

23 (TANS Unable to Supply all Trucks Requested by the Contractor).

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Paragraph 6, Revised May 2020.

This Directive supersedes Directive 20 (TANS Unable to Supply Sufficient Trucks). If requested by the Contractor, TANS shall supply the names and contact information for trucks that have committed to the haul. If TANS is unable to supply the number of trucks requested by the Contractor (as per Directive 22, Guide for Hiring TANS Trucks) the following protocol shall be utilized.

1. Prior to the first day of production the Contractor shall contact TANS Dispatch. If TANS cannot supply the number of trucks requested by the Contractor (up to 80% required) for hauling the specified material, the Contractor is permitted on that day and for the next 4 days (5 consecutive days in total) of hauling the same specified material, to fill the shortfall of trucks on each of the 5 days by dispatching that number of trucks from;
 - (a) the Contractor's own fleet of trucks, or
 - (b) by hiring another private truck(s) not registered as an active member of TANSDuring the 5 day cycle the Contractor is only obligated to accept from TANS, upon confirmation with TANS Dispatch, the number of trucks TANS was able to supply on the first day of the cycle.
2. Should a TANS truck(s) committed to the haul not be available on the day requested the Contractor may fill any shortage of required trucks, 2 hours after the established start time. The Contractor is permitted on that day and for the next 4 days (5 consecutive days in total) of hauling the same specified material, to fill the shortfall of trucks on each of the 5 days by dispatching that number of trucks from;
 - (c) the Contractor's own fleet of trucks, or
 - (d) by hiring another private truck(s) not registered as an active member of TANS
3. At the end of the 5-day cycle, the Contractor shall contact TANS Dispatch.
 - (a) If TANS is able to supply (up to 80% required) the number of trucks requested by the Contractor for the material being hauled, then TANS will be permitted to continue supplying trucks until the operation is concluded.
 - (b) If TANS is still unable to supply the number of trucks requested by the Contractor, then the Contractor shall be permitted to invoke Clause 1.
4. The Contractor shall be permitted to invoke Clause 1., 2. or 3. (b) for as many consecutive 5-day cycles as TANS is unable to supply the requested trucks on the Contract.

5. With any change in material to be hauled (e.g. gravel to asphalt concrete) TANS Dispatch shall be engaged to dispatch trucks up to a minimum of the 80% required.

6. ***Revised: May 2020:*** TANS Dispatch shall notify the Contractor they are unable to supply and specify the number of trucks they are unable to supply. The Contractor shall, at this time, clearly indicate they are Invoking Directive 23. This shall be followed with an email from the Contractor, to TANS (Executive Director Contact@tans.ca) and cc: Project Engineer. The Contractor is under no obligation to obtain permission from the PE to engage this protocol. If the Protocol is not being adhered to then either party may contact the PE for a resolution.