Agreement between the Client (Owner of the property) and Principal Contractor, and submit a signed copy to Brackenridge Residential Estate Management before commencement off work.

Accompanying this agreement, all contractors must have available upon request and readily available, the following documentation;

- A site specific Health and Safety file, to include all required documentation (CR 7.1.b)
- Evidence of registration and good standing with a compensation fund (i.e. Workman's Compensation) or registered compensation for injuries and disease insurer (CR 7.1.c.iv)
- Medical fitness certificates for all employees in the form of Construction Regulation Annexure 3 (CR 7.1.g)

It will therefore also be the responsibility off the Principal contractor to ensure that all Sub-Contractors appointed by them comply to the abovementioned minimum requirements as outlined by Construction Regulation,

Or,

Be willing to take responsibility for all activities, occurrences and injuries on site, to include coverage of compensation insurer, in writing.

All contractors to Brackenridge Residential Estate must ensure that the DOL are notified of their intended construction work, in writing and in a form similar to Construction Regulation Annexure 2, at least 7 days before that work is to be carried out (CR 4.2)

If assistance and guidance in the above mentioned matters are required, please contact;

Louis Willemse

Flame OHS Garden route

Sel; 073 444 1711

E-mail; louisflame@ohs.co.za

AGREEMENT WITH MANDATORY

WRITTEN AGREEMENT ENTERED INTO AND BETWEEN

(Hereinafter referred to as the Company/Client)

and

(Hereinafter referred to as The Contractor)

Compensation Fund Number of Principal Contractor:

Whereas the Company called under contract no;

_____ (Contract Nr.)

For the executing of the following;

_____ (Type and description of Project)

_____ (Premises/ ERF Nr.)

and whereas the contractor

_____ (Principal Contractor)

Undertook to carry out the work and whereas the client contractor has agreed to regulate as between them and as provided for in terms of section 37(2) of the Occupational Health and Safety Act, No. 85 of 1993, now therefore the undersigned agree to:

_____ (Principal Contractor's responsible person) is an employer in its own rights with duties as prescribed in the Occupational Health and Safety Act 85 of 1993, and Construction Regulation 2014, as amended.

1. The Contractor agrees that all work will be performed, or machinery and plant used in accordance with the provisions of the said Act. Furthermore
2. The Contractor agrees to comply with all other relevant Acts while providing a service to Bracken ridge.
3. The Contractor will provide and demonstrate to the client a suitable, sufficiently documented and coherent site specific health and safety plan, based on the client's documented health and safety specifications contemplated in regulation for said work to be carried out
4. The Contractor will ensure that all its employees are properly informed and adhere to all the rules and regulations while on the premises.
5. The Contractor is registered with COIDA/FEMA Insurance for injuries on duty as stipulated by the Act. A copy of Letter of good standing is attached in the aforementioned Health and safety Plan/File. (not SARS letter).
6. The Contractor warrants that he is in possession of the following insurance cover which shall remain in force whilst he and/or his Contractor and/or his employees are present on the premises or which shall remain in force for the duration of his contractual relationship with the client whichever period is the longest:
 - a) Public liability insurance covers.
 - b) Any other insurance cover that will adequately make provision for any possible losses and/or claims arising from his and/or his contractors and/or his Employees' acts, and/or omissions on the premises.
7. The Contractor Acknowledges that all his employees have undergone medicals as per CR 7 (g) and that the certificates are attached in Health and safety Plan/File.
8. The Contractor undertakes to ensure that he and/or his contractors and/or their respective employees will at all times comply with all the requirements of the Act and without derogating from this general undertaking, also comply with the following conditions:
 - a) All work performed on the premises must be performed under the close

supervision of the contractor's employees who are trained to understand the hazards associated with any work that the contractor performs on the stated premises.

