



DEFINITIONS AND PROVISIONS OF GENERAL APPLICATION - SECTION 1000

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1000.1 ABBREVIATIONS

1000.1.1 Wherever the following abbreviations are used in this contract, they are to be construed the same as the respective expressions represented:

ASTM-	The American Society for Testing and Materials.
AWS -	The American Welding Society.
CCDC-	Canadian Construction Documents Committee
CSA -	The Canadian Standards Association.

1000.2 DEFINITIONS

1000.2.1 In this contract and in any documents or instruments relating to work under this contract, the following terms, unless the context otherwise requires, shall mean:

1000.2.1.1 Additional work is an increase in the quantity of a contract item.

1000.2.1.2 Award means the acceptance by the Department of a bid.

1000.2.1.3 Bank draft means a payment instrument which guarantees payment to the payee by a bank or credit union. In the case of a credit union the draft is referred to as a manager's trust cheque.

1000.2.1.4 Bid Bond means the security furnished by the Contractor to guarantee that, upon being declared the successful bidder, the Contractor shall enter into a contract with the Department for the amount of his bid and shall provide additional bonds as required.

1000.2.1.5 Bidder means an individual, partnership, or corporation, or combination of any or all jointly, formally submitting a bid for the advertised work.

1000.2.1.6 Bid Guaranty means the required security submitted with the tender.

1000.2.1.7 Bridge means a structure, including supports, erected over a depression or an obstruction, such as a water course, highway, or railway, and having a track or passageway for carrying traffic or other moving loads and having an overall span of six metres or more, measured horizontally along the centreline between the inside faces of the abutment.

1000.2.1.8 Calendar Day means every day shown on the calendar, Sundays and holidays excluded.

- 1000.2.1.9 Certified Cheque means a bill of exchange of a specified amount drawn on a bank or credit union, the specified amount is reserved by the bank or credit union to insure payment on demand.
- 1000.2.1.10 Contract means this agreement and shall include the memorandum of agreement, tender, general provisions, standard specifications, plans, special provisions, equipment rental rates, indemnity bond, and any written mutual understanding and agreements that are required to complete the construction of the work in an acceptable manner including authorized extensions thereof.
- 1000.2.1.11 Contract Item (Pay Item) means a portion of work specifically described and for which a price, either unit or lump sum, is provided in the contract. It includes the performance of all work and the furnishing of all labour, equipment, and material described in the text of a specification item included in the contract or described in any subdivision of the text of special provisions or any supplemental agreement of the contract.
- 1000.2.1.12 Contractor means the individual, partnership, or corporation, or a combination of any or all jointly, executing the memorandum of agreement. Any reference to he, she, they, or them means the contractor.
- 1000.2.1.13 Crown means Her Majesty the Queen in Right of the Province of Saskatchewan.
- 1000.2.1.14 Culvert means a conduit to carry water, pedestrians, animals, or traffic through an embankment, and having spans up to 20 metres measured horizontally at its widest point.
- 1000.2.1.15 Department means the Department of Highways and Transportation of the Province of Saskatchewan.
- 1000.2.1.16 Deputy Minister is the person holding the position of the Deputy Minister of Highways and Transportation for the Province of Saskatchewan.
- 1000.2.1.17 Ditch Block means an obstruction constructed in a ditch or channel for the purpose of containing a body of water or diverting the flow of water.
- 1000.2.1.18 Equipment means all machinery and equipment, together with the necessary supplies for the upkeep and maintenance, and also tools and apparatus necessary for the proper construction and acceptable completion of the work.
- 1000.2.1.19 Engineer means the person holding the position of the Deputy Minister or his designate of the Department of Highways and Transportation of the Province of Saskatchewan, acting directly or through his duly authorized representative, such representative acting within the scope of the particular duties assigned to him or of the authority given him.
- 1000.2.1.20 Estimated Quantity means the estimated quantity or the estimated number of units as shown in the original tender.
- 1000.2.1.21 Extension of a Unit Price means the product of the unadjusted unit price for an item multiplied by the number of units of that item.

