**AMENDMENT TO SPECIFICATION 1.2, GENERAL, RE: 1.2.16.5 Work Subject to the Migratory Birds Convention Act, the Species at Risk Act, and the Alberta Wildlife Act**

The following text replaces section 1.2.16.5, Work Subject to the Migratory Birds Convention Act, the Species at Risk Act, and the Alberta Wildlife Act, in its entirety:

In order to comply with the Migratory Birds Convention Act, the Species at Risk Act, and the Alberta Wildlife Act in the event that wildlife and/or wildlife habitat disturbances are necessary or likely to be required to carry out the Work, the Contractor must conduct a pre-disturbance wildlife sweep (pre-disturbance sweep) of the area requiring disturbance to determine the presence of protected wildlife and/or wildlife features (including but not limited to species of regulatory concern, nests, dens, and hibernacula). The Work includes activities at all Department owned sites; including but not limited to pits, right-of-way, and laydown sites utilized by the Contractor. The pre-disturbance sweep(s) shall be conducted by a qualified wildlife specialist as directed by a Professional Biologist registered in Alberta hired by the Contractor. The results of the pre-disturbance sweep(s) will be signed-off by the Professional Biologist and provided to the Consultant prior to disturbance. The Contractor shall consult with their Professional Biologist prior to the removal of any wildlife feature (or portion thereof). If the pre-disturbance sweep reveals the presence of any active wildlife and/or wildlife features, the Contractor must update their ECO Plan to incorporate any mitigation measures deemed necessary by their Professional Biologist, including the establishment of protective buffer zones/setbacks.

All costs associated with the pre-disturbance sweep(s) will be considered incidental to the Work, and no separate or additional payment will be made. Payment for the implementation of any mitigation measures recommended by the Contractor’s Professional Biologist and approved by the Department to ensure compliance, will be made in accordance with Section 1.2.33.2, Extra Work.

The Contractor must ensure all measures used on the project will maintain compliance with all applicable authorities. The Contractor shall have no claim against the Department resulting from wildlife and/or wildlife features within the project limits, and any relevant protective buffer zones/setbacks. The Consultant may suspend work in cases where, in their opinion, the Contractor fails to comply with any of the applicable legislation.