

Delete Section 00 71 00 of the Standard Specifications for Municipal Services, as developed and published by the Nova Scotia Road Builders Association and the Consulting Engineers of Nova Scotia (CENS) Joint Committee on Contract Documents, in its entirety and replace with the following:

The following Definitions shall apply to all Contract Documents:

1. Changes in the Work

Changes in the Work means the deletion, extension, increase, decrease or alteration of lines, grades, dimensions, methods, drawings or materials of the Work or part thereof, within the scope of the Work contemplated by the Contract Documents.

2. Completion Time

- (a) The Completion Time is the time stipulated in the Contract Documents for Substantial Performance of the Work.
- (b) The date of Substantial Performance of the Work is the date certified as such by the Engineer.
- (c) Day means the calendar day.
- (d) Working day means days other than Saturdays, Sundays and Holidays which are observed by the construction industry in the area of the Place of the Work.

3. Contract

The Contract means the undertaking by the parties to perform their respective duties, responsibilities and obligations as prescribed in the Contract Documents and represents the entire agreement between the parties. The Contract may be amended only as provided in the General Conditions of the Civil Works Contract.

4. Contract Documents

Contract Documents means the executed Form of Agreement between the Owner and Contractor, the General Conditions of the Civil Works Contract, the Supplementary General Conditions, the Definitions, the Standard Specifications for Municipal Services, Part II, the Supplementary Specifications, the Drawings, the Information to Tenderers, the Tender Form and such other documents as are listed in the Table of Contents including amendments or addenda thereto incorporated before the execution of the Form of Agreement and subsequent amendments or addenda thereto made pursuant to the provisions of the Contract and agreed upon between the parties.

5. Contractor

The Contractor means the person, firm or corporation identified as such in the Form of Agreement and is referred to throughout the Contract Documents as if singular in number. The term Contractor means the Contractor or authorized representative as designated to the Owner in writing.

6. Engineer

The Engineer means the Director of Transportation and Public Works for the Halifax Regional Municipality or his authorized representative.

7. Engineer's Representative

Engineer's Representative means a person, firm or corporation appointed from time to time by the Engineer under GC3-ENGINEER.

8. Extra Work

Extra Work means any work or service, the performance of which is beyond the scope of the Work contemplated by the Contract Documents.

9. Other Contractor

Other Contractor means a person, firm or corporation employed by or having a separate contract directly or indirectly with the Owner for work other than that required by the Contract Documents.

10. Owner

The Owner means the Halifax Regional Municipality. The term Owner means the Owner or authorized agent or representative as designated to the Contractor in writing but does not include the Engineer.

11. Place of the Work

The Place of the Work means the designated site or location of the Project of which the Work may be the whole or a part.

12. Products

Products mean material, machinery, equipment and fixtures forming the Work but does not include machinery and equipment used for preparation, fabrication, conveying and erection of the Work and normally referred to as construction machinery and equipment.

13. Project

The Project means the total construction contemplated of which the Work may be the whole or a part.

14. Subcontractor

A Subcontractor means a person, firm or corporation having a direct contract with the Contractor to perform a part or parts of the Work, or to supply products worked to a special design according to the Contract Documents, but does not include one who merely supplies products not so worked. The term Subcontractor is referred to throughout the Contract Documents as if singular in number.

15. Substantial Performance of the Work

Substantial Performance of the Work is as defined in the lien legislation applicable in the Province of Nova Scotia. If such legislation is not in force or does not contain such definition, Substantial Performance of the work shall have been reached when the Work is ready for use or is being used for the purpose intended and is so certified by the Engineer.

16. Total Performance of the Work

Total Performance of the Work means the entire Work, except those items arising from the provisions of Section 00 72 45, subsection 25 - WARRANTY, has been performed to the requirements of the Contract Documents and is so certified by the Engineer.

17. Work

Work means the total construction and related services required by the Contract Documents and to be performed by the Contractor.

**** End 00 71 00 ****