- 1000.2.1.22 Extra Work means the performance of work of a class for which there is no price included in the contract, but which is considered necessary to satisfactorily complete the project.
- 1000.2.1.23 Extra Work Order is a special order authorizing the performance of Extra Work and/or the furnishing of materials involved in Extra Work. Such Extra Work may be performed at agreed prices or on a force account basis as provided elsewhere in these specifications.
- 1000.2.1.24 Final Contract Amount means the sum of the extensions of the unit prices for the final number of units or final quantity of each contract item, but excludes sums paid for Extra Work.
- 1000.2.1.25 Final Quantity means the actual quantity or number of units of work performed as measured by the Engineer.
- 1000.2.1.26 Force Account means the payment for authorized Extra Work at the approved rental rates for equipment and actual cost of labour and materials plus allowances.
- 1000.2.1.27 Frontage Road means a road contiguous to and generally paralleling a through road and so designed as to intercept, collect, and distribute traffic desiring to cross, enter or leave the through road.
- 1000.2.1.28 Grade when used in the sense of elevation as in the expressions "to grade", "up to grade", "above grade", "below grade", or expressions of similar implication, means the surface elevation of the completed project at any point.
- 1000.2.1.29 Gradeline means the line representing the surface of the completed work on profile or longitudinal section along or parallel to the reference line established for the control of the work.
- 1000.2.1.30 Grade Point means the location at which the terrain surface which existed prior to the construction would have coincided or intersected with the grade.
- 1000.2.1.31 Grade Separation means a structure, with its approaches, used to separate vertically two or more intersecting roads or a road and a railway.
- 1000.2.1.32 Grading for the purpose of channel or road construction grading means: to reshape the terrain, along a predetermined route, to the cross-sectional requirements, and to the defined longitudinal reference datum, either on the level or in a progressive ascent or descent.
- 1000.2.1.33 Grid Road means those roads marked as municipal roads on the Official Saskatchewan Road Map.
- 1000.2.1.34 Highway, Street, Road is a general term denoting a public way for the purposes of vehicular and pedestrian travel, including the entire area within the right-of-way.

1000.2.1.35 Holidays mean

New Years Day	Canada Day	Remembrance Day
Family Day	Saskatchewan Day	Christmas Day
Good Friday	Labour Day	Boxing Day
Victoria Day	Thanksgiving Day	

1000.2.1.36 Indemnity Bond means the security furnished by the Contractor to guarantee the completion of the work in accordance with the terms of the contract, including payments for labour and material.

1000.2.1.37 Inspector means any person, partnership, or corporation that the Engineer may appoint for the purpose of assisting in the supervision and inspection of the work and the materials to be used in the work.

1000.2.1.38 Interchange means a system of interconnecting roadways in conjunction with one or more grade separations, providing for the interchange of traffic between two or more roads on different levels.

1000.2.1.39 Laboratory means the testing laboratory of the Department or any other testing laboratory which may be designated by the Engineer.

1000.2.1.40 Lane (Traffic Lane) means the portion of the travelled way for the movement of a single line of vehicles.

1000.2.1.41 Major Contract Item means any contract item except those classified as Extra Work, for which the total cost (determined by multiplying the estimated quantity or the final quantity, whichever is the greater, by the unadjusted contract unit price) is greater than seven percent of the total amount of the contract.

1000.2.1.42 Mat (Asphalt Mat, Asphalt Lift) means a mixture of aggregate particles and asphalt binder placed on the road during and after spreading and compaction.

1000.2.1.43 Material means any substances specified for use in the construction of the project and its appurtenances.

1000.2.1.44 Median is that portion of a divided highway separating the travelled ways for traffic in opposite directions.

1000.2.1.45 Minister is the person holding the position of the Minister of Highways and Transportation for the Province of Saskatchewan and includes the Deputy Minister of Highways and Transportation.

1000.2.1.46 Overpass means a grade separation specified for use in the construction of the project and its appurtenances.

1000.2.1.47 Pavement Structure means course of asphalt aggregate mixtures, plus base and sub-base courses if any, placed on a subgrade.