- b) The Contractor shall assume the responsibility in terms of Section 16(1) of the Act. If the Contractor delegates any duty in terms of Section 16(2), a copy of such written delegation shall immediately be forwarded to the Client.
 - c) The Contractor shall ensure that he familiarise himself with the requirements of the Act, and that he, his employees and any Contractor comply with them.
 - d) The Contractor shall conduct a hazard analysis and ensure that his and any contractor employees are made aware of the hazards identified. This analysis needs to be reviewed prior to a new task are commenced.
 - e) The Contractor must provide the Client with written proof that his employees and those of the sub-contractor have been made aware of die hazards identified. The Contractor must provide the Client with updated copies of the analysis.
 - f) Discipline regarding Occupational Health and Safety shall be strictly enforced.
 - g) Personal Protective Equipment as defined in the Act and regulations shall be issued free of charge by the Contractor and worn as prescribed.
 - h) Safe work practices shall be enforced and all employees shall be made conversant with the contents of these practices.
 - i) No unsafe equipment/machinery and/or articles will be allowing and/or used on the premises.
 - j) All incidents referred to in Section 24 of the Act, shall be reported by the Contractor to the Department of Labor as well as to the client. The Client shall further be provided with copies of all documentation relating to any incident.
 - k) The Client hereby obtains an interest in the issue of any formal inquiry conducted in terms of Section 32 of the Act into any incident involving a Contractor and/or his employees and/or his Contractor.
 - l) No use shall be made of any machinery/article/substance/personal protective equipment that belongs to the Client without prior written approval.
 - m) Work for which the issuing of a permit is required shall not be performed prior to the obtaining of a duly completed and approved permit.
 - n) No alcohol or other intoxicating substance shall be allowed on the premises. Anyone found to be or suspected of being under the influence of alcohol or any other intoxicating substance shall be removed from the premises.
 - o) Full participation shall be given if and when Client employees inquire into Occupational Health and Safety issues.
 - p) The Contractor expressly agrees to comply with the procedures and arrangements as required by the Act in the execution of the work.
9. The Contractor Also agrees by the signatures hereto, do unreservedly and irrevocably indemnifies Bracken Ridge and holds him harmless against all the clause demands, actions, clauses of actions and suits of law which may be made or

instituted against it for;

- a) any death, injury or incident to the Contractors employees, agent customer or visitor;
- b) any damage caused to property of the Contractor and or their employees, agent customer or visitors including any loss of such property from whatsoever while on the premises;
- c) any claims resulting from non-compliance with legislation.

10. The Contractor confirms that he has been informed that he must report to Client management, (in writing) any-thing that he deems to be unhealthy and/or unsafe and that he has versed his employees and/or contractors in this regard.

11. The Contractor warrants that he shall not endanger the health and safety of any of the Client's employees in any way whilst performing any work on the premises.

In terms of the appointment you are required to ensure that all requirements of the Occupational Health and Safety Act 85 of 1993 as well as the Construction Regulation 2014 are complied with on Bracken Ridge.

Please ensure that a consolidated health and safety Plan, in terms of Construction Regulation 7(1)(b) be handed over to the Operations Manager before commencement of work is allowed.

1. Signed by the Company/Client Representative
Section 16(2) assignee

Date _____

2. Signed by Contractor or his Authorized Representative

Date _____



BRACKENRIDGE ESTATE

Note to all Contractors

21st August 2015

Health & Safety Officer

We are obliged to ensure that all safety matters are overseen by the appointed Officer in terms of the Occupation, Health and Safety (Act 85).

We ask that you supply us with the name of the appointed individual and their qualifications at your earliest convenience.

Chairman
Homeowners Association

ADDENDUM TO HOMEOWNERS AND ARCHITECTS

1. Building Contractors

Owners are to advise BARC of the name of appointed Building Contractor who is to be selected from our Approved List of Contractors.

Any new contractor chosen will be subject to BARC approval.

All contractors are to be NHBRC approved.

2. Safety Officer

BARC is to be advised by the homeowner of the details of the appointed safety officer who will be responsible for ensuring that all safety matters are complied with in terms of the Occupation Health and Safety Act (Act 85).

3. Project Management

The owner is to advise BARC of the Contract Administrator and/or Engineer who will together with the Building Contractor carry full professional liability as the homeowner's agent for the overall quality and integrity of the construction of the building. (The appointed BARC Building Control Officer only ensures compliance with the Design Guidelines and Approved Plans as well as the Environmental Control Management)

4. Safety compliance

a. Pool safety is to comply with clause DD4 of the National Building Regulations.

b. All retaining structures in excess of 1.0 meter are to be secured in terms of D1 of the Public Safety Act..

