

SECTION 120

PURCHASE OF LUMBER

Whenever the Contractor is required to purchase lumber for use on a project, they must use lumber that has been manufactured in the Province of Newfoundland and Labrador when such lumber is available in suitable quality.

SECTION 121

MOVEMENT OF CONTRACTOR'S PLANT

Whenever it becomes necessary to transport Contractor's plant, machinery or materials, the Contractor shall have no claim against the Department for any cost or delay that may be incurred or occasioned by reason of the condition of any road, bridge or any natural obstruction.

SECTION 122

LINES AND GRADES

For Roadwork Operations:

All lines and grades shall be furnished by the Owner's Representative on the offset stakes. Slope stakes will be placed as required by the Owner's Representative.

Whenever necessary, the Contractor's operations shall be suspended to permit the placing of stakes and the setting of grades. Every effort will be made to make such suspensions as brief as practicable, but the Contractor shall not be allowed any compensation for such suspensions.

The Contractor shall give the Owner's Representative ample notice of the time and places where the lines and grades will be needed. The Contractor shall give the Owner's Representative a minimum of 3 working days notice in advance of starting an operation requiring staking. Claims will not be considered due to alleged inaccuracies unless the Contractor notifies the Owner's Representative, in writing, in sufficient time to allow for the verification of the potential issue.

All stakes, marks, etc., shall be carefully preserved by the Contractor and in the case of their destruction or removal by the Contractor or their employees/subcontractors, such stakes or marks, etc., shall be replaced by the Owner's Representative at the Contractor's expense

The Contractor shall be responsible for transferring the lines and grades from the offset stakes.

For Bridge operations:

The Contractor shall refer to Section 926 for layout requirements associated with structures.

SECTION 123

STORAGE FACILITIES

The Contractor shall supply proper storage facilities at their own expense and shall be responsible for the care of all materials until placed in the works.

SECTION 124

NOTICES BY CONTRACTOR

The Contractor shall give all necessary notices to Municipalities, waterworks, gas, electric light or power, cable television, telephone companies, owners or occupants of property, or other interested parties at least two weeks in advance of the work, except where the serving of such notice is the express duty of the Department. One copy of all such notices shall be forwarded to the Owner's Representative.

Where work activities such as bridge rehabilitation and asphalt paving are anticipated to cause significant delays to the motoring public, the Contractor shall be responsible for providing ample notifications to the public through radio and newspaper media. Notifications shall commence a minimum of one week before the plan disruption and continue for the duration of the work. Where directed by the Owner's Representative, the Contractor shall supply Variable Message Board signs to advise motorists of the anticipated delay caused by the Work. The provision of these requirements shall be deemed incidental to the Work.

SECTION 125

WAGES OF FLAGPERSON

Where flagpersons are required for the control and direction of traffic, either in accordance with Section 715, or as requested by the Owner's Representative, then the Contractor shall be compensated at the contract price for flagperson hours unless deemed incidental to the work.

Measurement for payment will be the number of hours, rounded to the nearest half hour that each flagperson works as required by the Owner's Representative. No payment will be made for meal periods unless the flagperson actually works through the meal periods.

Payment at the contract price for flagperson hours shall be compensation in full for all costs to provide the flagperson; including wages, board and lodging, E. I., premiums, etc., and profit.

Contractors are advised that only employees who have received proper training can be claimed for under this section. Flagpersons shall be equipped with either 2-way or 3-way radios for communications only. Flagpersons are not be permitted to use any cellular devices during hours of operation unless deemed an emergency. Flagpersons observed using cellular devices for any other purposes will be requested to leave site and shall be replaced immediately.

The Department will not accept any claims resulting from work delays for the dismissal of any flagperson who fails to abide by this requirement. Contractors are strongly advised to enforce this item promoting site safety.

SECTION 126

HARMONIZED SALES TAX

Contractors are advised that government is not exempt from the Harmonized Sales Tax (HST). HST is not to be included with the individual unit prices in the unit price table. The Department of Transportation and Infrastructure will pay the HST to the Contractor with each regular progress billing.

SECTION 127

SUBCONTRACTORS

Where applicable, and subject to the approval of the Owner's Representative, the Contractor may apply to have portions of the Work carried out by an approved subcontractor(s). The Contractor shall provide the Owner's Representative, in writing, with the name(s) of the proposed subcontractor(s) as well as a description of the item(s) being subcontracted. The Owner's Representative will provide written approval of the subcontractor to the Contractor as required. The approval of any subcontractor shall be exclusive to the Contract under which the application is made.

In submitting a request for use of a subcontractor, the Contractor shall affirm:

1. The subcontractor is completely familiar with the Contract Documents and will be furnished with a copy of the documents prior to commencing work.

2. The Contractor shall also affirm the subcontractor is fully aware of the Contractor's Site Specific Safety Plan and will abide by its requirements, the OH&S Act and Regulations as well as the Department's OH&S Manual.

SECTION 128

CERTIFICATE OF RECOGNITION

The Contractor shall, at the time of bid submission, submit a Letter of Good Standing stating Certificate of Recognition (COR) certified from the Newfoundland and Labrador Construction Safety Association, or equivalent. The Letter of Good Standing stating COR certified must be valid at the Submission Deadline (Closing Date). The Contractor must remain in good standing with the COR program for the full duration of the contract.

Additionally, the Contractor shall provide such evidence of compliance, via letter of good standing, stating Certificate of Recognition from the NLCSA by any or all of their Subcontractors. Failure to provide the necessary documentation may result in the issuance of a Stop Work Order until such time as the necessary information is provided. The Contractor will not be entitled to claim for Delay as a result of any Stop Work Order being issued.