**Addendum # 3**

**To the Contract Specifications and Drawings for:**
**Regional District of Nanaimo**
**#22-041 Whiskey Creek Water Service Area**
**Transmission Main and Pump Station**

**MPE Engineering Ltd.**
**Suite 320, 6715 – 8 Street NE**
**Calgary, AB T2E 7H7**

**June 1, 2022**

**File: 9794-003-00**

## 1. Precedence

This Addendum forms an integral part of the Contract Specifications and Drawings covering all aspects of this job and is to be read in conjunction therewith. However, should points arise which are at variance, this Addendum shall take precedence, unless otherwise clarified by the Engineer.

## 2. Purpose

This addendum provides specific clauses to add to and/or amend the specifications and/or drawings.

## 3. MoTI permit

Addition: Construction permit has been received from MoTI and attached to this addendum. Contractor shall follow all MoTI requirements as laid out in the attached construction permit. Note that point 5 has been redacted and is not applicable at this time. All costs associated with this work shall be included under Division 32 items.

## 4. Bidder Questions

1. Question: "*Section 23 37 10 stats a fire smoke damper actuator. Is this required or can a standard belimo actuator be used?"*

   Response: A standard actuator could be used instead provided that all other performance specifications in 23 37 10 are met.

**END OF ADDENDUM**

BRITISH COLUMBIA | Ministry of Transportation

Permit/File Number: 2022-02131
Office: Vancouver Island District

# PERMIT TO CONSTRUCT, USE, AND MAINTAIN WORKS WITHIN THE RIGHT-OF-WAY OF A PROVINCIAL PUBLIC HIGHWAY

## PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

**BETWEEN:**

The Minister of Transportation and Infrastructure

Vancouver Island District
Third Floor
2100 Labieux Road
Nanaimo, BC V9T 6E9

("The Minister")

**AND:**

Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

("The Permittee")

**WHEREAS:**

**A.** The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;

**B.** The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

**The installation, operation, and maintenance of a 1.2 km underground transmission water main, and power and fiber cable from the wellsite to the pump station and pump station upgrade within the Hebert and Carson Road Road Dedications, as per application dated April 20, 2022 and as shown on drawing G00.1.**

**C.** The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. That the construction and maintenance of the said works is carried out to the satisfaction of the Regional Executive Director.
2. **That, before opening up any highway or interfering with any public work, intimation in writing of the intention to do so must be given to the District Official at least seven days before the work is begun.**
3. That any person appointed by the Regional Executive Director for the purpose shall have free access to all parts of the works for the purpose of inspecting the same.
4. **That the construction of the said works shall be commenced on or before the June 1, 2022 and shall be prosecuted with due diligence and to the satisfaction of the Regional Executive Director and shall be completed on or before the September 30, 2022.**
5. [redacted]

6. **With regards to Carson Road (gravel surface) any trenching that impacts the edge of the roadway will require that Hebert Road be re-graded w/ appropriate crush as outlined in the Standard Specifications for Highway Construction.**

7. (a) The highway must at all times be kept open to traffic. The roadway must be completely restored for traffic as soon as possible. At all times the permittee must safeguard the traveling public.

   (b) That, unless with the consent of the Regional Executive Director no more than forty-five (45) metres of pipe-track or other excavation in any public highway is to be kept open at one time.

   (c) All excavation work must be carried out in accordance with the BC Occupational Health and Safety Regulation. Care shall be taken to protect adjacent property.

   (d) That all excavations shall be carefully back-filled with suitable material, which is to be tamped into place, and that the permittee shall restore the surface of the road and shoulders and ditches at their own expense. All surplus material is to be removed from the Provincial Crown lands, or deposited where and as required by the District Official of the Ministry of Transportation and Infrastructure. The permittee is financially responsible for any maintenance works required on said ditch for a period of one year. The Ministry will carry out the necessary remedial work and invoice the permittee monthly.

