

GTAA

Contractor Safety

Pre-Qualification Process

Guidelines



Airport Development and Technical Services

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This document supersedes:

- "GTAA Contractor Safety Pre-Qualification Guidelines v18" – March 2018
- "Safety Pre-Qualification Application Protocol v2.2" - February 2014

The GTAA reserves the right to amend the content of the "GTAA Contractor Safety Pre-Qualification Process Guidelines" on an as-required basis.

All correspondence concerning or requesting clarification of any information contained in this document can be directed to:

Construction Compliance & Permits Office

Greater Toronto Airports Authority
3111 Convair Drive

Toronto Pearson International Airport, P.O. Box 6031
Toronto AMF, Ontario, Canada L5P 1B2

Email: constructioncompliance@gtaa.com

Phone: (416) 776-5400

Digital copies of this document and the accompanying
Application for Contractor Safety Pre-Qualification
Form are available on CCPO's Construction web page.

<https://www.torontopearson.com/en/operators-at-pearson/construction>

Select the "Before You Start" tab.

The links to the **Contractor Safety Pre-Qualification Guidelines** and the **Contractor's Safety Pre-Qualification Application** can be found under "Constructor on-boarding".

Version Control

Version	Date Issued	Changes	Prepared by	Approved by
19.0	November 2019	General Updates	Sam Adile	Stuart Bricknell
18.0	March 2018	Updated & Re-issued as "GTAA Contractor Safety Pre-Qualification Process Guidelines"	Sam Adile	Stuart Bricknell
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1 Purpose

The Greater Toronto Airports Authority (GTAA) is the functioning body that oversees the safe and efficient operation of Toronto Pearson International Airport (TPIA). To meet the needs associated with passenger and cargo growth, the GTAA is continuing with a significant program of expansion and renovation. Contractors will have a substantial role during this growth period and shall ensure their work is performed in a safe, secure, and environmentally conscious manner.

The safety of everyone who works, visits or flies through TPIA is a shared responsibility. We all have a duty to perform our respective responsibilities in a manner such that our airport is free of hazards and operated in a safe manner to support the GTAA vision of zero injuries.

As a part of encouraging contractors to perform their work in accordance with GTAA safety requirements, applicable legislation, and good industry practices, contractors are required to meet the GTAA-established levels of safety competence and compliance. This is done by successfully completing the GTAA Contractor Safety Pre-Qualification Process, (known hereafter as “Contractor Safety Pre-Qualification”), which is primarily administered during the competitive bidding process.

The Contractor Safety Pre-Qualification consists of a company-specific legislative review which aims to verify compliance with applicable occupational health and safety legislation for potential or actual work being undertaken at TPIA. This review verifies the contractor’s health and safety policies, procedures and certifications. The information provided as part of the application is coupled with project or contract specific details to determine the scope of this review. Each contractor shall provide and maintain documentation of an acceptable safety record along with its corporate commitment that promotes a safe working environment. In addition to the successful completion of the Contractor Safety Pre-Qualification, on site work will not begin until the contractor has developed and communicated a Work-Specific Safety Plan. This plan shall be based on the unique hazards and risks associated with the airport setting to which the work relates and shall be submitted to the GTAA for review.

Contractor Safety Pre-Qualification will apply to all contracts undertaken by or on behalf of the GTAA, and, at the discretion of the GTAA, may be applied to any airline, tenant, or other contractor whose work is deemed by the GTAA to have the potential to impact sensitive operational areas.

The Infrastructure Health and Safety Association (IHSA) has established a provincial safety accreditation process known as the “Certificate of Recognition” or “COR™” program. Constructors (construction managers and/or general contractors) working for the GTAA should refer to Section 4.4 of this document and to the IHSA web site at <http://www.ihsa.ca/cor/> for further details.

2 Application, Submission, Inquiries, and Definitions

Invited applicants shall apply for the Contractor Safety Pre-Qualification by completing and submitting to the Construction Compliance & Permits Office (CCPO) their completed Application Form and required supporting documentation. Copies of the application may be obtained through the CCPO and are available on-line using this link:

<https://www.torontopearson.com/en/operators-at-pearson/construction>

Select the “Before You Start” tab. Under “Constructor Onboarding” – links are included for both the **GTAA Contractor Safety Pre-Qualification Process** and the **Contractor’s Safety Pre-Qualification Application**.

