ELECTRICITY COMPANY OF GHANA LTD.

"CODE OF CONDUCT"

FOR

ECG'S

THIRD PARTY CONTRACTORS

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1.0 FORWARD

This "Code of Conduct for Third Party Contractors" of the Electricity Company of Ghana (ECG) sets out standards to guide the behavior, attitude and conduct of Third Party Contractors and their Staff in the execution of their obligations enshrined in the contracts entered in with ECG.

It is designed to outline rules for social norms, rules and responsibilities of proper practices for an individual worker, a party or an organization to ensure professionalism, objectivity, transparency, integrity, efficiency and effectiveness of such organization or worker when performing their duties. It is intended to guide Third Party Contractors in their behavior and how they relate to Staff of ECG and the public in general.

In essence, the Code of Conduct shall be instituted to promote professionalism amongst our Third Party Contractors in the provision of services to ECG in a bid to provide reliable and adequate source of power to our cherished customers whilst improving on quality of customer service delivery and improving on the image of the company.

Third Party Contractors are enjoined to conform to the Code of Conduct and promote its observance. Similarly, all Project Engineers and Supervisors are encouraged to access the Code of conduct and report any behavior of any contractor that may be in breach of this code.

ING. Samuel Boakye-Appiah
(Director – Network Projects)

2.0 CODE OF CONDUCT FOR THIRD PARTY CONTRACTORS IN ECG

2.1 PREAMBLE

The Electricity Company of Ghana is charged with the responsibility of providing timely, high quality, reliable, cost effective and safe electrical services to support the economic growth and development of Ghana. To achieve this, it must have Third Party Contractors who are loyal, committed, result-oriented, and customer-centered and observe a high standard of conduct in all their dealings. The existence of a Code of Conduct for these contractors, to enhance their performance and thereby reflect a good image of the Company whilst promoting good governance in the administration of contracts entered into, is of paramount importance.

The aim of this Code of Conduct is to provide general guidance to Third Party Contractors in their relationships and dealings with ECG and its customers. It compliments existing rules, regulations, guidelines and standards issued over the years for the purpose of prescribing acceptable standard of behaviour and conduct in the execution of the obligations of both parties (ECG and Contractor). Provision has also been made for appropriate sanctions to be applied where a third party contractor's conduct is found to be inconsistent with the Code.

3.0 APPLICATION OF THE CODE OF CONDUCT AND INTERPRETATIONS

3.1 Application of the Code

(i) This Code of conduct is applicable to all persons or group of persons classified under the requirements of ECG and the Laws of Ghana to execute works on ECG's behalf.

(ii) The Code shall be reinforced by available standards, specification and other professional Codes of Conduct related to the electrical construction industry.

(iii) Information on the Code shall be made available to all Third Party Contractors.

(iv) All Third Party Contractors shall consciously subscribe to the Code of conduct by appending their signatures to the attached Acceptance Form indicating their full understanding of the statutes of the code and what constitutes a breach.

3.2 Interpretation

In this Code, unless the context otherwise requires,

Bribe
Means any gratification as an inducement to or a reward for or otherwise on account of any Third Party Contractor or any ECG official for doing or forbidding to do anything in respect of any matter or transaction whatsoever, actual or proposed in which the public body is concerned. It is anything offered or given to or given out by a Third Party Contractor or any individual to gain favour and influence in a particular situation.

Employer
Means the Government of Ghana or Electricity Company of Ghana (ECG), a company incorporated under the laws of Ghana and having its principal place of business at the Electro-Volta House, Accra.

Gift
Means any present, donation, grant or favour whether monetary or in kind or any other gain of a personal nature given as an appreciation after a service has been rendered.

Third Party Contractor
Means any company incorporated under the laws of Ghana and classified by ECG to execute works of a specific magnitude in accordance with their class.

4.0 GUIDING PRINCIPLES OF THE CODE OF CONDUCT

The Code of conduct and Ethics is based on the following principles: -

Accountability

A Third Party Contractor shall perform their duties in public trust and shall be personally responsible for their actions or inactions at site.

Decency

A Third Party Contractor shall present themselves in a respectable manner that generally conforms to morally accepted standards and values of society or the environment he or she may find him or herself by virtue of his or her contractual agreement with ECG.

Diligence

A Third Party Contractor shall be careful and assiduous in carrying out their contractual obligations to ensure the safety of public property and personnel.

Effectiveness

A Third Party Contractor shall strive to achieve the intended project/deliverables in terms of quality and quantity in accordance with set targets and performance standards.