5. Standards compliance

The specification and construction is to conform with the standards of the National Building Regulations, the Local Authority, SABS and NHBRC.

6. Levels

A certificate must be issued in writing by a professional Land Surveyor certifying that the house levels relate to the original surveyor's Bench Mark as per plans submitted and approved.

7. Retaining Structures

All retaining structures whether retaining walls or retaining blocks (sholin) in excess of 1 meter in height are to be certified by the appointed engineer taking due cognisance of the soil composition.

Brackenridge rules for Contractors

Contractors are required to comply with the following rules:

1. Working hours

Monday to Friday 07h00 to 17h00.

No working on weekends or public holidays.

2. Brackenridge approved Building Contractors

Only pre-approved contractors are allowed to work in the Estate (owner- builders are not permitted).

3. Council Approved Plans

Council Approved Plans are to be obtained before commencing any structural work (excavations are permitted prior to council approval).

Any deviation from approved plans are to have prior approval from BARC.

4. NHBRC Registration

Certificate is to be available on request, evidencing registration of both the construction and the contractor.

5. Brackenridge Diagram

"Footprint" to be obtained from Sales Office.

6. Brackenridge Estate Manager (Ricky)

To be requested to clear the stand I.T.O. Eco Guidelines (cost of clearing stands to be paid directly to Ricky which is based on the amount of clearing to be done, currently a minimum of R1 500-00.

7. Green Shade Cloth

To be erected 2 meters in from boundary around the entire stand. All building material is to be stored inside the shade cloth (5 meter road frontage is not to be used for storage).

8. Chemical toilet to be hired.

9. Water Meter

Is to be obtained from Ricky and connected to the water supply.

10. Appointed Electricians

Are to prepare the electrical kiosk which will be connected by the Estate Electrician (Edward 083 583 0855) to the main supply.

11. Brackenridge Sign Board

Indicating owner, contractor, electrician, engineer, architect, plumber with telephone numbers to be erected. Is to be ordered from Sign Tec (044 533 0021).

12. Lockable Container

Only one container is to be brought on site. Each container is to be of a plain colour preferably GREEN with no "advertising" of Contractors name.

13. Site Tidiness

All sites are to be kept free from litter / rubble especially the road frontage at all times.

14. A Skip

Is to be brought on site for all building rubble/garbage and cleared weekly.

15. Dust / Sand

In dry windy periods sand is to be watered to prevent dust / sand flying over other properties / houses. Temporary sand heaps are to be covered by shade cloth.

16. No Encroachment

Of building rubble / excavation is allowed outside of shade cloth.

17. Workers

May not leave their stand and under no circumstances are allowed to walk on the road.

18. Security procedure

All workers are to Check In on arrival at the Security Office main entrance and collect their admission cards, which are to be returned on departure (a R100 fee will be charged for lost cards).

19. Speed Limit

30km to be observed.

20. Turning Circles

All heavy duty vehicles are to cautiously go STRAIGHT through turning circles to avoid damaging the paving (**no heavy trucks such as Bell Dumpers or low bed trailers are allowed**).

21. Damage to Road

On completion of construction repairs will be undertaken by Brackenridge only at the owner's expense.

22. On Completion

The Building Control Officer will inspect the property with As Build Plans before occupation will be permitted.

23. Occupation Certificate

Is to be obtained from Council with As Build / BARC approved Plans.

24. Safety Officer

Each Homeowner is responsible for appointing a safety officer to take responsibility for and ensure that all safety precautions are adhered to.

25. Levels

A certificate must be issued in writing by a Professional Land Surveyor, certifying that the house levels relate to the original surveyor's Bench Mark as per plans submitted and approved.

The Land Surveyor is also to confirm that all roof pitches are within the 5.5m height restriction from natural ground level for single storey and 8.5m from natural ground level for double storey.

Contact details

: Estate Manager - Ricky Taylor 076 384 7718
: General Manager – Keith Miller 082 457 5932
: Admin office 044 533 6547
: Security 044 533 0953

Contractors Signature: _____ Erf no: _____ Date: _____

Estate Manager Signature _____