   (e) The pipeline crossing installation is to be placed by drilling and (or) jacking in such a manner as to afford minimum grade settlement. No water jetting will be permitted. That where, in the opinion of the District Official, an excavation or opening for a pipeline crossing installation could be made which would not be detrimental to the highway or its users, permission will be granted for said works. On throughways, freeways, and main highways no open cuts will be allowed.

   (f) That all pipelines in excess of a nominal diameter of 5 cm., whether gas, oil, water, pressure sewers, conduits, etc., shall be installed where indicated by the District Official, encased in a steel casing-pipe or conduit-pipe of sufficient strength to withstand all stresses and strains resulting from the location, such casing to extend the full width of the highway right-of-way if deemed necessary to the District Official. The ends of the casing-pipe shall be suitably sealed and, if required, properly vented above the ground with vent-pipes not less than 5 cm. in diameter, and extending not less than 1.2 metres above ground surface. Vent-pipes shall be connected 30 cm. from the ends of the casing-pipe, and the top of each vent shall be fitted with a turn-down elbow, properly screened and equipped with identification markers.

   All pipelines of non-rigid material, i.e., plastic or copper, of any diameter, shall be cased, or embedded in sand.

   The inside diameter of the casing-pipe shall be at least 25 percent larger than the outside diameter of the pipeline. The casing-pipe shall be installed with an even bearing throughout its length, and in such a manner so as to prevent leakage, except through the vents.

   The top of the casing-pipe, or the pipeline where casing is not required, shall be located as directed by the District Official, and shall in no case be less than 1.2 metres below the surface of the highway and not less than 1.0 metres below the highway ditches. Pipelines must not obstruct drainage structures or ditches or interfere with traffic on the highway or with highway maintenance.

8. That where the work for which permission is hereby granted comes in contact with any bridge, culvert, ditch, or other existing work, such existing work must be properly maintained and supported in such manner as not to interfere with its proper function during the construction of the new work, and on the completion of the new work the bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original good condition.

9. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.

10. **The Permittee shall indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or any of them at any time or times, whether before or after the expiration or termination of this permit, where the same or any of them are based upon or arise out of or from anything done or omitted to be done by the Permittee, its employees, agents or Subcontractors, in connection with the permit.**

11. That the permission herein granted to use and maintain the works is only granted for such times as the land or public work in, upon, or over which the said works are constructed is under the jurisdiction of the Minister of Transportation and Infrastructure. This permission is not to be construed as being granted for all time, and shall not be deemed to vest in the permittee any right, title or interest whatsoever in or to the lands upon which the works are constructed. Should the lands affected at any time be included within that of an incorporated municipality or city, this permission shall become void, unless the works are on a highway duly classified as an arterial highway pursuant to Section 45 of the Transportation Act.

12. That after receiving notice in writing of the intention on the part of the Provincial Government to construct, extend, alter, or improve any public work, the person or persons responsible for the maintenance of the works for which permission is hereby granted shall within six weeks move or alter such work at their own expense to such new positions or in such manner as may be necessitated by the construction, extension, alteration, or improvement proposed to be carried out by the Provincial Government.

13. That while reasonable care will be taken on the part of the Provincial Government to do as little damage as possible to any private work in the carrying-out of the construction, extension, alterations, improvement, repair, or maintenance of any public work adjacent thereto, the Provincial Government can accept no responsibility for any kind of such damage.

14. That the permission hereby granted to construct, use, and maintain work is granted without prejudice to the provisions of the Transportation Act, or other Acts governing Crown lands and public works or their use by the public.

15. That this permission shall be in force only during such time as the said works are operated and maintained by the applicants, to the entire satisfaction of the Regional Executive Director.

16. **That the Ministry will not be responsible for grade changes on accesses caused by reconstruction of any Provincial highway.**

17. This permit is valid only for the specific works stated herein. Any alterations or additions must be covered by a separate permit.

18. This permit may be canceled, at the discretion of the Minister, without recourse, should the permittee fail to comply with all the terms of the permit. Thirty days' notice will be given before cancellation.