Efficiency

A Third Party Contractor shall endeavour to optimally use resources including time in the attainment of the set objectives of the project.

Integrity

A Third Party Contractor shall be honest and open in their dealings with ECG.

Impartiality

A Third Party contractor shall not discriminate or be partial in rendering/providing services to ECG, ECG's customers or Agents.

Loyalty

A Third Party Contractor shall demonstrate a great sense of commitment to the policies and programs of ECG to drive the agenda of network development and expansion in a bid to provide quality service to ECG customers and shall not put their personal interest before the interest of ECG or its customers..

Professionalism

A Third Party Contractor shall adhere strictly to the professional codes of conduct, exhibit a high degree of competence and best practices as prescribed in the contracts entered into with ECG.

5.0 PROJECT TIME MANAGEMENT

(i) A Third Party Contractor shall assess thoroughly the project completion period in the face of the many constraints due to scope and right of way challenges, and if found feasible, shall present a comprehensive project implementation plan/schedule outlining the various activities and their timelines (work program).

(ii) A Third Party Contractor shall endeavour to strictly follow the proposed project implementation plan and accomplish planned activities according to the expected dates of delivery. They shall however communicate to ECG why such planned activities cannot be completed on the proposed dates.

(iii) Unless otherwise reviewed and communicated to the Third Party Contractor by the Project Manager or any other person authorized to do so, the project completion period shall be as stated under the contract completion period clause.

5.1 Mobilization to /Absence from Project Site

(i) A Third Party Contractor shall mobilize to site immediately after all conditions making the contract effective have been duly fulfilled.

(ii) A Third Party Contractor shall communicate formally to the Project Manager or any person in authority why they cannot undertake the duty in (i) above.

5.2 Customer Care

A Third Party Contractor shall endeavor to serve customers with fairness, transparency, promptness, clarity, respect and courtesy with a view to ensuring customer satisfaction and enhancing the image of ECG. Therefore, a Third Party Contractor shall amongst other things:-

i) Serve every customer in a professional manner in accordance with the set standards and project implementation guidelines.

ii) Not discriminate or harass any customer and ensure that the services are available and applied equally to all.

iii) Not solicit money or any form of remuneration from customers in the process of executing their duties.

iv) Accord courtesy, empathy and fairness to all customers.

v) Respond to all customers' requests with promptness and clarity if the said request falls within the purview of the contract.

5.3 Conflict of Interest

(i) In the execution of official ECG business, a Third Party Contractor shall not put themselves in a position where their personal interest conflicts with their duties and responsibilities as a contractor. The Third Party Contractor shall be required to inform his or her supervisor of the nature and extent of his or her interest should there be any.

(ii) A Third Party Contractor shall not either directly or indirectly enter into any contracts or any agreement whatsoever with an ECG official or Customer with the purpose of harnessing any other interest rather than the official ECG interest. This is unethical since it affects the professionalism and impartiality of a contractor and mars his or her reasonable judgment.

(iii) A Third Party Contractor shall not use ECG's resources e.g. vehicles, tools, personnel, equipment or any other facilities to execute ECG's Projects without the approval of ECG.

(iv) A Third Party Contractor shall not misrepresent themselves as permanent or contract staff of ECG. Neither shall they use ECG's Logo, colors, and insignia unless they are permitted to do so by ECG.

(v) A Third Party Contractor shall not operate any ECG network. Removal of Fuses or any form of network isolation by a Third Party Contractor is not permitted. This function shall be the sole preserve of ECG.

5.4 Financial Credibility

A Third Party Contractor shall not engage in any arrangement that would cause them financial embarrassment such as bankruptcy that would end up having a negative impact on the implementation of any ECG project.

5.5 Communication of Information

5.5.1 Secrecy and Confidentiality

(i) A Third Party Contractor in the custody of official ECG information that comes into his or her possession by virtue of his or her dealings with ECG shall not in any circumstance release such information and must be guided by the by-laws relating to rights of access to such information as prescribed in the legal statutes of ECG or any other relevant guidelines that may be enacted from time to time.

(ii) A Third Party Contractor shall continue to maintain secrecy and confidentiality of official information even after they have ceased to be a partner of ECG. Such information shall not at any point in time be used against the Management of ECG and shall not use such information acquired in the course of their undertakings with ECG to advance their personal

gain.

(iii) A Third Party Contractor shall not at any time engage themselves in loose talk and make unguarded statements about contracts entered into with ECG.