For your convenience, we have also included a link to the Infrastructure Health & Safety Association web page which details IHSA’s **Certificate of Recognition (COR™)** process.

All questions and submission should be directed to the Construction Compliance & Permits Office:

Phone 416- 776- 5400

Email: constructioncompliance@gtaa.com

The terms defined hereunder shall apply only to *this Process Guideline* and not definitively to other *GTAA* documents, except where the terms of such documents expressly so provide:

Construction - includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, land clearing, earth moving, grading, excavating, trenching, digging, boring, drilling, blasting, or concreting, the installation of any machinery or plant, and any work or undertaking in connection with a project but does not include any work or undertaking underground in a mine;

Construction Compliance & Permits Office (CCPO) - means the entity responsible for verifying compliance of Airport Construction with relevant regulatory and Airport compliance matters. Under the GTAA’s Land Lease Agreement, CCPO is designated as the Authority Having Jurisdiction (AHJ) for all Construction on Airport Lands;

Constructor - A person who undertakes a project for an owner and includes an owner who undertakes all or part of a project by himself or by more than one employer;

Federal – means a company that is federally regulated and whose employment standards are defined by the Canada Labour Code;

GTAA Initiator - the GTAA Representative (Strategic Sourcing, Project Manager, Functional Manager) who is inviting the applicant to pursue Contractor Safety Pre-Qualification;

Maintenance - activities that preserve the function of a building system or equipment which may involve cleaning, adjusting, or the minor renewal of machinery in plant where there is no breakdown to be repaired and, does not both include activities mentioned in the definition of construction, and those activities performed on objects mentioned in the definition of a project;

Project - means a construction project, whether public or private, including:

- the construction of a building, bridge, structure, industrial establishment, mining plant, shaft, tunnel, caisson, trench, excavation, highway, railway, street, runway, parking lot, cofferdam, conduit, sewer, watermain, service connection, telegraph, telephone or electrical cable, pipe line, duct or well, or any combination thereof,
- the moving of a building or structure, and
- any work or undertaking, or any lands or appurtenances used in connection with construction;

Provincial – means a company that is provincially regulated and whose employment standards are enforced by the provincial Ministry of Labour (MOL);

Work Specific Safety Plan – means a plan based on the control of unique hazards and related risks associated with the airport setting to which the work relates

3 General Requirements

Invited applicants shall submit the documentation outlined below, in support of their Contractor Safety Pre-Qualification application.

3.1 Application

- a. Complete and submit to CCPO your Application plus all applicable supporting documentation outlined below to initiate the required review.

3.2 Submittals

- a. Occupational Health and Safety Program duly signed and dated within the previous year; (Ref: OHS Act Clause 25(2)(j), Canada Labour Code s. 125(1)(z.03))
- b. Certificate of Recognition (COR™), with Letter of Good Standing [mandatory for Constructors (construction managers and/or general contractors)];
- c. Workplace Injury Summary Report (WISR);

- d. Proof of firm registration and in good standing with WSIB (i.e. Valid Clearance Certificate);
- e. Copies of the Firm's Classification and Premium Rate (i.e. Copy of the Premium Rate Summary Statement). Until the end of 2020, provide the most recent MAPP, NEER and/or CAD-7 statement in addition to the Premium Rate Summary Statement.
- f. Details of any penalties assessed against the contractor by the Ministry of Labour (MOL) or the Technical Standards Safety Authority (TSSA) within the previous five (5) years, including (without limitation) copies of convictions or penalties;
- g. Health and safety incident rate for the previous three (3) projects completed (e.g. Total Incident Rate (TIR), LTI Injury Rate (LTIR), Non-Lost-Time Injury Rate (NLTI), Reportable Occurrence Rate, etc.); (Applies to **Constructors** (construction managers and/or general contractors) only)
- h. A copy of the most current safety audit conducted by or on behalf of the applicant;
- i. Detailed written descriptions of any health and safety issues/incidents whilst working at TPIA on previous jobs; and
- j. Names of personnel dedicated to GTAA work including both head office and field personnel. Must include manager, supervisor and safety coordinator along with résumés.

