

Rural Municipality of Heart's Hill No. 352

Box 458 Luseland, Saskatchewan S0L 2A0
Phone 372-4224 E-mail rm352@sasktel.net Fax 372-4770

4.12 AGREEMENTS/CONTRACTS and ROAD DAMAGES

DEFINITION:

POLICY:

All Road Agreements, Tender Packages and Contracts for Road construction and/or repair shall clearly state that the hauler/contractor is responsible for any Municipal road damage they cause while working in or passing through the Municipality. Final payments or holdbacks shall not be released until road damage is assessed and repaired to Council's standards.

RATIONALE:

It is assumed and stated in the Highways and Transportation Act, 1997 section 34(1) that anyone damaging public improvements is liable for the damage they have caused. To avoid any misunderstandings, it is important that road damage repair be clearly stated and addressed in all Road Agreements and Road Construction/Repair Contracts.

Depending on the extensiveness of the haul or project, it is advisable to do a pre and post road inspection with the contractor. To reduce discrepancies and convict, before and after photographs should be taken by the Division Councillor.

AUTHORITY:

Highways and Transportation Act, 1997: 34(1)