5.5.2 Communication to the Press/Engagement with the General Public

i) A Third Party Contractor shall not communicate with the media on issues related to works or contracts they are executing for ECG without the requisite permission from an ECG authorizing officer.

ii) A Third Party Contractor shall direct the release of official project information to the media through officials who have been authorized to do so according to laid down communication plans.

iii) A Third Party Contractor shall not portray themselves as promoting the interest of any political party or any interest group in the community/area where the project is being executed.

5.5.3 Chain of Command

A Third Party Contractor aggrieved by the decisions or actions of their immediate supervisor shall follow the established disputes and settlement procedures instituted in the ECG contract in seeking redress.

5.6 Accountability

A Third Party Contractor shall execute their duties in public trust and shall be accountable to all persons within their project confine. They shall be accountable for all resources entrusted to them as follows:

5.6.1 Financial

i) A Third Party Contractor shall submit an irrevocable advance payment security in favour of ECG for the equivalent amount made out to them as advance payment.

ii) A Third Party Contractor shall promptly follow the modalities set out under the terms of payment clause for measurement of work and invoicing and shall present invoices commensurate with the work done and unit rates for payment.

5.6.2 Public Property/Assets

A Third Party Contractor shall be responsible for the safety of all materials in their custody and the surroundings during the period of works. The contractor shall therefore be required to take adequate measures including insurance cover to ensure the safety of materials and adequately guard against the loss or damage of third party property.

5.6.3 Human Resource

(i) A Third Party Contractor shall ensure that all of their employees are eighteen (18) years or above. Also, the use of forced, prison or indentured labor, or workers subject to any form of compulsion or coercion or trafficking of persons is in violation of Ghana's labor policy.

(ii) A Third Party Contractor shall ensure that staff under their supervision have clear job descriptions and understand the scope of their work to enhance optimum utilization of the resources provided by ECG in order to enhance smooth implementation of the project.

(iii) A Third Party Contract shall employ safe working practices by providing adequate barriers and protective measures whilst working on their respective contracts to ensure a safe working environment to their personnel and individuals within the community.

(iv) A Third Party Contractor shall report to their supervisor whenever they encounter a work situation they are not prepared for and makes the work environment unsafe and shall not proceed to work until the necessary safety precautions have been taken.

(v) A Third Party Contractor shall take cognizance of all the hazards within the work environment or any possible hazards that may arise in the course of the execution of the work at hand and prepare possible mitigation plans for such hazards.

(vi) A Third Party Contractor shall at all times provide the right Personal Protection Equipment (PPE) for all staff under their care to ensure strict adherence to the safety requirements of the work environment.

(vii) A Third Party Contractor shall provide appropriate identification to both staff and equipment within their work environment for the promotion and projection of the good image of the Contractor as well as that of ECG.

(viii) A Third Party contractor shall immediately inform their site supervisor of any accident or near misses and officially inform the Project Manager through a Letter to ECG to assess the effect of accident on resources, personnel or any other individual.

5.7 Handling of Bribes, Gifts, Favors and Presents

5.7.1 *Gifts*

i. A Third Party Contractor or any member of their staff shall not offer any valuable gifts, presents, hospitality gratuity or favour or other benefits to any official of ECG, if they have reason to believe that the offer of such gifts, presents and other benefits is geared towards influencing the official's judgment or action in a matter they are dealing with

or will handle in future.

5.7.2 Bribes

ii. A Third Party Contractor who in their personal or official capacity, demands, accepts from a customer or gives any bribe to an ECG Staff in their official capacity as a member of their project implementation team or is an agent of any person who intends to influence the ECG official is in breach of this Code.

iii. A member of the public who corruptly gives promises or offers any gift or present or reward or gratuity to any Third Party Contractor as an inducement is guilty of a misdemeanor and shall be dealt with in accordance with the laws of Ghana.

6.0 SANCTIONS

Unethical conduct by Third Party Contractors shall not be accepted in ECG. Sanctions for any breach of this Code shall be those prescribed in this code of conduct and any other administrative document that may be issued from time to time. The enforcement of the Code of Conduct shall be done by a Disciplinary Committee (DC) sanctioned by management to determine the severity of a breach and propose an appropriate sanction for such offence or misconduct.