19. When the requirements of the Ministry necessitate use of the said lands for Provincial purposes, at the discretion of the Minister, this permit may be canceled.

20. That these works shall be identified with this permit number in a manner satisfactory to the District Official of the Ministry of Transportation and Infrastructure.

21. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor or will appoint a qualified prime contractor, as described in Section 118 of the Workers Compensation Act, for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee or designated prime contractor will observe and perform all of the duties and obligations which fall to be discharged by the prime contractor pursuant to the Workers Compensation Act and the Occupational Health and Safety Regulation.

22. The permittee is advised and acknowledges that the following hazards may be present at the work location and need to be considered in co-ordinating site safety: overhead hazards, particularly electrical or telecommunications lines; buried utilities, particularly electrical, telecommunication, and gas lines; traffic, danger trees, falling rocks, and sharp or infectious litter.

23. Any works within the Ministry right-of-way that fall within the scope of "engineering" under the Engineers and Geoscientists Act will be performed by a Professional Engineer, and shall comply with this Ministry's "Engineer of Record and Field Review Guidelines". The Guidelines can be viewed on the Ministry's website at http://www2.gov.bc.ca/assets/gov/driving-and-transportation/transportation-infrastructure/engineering-standards-and-guidelines/technical-circulars/2009/t06-09.pdf

24. The permittee is responsible for preventing the introduction and spread of noxious weeds on the highway right-of-way as defined by the British Columbia Weed Control Act and Weed Control Regulation.

25. The field supervisor for the Permittee and Contractor is to have a copy of this permit on site during field operations and be aware of all Permittee conditions.

26. The Permittee shall ensure that employees and contractors do not park within the highway right of way. Loading and unloading of equipment within the highway right of way is prohibited.

27. The construction and installations must be completed on or before September 30, 2022.

28. This permit in no way grants exclusive use to the Permittee for any portion of the right of way.

29. The Permittee must contact the Maintenance Contractor, MainRoad Central Island at 1-877-215-6006 at least 48 prior to the commencement of works.

30. Whenever possible, the Permittee shall ensure that employees and contractors do not park within the highway right of way or load/unload equipment within the highway right of way. If the work affects the travelled portion of the highway right of way, a Traffic Control Plan is required as per below.

    **The Permittee must contact Ryan.Gerow@gov.bc.ca a minimum of 10 days prior to the commencement of the work to notify the start date and to submit a H1080 Works Notification/Lane Closure Request Form and Traffic Control Plan. Form and plan to be accepted by the Designated Ministry Official prior to the commencement of work.**

    The Permittee is to ensure that the construction area is properly signed in accordance with the current Traffic Control Manual for Work on Roadways and certified traffic control persons provided during construction.

    Necessary lane or road closures shall require Ministry approval prior to public advertisement. All necessary traffic control shall be the responsibility of the Permittee.

    Properly equipped trained and experienced traffic control person(s) are required to control traffic during periods of alternating traffic or at any time where equipment, work crews, or materials interfere with the traffic flow.

    The Permittee shall, at their cost, supply, erect, and maintain standard traffic control devices in accordance with the Ministry of

Transportation and Infrastructure Traffic Control Manual for Works on Roadways.

31. This permit is for work within highway right of way only and the Permittee is responsible for ensuring that all works are contained to the highway right of way.

32. Permittee will be responsible to notify and gain approval of utility companies in advance of works.

33. The Permittee is to ensure that no damage is done to any existing underground or overhead services and must contact the electrical, telephone, and natural gas utility and any private landowner having works under permit to verify the location of utility works that may be affected prior to opening up any portion of the public road right of way.

34. **Permittee is to call BC OneCall at 1-800-474-6886 or by cellular at *6886 prior to the commencement of work.**

35. It is the Permittee's responsibility to obtain permission from the Ministry of Environment, pursuant to Section 11 of the Water Sustainability Act for works in and around any natural watercourse, as and if required.