- 1000.2.1.48 Plans mean the standard plans, profiles, typical cross-sections, working drawings, and supplemental drawings, or exact reproductions thereof, which show the location, character, dimensions, and details of the project.
- 1000.2.1.49 Project means the section or sections of the highway or highway structure on which construction is to be performed or which is used in the performance of construction, together with all appurtenances and construction to be performed thereon under the contract.
- 1000.2.1.50 Province means The Province of Saskatchewan.
- 1000.2.1.51 Provincial Highway means any road actually maintained by the Department.
- 1000.2.1.52 Public Authority means any authority representing a municipal, provincial or federal department, agency, board or commission.
- 1000.2.1.53 Ramp means an interconnecting roadway of a traffic interchange, or any connection between highways at different levels, or between parallel highways on which vehicles may enter or leave a designated roadway.
- 1000.2.1.54 Right-of-Way (Road Allowance) means a general term denoting land, property or interest therein acquired for or devoted to a highway, road, street or lane.
- 1000.2.1.55 Roadside means a general term denoting the area adjoining the outer edge of the roadway. Extensive areas between the roadways of a divided highway may also be considered roadside.
- 1000.2.1.56 Roadway means that part of a road designed or intended for use by vehicular traffic. Divided roads have more than one roadway. The roadway width normally lies between the regularly established curb lines or the outer extremities of the shoulder.
- 1000.2.1.57 Schedule of Rental Rates means the hourly, daily, weekly, or monthly pay rates provided in the contract under Specification 8500, for Schedule of Rental Rates, or as agreed to by the Engineer.
- 1000.2.1.58 Shoulder means that portion of the roadway contiguous with the travelled way for accommodation of stopped vehicles, for emergency use, and for lateral support of the base and surface courses.
- 1000.2.1.59 Special Provisions means those special directions, provisions, or requirements, identified as special provisions, covering conditions peculiar to an individual contract and not provided for by the plans, standard specifications, and general provisions.
- 1000.2.1.60 Specifications means a general term applied to all directions, provisions, and requirements pertaining to performance of the work.
- 1000.2.1.61 Subcontractor means the individual, partnership, or corporation, or a combination of any or all jointly, to whom the Contractor sublets part of the contract.
- 1000.2.1.62 Subgrade means the top surface of the roadbed upon which the pavement structure and shoulders are constructed.

- 1000.2.1.63 Supplemental Agreement means any written agreement entered into between the Contractor and the Department for the purpose of making deletions, additions, substitutions, extensions, clarifications, or any kind of alteration to any part or parts of the existing contract.
- 1000.2.1.64 Surface Course means one or more layers of asphalt aggregate mixtures comprising the whole or part of the pavement structure.
- 1000.2.1.65 Surfacing means a general term applied to all phases of constructing a pavement structure over a completed subgrade.
- 1000.2.1.66 Tender (Bid) means the offer of the bidder, submitted on the prescribed tender form, to perform the work and to furnish the labour and materials at the unit prices quoted by the bidder.
- 1000.2.1.67 Tender Form means the approved form on which the Department requires formal bids to be prepared and submitted for the work.
- 1000.2.1.68 Total Amount means the sum of the extensions of the unit prices for the number of units estimated.
- 1000.2.1.69 Travelled Way means the portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.
- 1000.2.1.70 Underpass means a grade separation where the subject road passes beneath an intersecting road or railway.
- 1000.2.1.71 Words Implying Reference to the Engineer - in order to avoid cumbersome and confusing repetition of expressions in these specifications, it is provided that whenever anything is, or is to be, done, if, as, or, when, or where "contemplated, required, determined, directed, specified, authorized, ordered, given, designated, indicated, considered necessary, deemed necessary, permitted, reserved, suspended, established, approval, approved, disapproved, acceptable, unacceptable, unsuitable, accepted, satisfactory, unsatisfactory, sufficient, insufficient, rejected, or condemned," it shall be understood as if the expression were followed by the words "by the Engineer" or "to the Engineer".
- 1000.2.1.72 Work means the furnishing of all labour, materials, equipment, and other incidentals necessary or convenient to the successful completion of the project or the portion of the project involved; and the carrying out of all the duties and obligations imposed by the contract.
- 1000.2.1.73 Work Order (Directive) means a written order issued by the Engineer to the Contractor requiring the work to be performed in accordance with the contract, including all changes that do not involve any adjustment in the basis of payment. Work orders will include orders to start, to stop, and to resume work.

1000.3 PROVISIONS OF GENERAL APPLICATION TO THIS CONTRACT

- 1000.3.1 The titles or headings of the sections and subsections herein are intended for convenience of reference and shall not be considered as having any bearing on their interpretation.
- 1000.3.2 Any reference to an act or a regulation includes any act or regulation substituted for a named act or regulation and includes any amendments to either the act or regulation or a substituted act or regulation.
- 1000.3.3 Any article, section, subsection or other subdivision or any other provision of this contract which is, is deemed to be or becomes void, illegal, invalid or unenforceable shall be severable from the contract and ineffective to the extent of such voidability, illegality, invalidity or unenforceability, and shall not invalidate, effect or impair the remaining provisions hereof, which provisions shall be severable from any void, illegal, invalid or unenforceable article, section, subsection or other subdivision or provision.
- 1000.3.4 The Crown shall have the right to deduct any money owing by the Contractor as a result of any breach of this contract from any sum owing to the Contractor by the Crown or any of its agents, whether such money is owing to the Contractor pursuant to this contract or otherwise.