Depending on the gravity of the offence or misconduct, the following punitive measures shall apply:

i. Warning or reprimanding letter to remind Third Party Contractors of their obligation to the code of conduct and alert them of a more stringent punitive measure if they continue to breach the code of conduct. The Third Party Contractor shall be required to reply to the said letter citing reasons for the alleged breach and indicating their preparedness to comply with the code of conducts forthwith.

ii. In the unsavory event of death or injury to any person or loss of / damage to property arising from the negligence of the contractor or any member of their staff, the contractor shall be compelled to make good all expenses needed to remedy the situation to normalcy.

iii. Having exhausted every means through warning or reprimand, or negotiations, the disciplinary committee shall propose to management for the suspension, cancellation or termination of running contracts for failing to comply with the contractual provisions as stipulated in the Code of Conduct.

iv. Issuance of an order to debar other contractors from entering into any form of agreement or contract, or extending or modifying existing contracts with non-complying Third Party Contractors.

v. Recommend to the Director/Network Projects, to revoke non-complying contractors' classification, and blacklisting them from having any involvements in ECG contracts.

vi. The Disciplinary Committee (DC) shall publish a list of the names of all contractors that have, in the judgment of the DC, failed to comply with the provisions of the Code of Conduct, or of related rules, regulations, and as a result have been declared ineligible for future contracts.

7.0 REWARDS

If a contractor builds a good reputation for compliance with the Code of Conduct, rewards may include, but not limited to;

(a) Well performing contractors may be recommended for more contracts and would be preferred choices for single-sourced contracts.

(b) Issuance of certificate of competence.

(c) Be given the opportunity to facilitate workshops/symposia concerning third party contractors in compliance with ECG's performance standards.

(d) May be recommended for mentorship programs aimed at improving Project Performance.

(e) May be recommended for special awards at any organized rewards and recognition Ceremony by the ECG.

8.0 OBLIGATIONS OF ECG

Whilst a Third Party Contractor is expected to observe and fully adhere to the code, the Electricity Company of Ghana as a partner in development has the following obligations as laid down in the Contracts entered into with the contractor or any other statutes governing contract administration, to ensure smooth implementation of projects: -

(i) To provide satisfactory, safe and healthy working environment by providing isolation for all live parts of the network that need to be worked on.

(ii) To ensure reasonable remuneration commensurate with the work to be executed by the Third Party Contractors.

(iii) To ensure equity and fairness to all Third Party Contractors by ensuring equal payment for work done by establishing unit rates for all equipment to be installed and services to be provided.

(iv) To ensure that Third Party Contractors receive timely payment of measured work.

(v) To ensure that proper engineering designs and pre-construction surveys are carried out in order to limit the extent of scope change aimed at ensuring that projects are executed on time and with the right resources.

(vi) Review of submittals and other design drawings from Third Party Contractors on time to ensure timely implementation of projects.

(vii) To resolve all legal matters including right of way issues, way leaves and permits to curb all hindrances that may negatively impact on the progress of work.

(viii) Officials or staff of ECG assigned to the project shall not solicit bribes, Gifts or Presents, or seek to enter into third party contractual agreements with the Third Party Contractor to implement portions or the whole of the work they are expected to be supervising. This will constitute conflict of interest and they shall be in breach of this Code.

(ix) Shall through its officials assigned to the project resolve any issues that may occur during project implementation such as shortage of materials or outage requests.

(x) Shall protect the rights of Third Party Contractors, including the right to withdraw labor in accordance with the administrative statutes of the contracts entered into with ECG.

(xi) ECG shall in collaboration with Third Party Contractors provide the necessary training, resources and engineering expertise to ensure their growth and professional efficiency.

9.0 CONCLUSION

The conduct of a Third Party Contractor is expected to be beyond reproach. Third Party Contractors are expected to be partners in the promotion and development of adequate electrical resources for national development and as such, they are required to adhere to the highest standard of morality.

Ethical rules require a Third Party Contractor to be professional and objective in the execution of their jobs. They are therefore required to manifest the highest degree of integrity in the execution of projects geared towards the provision of quality supply to our cherished customers. Third Party Contractors are therefore expected to refrain from using their contractual positions for personal, private pecuniary or partisan gains.

It must also be recognized that an ethically run Electricity Company of Ghana is an important component of National Development. It contributes to an efficient and effective customer service delivery and promotes the good image of ECG and the country as a whole.

10.0 ANNEXURE

Acceptance of Code of conduct for Third Party contractors

I/We as Sole Proprietor(s) /Managing Director(s) of the duly classified electrical contracting firm named below, hereby give confirmation that we have received, have read and solemnly affirm to abide by the Code of Conduct issued by Electricity Company of Ghana.

I/We also confirm that all relevant employees of this firm will be provided with a copy or summary of this Code of Conduct and will be made aware of the consequences of a breach of the terms contained therein.

Company name:----------

Address:----------

Signed:---------- Date:----------

Name:----------

Managing Director : ----------
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Please return to:
Director of Network Project
Electricity Company of Ghana, Electro-Volta House
Accra, Ghana