36. **Excavations across entrances, whether private or otherwise, must be backfilled and thoroughly compacted by the end of the current working day. The surface must be restored, whether paved or gravel, to its original condition within 48 hours.**

37. **Affected property owners must be notified at least 48 hours in advance before excavating a driveway.**

38. **Permittee is responsible for maintaining future depth coverage of works due to natural settlement and erosion of ground. The Permittee shall be held responsible for necessary road repair resulting from settlement within the project area for a period of two (2) years.**

39. **Reinstatement in a timely and professional manner of drainage, roadway, and roadside facilities is required within two (2) days of disturbing the facilities.**

40. No storage or staging of equipment within highway right of way or gravel reserves.

41. If any BCLS survey posts are removed, moved, or damaged during construction they must be replaced by a registered B.C. Land Surveyor at the expense of the Permittee.

42. **The Permittee shall be held responsible for any damage to the highway resulting from the permitted work. All highway drainage works are to be restored to their original or better condition.**

43. Machines with steel tracks or flat steel pads are not allowed within constructed public road right of way at any time.

44. It is the responsibility of the Permittee to ensure that all equipment and vehicles crossing Provincial highways or side roads have the proper approvals and insurance as required and issued by the Commercial Vehicle Safety and Enforcement Division. For permits or inquiries please contact the Provincial Permit Centre at 1-800-559-9688.

45. Permittee is to adhere to all seasonal load restrictions, where applicable. Current seasonal load restrictions can be viewed at http://www.th.gov.bc.ca/bchighways/loadrestrictions/loadrestrictions.htm

46. No gates are to be placed within Ministry of Transportation and Infrastructure public road right of way.

47. This permit is for a pipeline crossing only and does not include any permanent or temporary accesses onto Provincial road right of way.

48. Pipelines crossing under unconstructed road allowances, rights of way, crown deleted roads etc. must meet constructed road crossing specifications as if it were constructed road. The intent is that the area will be used as road in the future and pipeline must be engineered to road crossing specifications.

49. The Ministry of Transportation and Infrastructure may upon giving notice, require removal of the pipeline from the right of way for any reason and solely at the Permittee's expense. The Minister may order the removal or alteration of utility installations if necessary, for the protection of the highway or highway users.

50. The Permittee shall ensure all equipment working on, or hauling material onto and from the site, does not damage or deposit material onto any part of an existing road or right of way. Materials spilled onto the public road right of way or driveways opened to public traffic shall be cleaned up immediately. The Permittee has the full responsibility to repair any damage to existing highways, local roads, driveways, and environmental media (i.e. soil, groundwater, sediment, soil vapour, surface water) caused by its construction equipment and/or operations pursuant to BC's Environmental Management Act.

51. Unless specifically addressed elsewhere in this permit, all utilities and appurtenances shall be installed in accordance with the BC Supplement to TAC Geometric Design Guide and Utility Policy Manual.

52. Permittee is responsible for the supply of all labour, equipment, and materials in connection with the work.

53. Permittee is responsible for all future maintenance of the work for the duration of permit. This permit is not transferable and valid only for the Permittee.

54. Installation of the pipeline shall not occur during hours of darkness or during periods of severe weather.

The Permittee must ensure that all works are safely visible to traffic and appropriate measures are in place as per the current Traffic Control Manual for Work on Roadways.

The public road must be clear of any equipment or activity that may impede winter road maintenance on Ministry maintained roads during winter snowstorms.

55. The Permittee is to advertise on the local radio stations at least one (1) week prior to construction start up twice per day. The Ministry of Transportation and Infrastructure must be notified of 1) start-up of construction 2) expected travel delays and, 3) immediately once work has been completed and is open to two-way traffic.

Only one half of the road is to be opened at a time and no work or excavation is to be open during hours of darkness. Permission of the open cut is granted, provided all requirements of this permit are met.

