

SECTION 805

CONTRACTOR'S RESPONSIBILITIES - REGULATORY AGENCIES

The Contractor shall ensure that its employees, Sub-contractors and their employees, machinery and equipment operators, and truckers comply with the conditions of the contract and with all applicable environmental laws, regulations, permits, and requirements of federal, provincial and municipal authorities, and such other rules and regulations as the Owner may establish.

Contractors, Subcontractors and their personnel shall not harass wildlife or waterfowl or unduly disturb fish. Any contravention of environmental requirements, including employee actions accidental or otherwise, resulting in environmental damage shall be reported to the Owner's representative without delay.

The Contractor may be required to obtain all or some of the following permits where such are required:

MAJOR REGULATORY APPROVALS BY TYPE AND AGENCY

TYPE OF PERMIT	AGENCY
1. Stream Crossing Authorizations	Fisheries and Oceans Canada Water Resources Division, Department of Environment and Climate Change
2. Wood Cutting/Clearing	Forestry Division, Department of Fisheries, Forestry and Agriculture
3. Burning Permit	Forestry Division, Department of Fisheries, Forestry and Agriculture
4. Fuel Storage/ Handling	Government Services Center, Digital Government & Services NL
5. Water Supply/ Sewage Disposal	Government Services Center, Digital Government & Services NL
6. Asphalt Plants	Government Services Center, Digital Government & Services NL

7. Solid Waste Disposal	Local Municipal Authority
8. Quarry or Pit Operations	Mineral Lands Division, Industry, Energy & Technology
9. Structures at Navigable Waters	Canadian Coast Guard, Transport Canada
10. Herbicide Application	Pesticide Control Branch, Department of Environment and Climate Change
11. Stream Crossings (Designed by the Contractor)	Water Resources Division, Department of Environment and Climate Change

The Contractor shall obtain all other permits and approvals which may be necessary to comply with government laws and regulations. Prior to the commencement of specific work elements, the Contractor shall immediately provide the Owner's representative with two copies of all permits.

Contractor's failure to comply with the regulations of any authority having jurisdiction over the works, or part thereof, or any aspect of the performance of the work and the manner of carrying out the work, will entitle and result in the Owner appointing such engineer, engineers, compliance officer or officers as may be necessary to more fully cause compliance by the Contractor with the requirements of the relevant regulatory authority.

The Owner may thereafter, and for so long as the Owner may keep such engineer, engineers, compliance officer or officers, on the site of the works, deduct from the progress payments otherwise due to the Contractor the costs including but not limited to payroll, payroll burdens, accommodations, meals, and transportation costs associated with the work of such engineer, engineers, compliance officer or officers as the case may be. The Contractor shall have no right to dispute the Owner's right to appoint such engineer, engineers, compliance officer or officers, the reasonableness of the deduction of such costs or the amount thereof and the Engineer's certificate of the amount of such costs shall be final and binding upon the Contractor and the Owner.