**Permittee is responsible for maintaining future depth coverage of works due to natural settlement and erosion of ground. The Permittee shall be held responsible for necessary pavement and road repair resulting from settlement within the excavated area for a period of two (2) years.**

**The Permittee will be responsible for maintenance of the road surface at the crossing for a period of two (2) years subsequent to the installation.**

**Pavement must be cut by hand or approved mechanical means in straight lines parallel to the trench centerline.**

All cuts in existing pavement are to have smooth vertical edges and cut pavement faces are to be thoroughly painted with COLAs or RM-20 asphalt primer to ensure a good bond between the new pavements.

Distance from a pavement edge to the cut of the trench must be at least 150mm or sufficient distance to ensure the pavement will not be undermined by sloughing.

Trenches must be backfilled or adequately covered at the end of the work day.

Trench shoring must conform to all safety standards and is to be used where soil conditions warrant. Extreme care must be taken to avoid sloughing of the trench sides to minimize damage to the subgrade beyond the limits of excavation.

Any trench must be backfilled with granular material that meets Ministry standards as set out in Section 202 (Table 202-C) of the Standard Specifications for Highway Construction and all subsequent interim revisions and updates, in accordance with the following minimum requirements:

(a) Sub-base material must meet or exceed specified requirements for Select Granular Sub Base aggregates.

(b) Crushed Base Course depth is to match existing depth, but must not be less than 300 mm compacted thickness and consist of "25 mm minus" WGB crushed aggregate.

Backfill must be placed in layers not exceeding 150 mm compacted thickness and shall be compacted with approved tamping equipment to a minimum of 95 percent Proctor density to within 300 mm of the surface and 100 percent for the final 300 mm.

When backfilling, native materials excavated from the trench may be placed in the trench to a depth of 300mm below the existing pavement, in lifts not exceeding 150mm and each lift is to be thoroughly compacted, adding water as necessary.

56. Where re-establishing the road structure, place, compact, and add water as necessary in lifts of 100mm each of 25mm well graded base course aggregate, meeting the requirements of Section 202 of the current Ministry of Transportation and Infrastructure Standard Specifications for Highway Construction to a minimum depth of 200mm.

The last (50 or 100)mm is to be filled with (Class II medium mix asphalt concrete pavement or class 1 medium mix asphalt concrete pavement) meeting all requirements of Section 502 of the current Ministry of Transportation and Infrastructure - Standard Specifications for Highway Construction. The pavement is to be placed and compacted in (1 lift or 2 lifts) of (25mm or 50mm) and compacted to 97% Standard Marshall. The finished grade of the new pavement is to be consistent with the grade of the existing pavement to ensure a smooth ride for the travelling public.

The finished grade is to be consistent with the grade of the existing surface to ensure a smooth ride for the traveling public.

**Any settlement which occurs within two (2) years after the completion of the work is to be corrected by the placement of additional asphalt concrete mix, as described above, by the Permittee at their expense. If base failure or inadequate compaction is suspect, the District Official may require removal of asphalt and gravel and require additional compaction at the cost of the Permittee.**

The Permittee is granted a period not to exceed two (2) days to maintain the crossing location daily as a gravel surface. This surface must be flush with the existing pavement at all times and is the responsibility of the Permittee to ensure this standard is met.

When a gravel shoulder is used as a traffic lane, the shoulder must be maintained in a smooth, dust free condition at all times and restored once works are complete. District Official may require the gravel shoulder be restored at the Permittee's expense. Use of the gravel shoulder as a traffic lane shall be restricted to the workday only and will not continue over weekends or at night.

No frozen material or clay shall be used in the backfill.

Except where trenching is well clear of the road shoulder, all excavated material must be removed from the site immediately. Stockpiling of native material adjacent to the trench is not permitted. No excavated materials shall be stockpiled on the travelled portion of the road.

No dirt, sand, or liquid/solid waste materials to be stored on the road, road shoulder, or ditch. Any road debris shall be removed, washed/swept from the road daily and to Ministry standards.

The Permittee must adhere to the Worker's Compensation Board Occupational Health & Safety Regulations for Construction, Excavation, and Demolition.

**All backfill material is to be similar or better than the material excavated at any given elevation. The moisture content shall be adjusted to optimum for compaction.**

**The Permittee is to submit Engineered Record Design Drawings to the Ministry within one month of completion of the work to confirm the placement of the line.**

57. The Permittee is to advertise on the local radio stations at least one (1) week prior to construction start up twice per day. The Ministry of Transportation and Infrastructure must be notified of 1) start-up of construction 2) expected travel delays and, 3) immediately once work has been completed and is open to two-way traffic.

Only one half of the road is to be opened at a time and no work or excavation is to be open during hours of darkness. Permission of the open cut is granted, provided all requirements of this permit are met.

Permittee is responsible for maintaining future depth coverage of works due to natural settlement and erosion of ground. The Permittee shall be held responsible for necessary gravel and road repair resulting from settlement within the excavated area for a period of two (2) years.

The Permittee will be responsible for maintenance of the road surface at the crossing for a period of two (2) years subsequent to the installation.

Distance from a pavement edge to the cut of the trench must be at least 150mm or sufficient distance to ensure the pavement will not be undermined by sloughing.

Trenches must be backfilled or adequately covered at the end of the work day.

Trench shoring must conform to all safety standards and is to be used where soil conditions warrant. Extreme care must be taken to avoid sloughing of the trench sides to minimize damage to the subgrade beyond the limits of excavation.

Any trench must be backfilled with granular material that meets Ministry standards as set out in Section 202 (Table 202-C) of the Standard Specifications for Highway Construction and all subsequent interim revisions and updates, in accordance with the following minimum requirements:

(a) Sub-base material must meet or exceed specified requirements for Select Granular Sub Base aggregates.

(b) Crushed Base Course depth is to match existing depth, but must not be less than 300 mm compacted thickness and consist of "25 mm minus" WGB (or IGB) crushed aggregate.

Backfill must be placed in layers not exceeding 150 mm compacted thickness and shall be compacted with approved tamping equipment to a minimum of 95 percent Proctor density to within 300 mm of the surface and 100 percent for the final 300 mm.

**When backfilling, native materials excavated from the trench may be placed in the trench to a depth of 300mm below the existing pavement, in lifts not exceeding 150mm and each lift is to be thoroughly compacted, adding water as necessary.

58. When backfilling, native materials excavated from the trench (MAY/ARE TO) be placed in the trench in lifts not exceeding 150mm and each lift is to be thoroughly compacted, adding water as necessary.

Where re-establishing the road structure, place, compact, and add water as necessary in lifts of 100mm each of 25mm well graded base course aggregate, meeting the requirements of Section 202 of the current Standard Specifications for Highway Construction for Highway Construction to a minimum depth of 200mm.

The finished grade is to be consistent with the grade of the existing surface to ensure a smooth ride for the traveling public.

No frozen material or clay shall be used in the backfill.

Except where trenching is well clear of the road shoulder, all excavated material must be removed from the site immediately. Stockpiling of native material adjacent to the trench is not permitted. No excavated materials shall be stockpiled on the travelled

portion of the road.

The Permittee must adhere to the Worker's Compensation Board Occupational Health & Safety Regulations for Construction, Excavation, and Demolition.

Minimum ground cover under design ditch inverts to pipe crown shall be no less than 0.75 meters.

All backfill material is to be similar or better than the material excavated at any given elevation. The moisture content shall be adjusted to optimum for compaction.

The Permittee is to submit Engineered Record Design Drawings to the Ministry within one month of completion of the work to confirm the placement of the line.

59. All crossings shall be marked with conspicuous signs showing depth to pipe crown.

60. Markers shall be required at each end of roadway crossings, and at 200 meter intervals along the pipeline as permitted within the public road right of way, indicating the location and source of information for the pipeline.

61. **Minimum ground cover under design ditch inverts to pipe crown shall be no less than 1.2 meter.**

62. Any area of right of way disturbed during the permitted works including road shoulders, fill slopes, cut slopes, ditch, and the utility corridor, is to be restored to their original grade and compaction and left in a neat, tidy, and free draining condition. All slash, logs, or brushing debris is to be burned or hauled clear of the right of way. All rocks or debris greater than 5cm in size are to be disposed of clear of the right of way and areas where the soil has been disturbed are to be restored and re-seeded with a pre-approved grass mixture to reduce the potential of erosion and the growth of noxious weeds. Sites are to be reseeded to standards set out in Section 757, Standard Specifications for Highway Construction. All unsuitable material and inorganic debris shall be removed from the project area.

63. **The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Designated Ministry Official shall render the permit void. Any change in land use shall render this permit void**

64. Any change of ownership must be submitted to the Ministry in writing complete with company name, incorporation number, contact information, and the Ministry of Transportation and Infrastructure file number.

65. The terms of the permit are applicable to the Permittee. Should the Permittee change names, a new permit must be initiated within 1 month of the official name change.

66. **All work is to be carried out to the satisfaction of the District Official. The Ministry reserves the right to have repairs carried out (if the Permittee fails to comply with the clauses above) and to bill the applicant for the full cost of any such repairs or clean up if found necessary.**

67. Where the pipeline is proposed to be installed parallel and adjacent to, but outside of Ministry right of way, consideration shall be given to Ministry concerns with respect to future road widening at a minimum of 10 meters from edge of right of way to edge of right of way. Minimum setback from road right of way is 4.5 metres.

68. **Pavement edges must be cut, made true and straight, cleaned, and primed before installing a final patch.**

Asphalt concrete must be restored to the same thickness as the existing surface or to a minimum of 75 mm thickness, whichever is greater. Asphaltic concrete must meet Ministry standards as set out in Section 502, Standard Specifications for Highway Construction.

Asphalt concrete is to be laid in two or more lifts or layers. Each lift is to be thoroughly compacted before successive lifts are applied.

The Permittee will ensure that the permanent pavement patch is to Ministry standards for one year from the date that the patch is installed.

69. In accordance with Sections 000.03 Non-Ministry Developments on Ministry Land or That are Intended to Become Ministry Assets and 165.20 Archaeological and Paleontological Discoveries of the Design Build Standard Specification for Highway Construction - In the event that any item of archaeological, heritage, historical, cultural or scientific interest is found on the project site, the following Chance Find Procedure shall apply:

Such item(s) shall remain the property of the Province and the Permittee shall, on making or being advised of such a find, immediately cease operations in the affected area, minimize activities which create ground disturbance in and adjacent to the affected area, and notify the District Official and the Archaeology Branch of the British Columbia Ministry of Forests, Lands, Natural Resource Operations and Rural Development. Work shall not resume within 30 m of the discovery site until an appropriate directive has been received from that agency.

To protect archaeological and paleontological sites that are situated within or adjacent to a project site, the Permittee may be required to use a variety of mitigative measures, including but not limited to drainage or erosion control, slope stabilization measures, or erecting fences or other suitable barriers to protect archaeological or paleontological sites that are situated within

or adjacent to a project site. These measures, with any negotiated extensions of time for completion of the Works they require, will be determined and adopted at the discretion of the District Official. The costs associated with such mitigative measures will be borne by the Permittee.

A buffer zone, in which no land alteration or other activity is permitted, may be required to ensure adequate site protection. The width of this buffer zone shall be determined by the District Official in consultation with a representative of the Archaeology Branch of the British Columbia Ministry of Forests, Lands, Natural Resource Operations and Rural Development. The Permittee shall be responsible for the actions of employees and subcontractors with respect to site vandalism and the unlicensed collection of artifacts from Designated archaeological sites in and around the work location.

The Permittee shall ensure that all workers and Subcontractors are fully aware of these requirements and processes.

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Nanaimo, British Columbia, this 26 day of May, 2022

On Behalf of the Minister