3.3 Declaration

The applicant is required to affirm the following by signing the Declaration (Section H) of the Application form:

- a. The Applicant shall perform the work in compliance with applicable legislation and (all applicable) GTAA policies (including the safety management system policy), rules, regulations, bulletins, directives, Codes (including the Airport Construction Code, as applicable), standards, guidelines, permits and orders of authorities having jurisdiction (including those enacted after the date of the Contract) relating in any way to the Work, including those governing the preservation of public health and safety and such other requirements as may be set forth elsewhere in the Contract;
- b. The organization shall undertake all health and safety matters in accordance with Company occupational health and safety program and Company work-specific safety plan addressing the risks and hazards associated with working in an airport environment; and

- c. The organization and each of its assigned staff shall promote and demonstrate a positive safety attitude at the workplace.

NOTE: The GTAA may in its discretion request and require authorization for release of information or documentation as necessary to complete the Contractor Safety Pre-Qualification.

Where the GTAA requires supplementation of submitted documents to make them acceptable, the applicant shall make such requested modifications and resubmit the documents or any other supplemental documents as requested.

For new applicants with no past safety history, the GTAA may in its discretion request records of the applicant's parent company, affiliated companies and Predecessor Company.

4 Specific Application Requirements

Applicants shall complete the application in full while considering the following requirements.

4.1 Section A: Initiation

The applicant will indicate whether their application is new or a renewal and identify the GTAA Representative who is inviting the applicant (through either a request for proposal, active contract(s), or by invitation) to pursue their Contractor Safety Pre-Qualification.

NOTE: Applications without an initiator will not be processed.

4.2 Section B: Company Identification

The applicant will provide key contact information for the overall organization as well as provide an overview of its legal structure.

4.3 Section C: WSIB and Incident Performance Information

The applicant will provide the following:

- a. WSIB Account Number – Applicants must be registered with the WSIB. If you are not registered, you can do so online by clicking the following link:

<https://eservices.wsib.on.ca/portal/server.pt/community/eservicespublic/registration>

- b. WSIB Classification – Provide the firm's NAICS Code and sub class. (6-digit NAICS code assigned by WSIB along with the Class/subclass).

- c. WSIB Clearance Certificate – Provide a copy of the current certificate. This certificate ensures the organization is in good standing with the WSIB. The WSIB has developed an online system to generate clearance certificates which can be accessed at the following link:

<https://eservices.wsib.on.ca/portal/server.pt/community/eservicespublic/eclarance>

- d. Workplace Injury Summary Report (WISR) – Provide a copy of the organization’s WISR. The GTAA reserves the right to request incident related information including incident summaries and steps to prevent reoccurrence. This report is available on the WSIB Online Services website:

<https://www.wsib.ca/en/onlineservices>

- e. WSIB Experience Summary Report (e.g. CAD-7, NEER, MAPP,) – Provide copies of the report(s) for the WSIB program that is applicable to your organization, as amended by the WSIB.
- f. Convictions/Penalties issued by the MOL or TSSA – Attach copies of any convictions or penalties that have been issued within the previous five (5) years.
- g. Overall Project Incidence Report – Constructors (construction managers and/or general contractors) must provide a sample project safety report that includes incident results for the organization’s last three projects. The GTAA wants to understand the actual performance of the project in whole such as Total Incident Rate (TIR), LTI Injury Rate (LTIR), Non-Lost-Time Injury Rate (NLTI), Reportable Occurrence Rate, or other information related to near misses.

4.4 Section D: Certificate of Recognition (COR™) or Accreditation

To encourage contractors to maintain an industry-recognized safety management system, the GTAA requires Constructors (construction managers or general contractors) performing construction work for the GTAA to be COR™ certified by **January 1, 2021**. In the interim period between **January 1, 2018 to December 31, 2020**, Constructors must prove successful certification by providing an IHSA-issued “Letter of Good Standing (LOGS)” or demonstrate they are actively pursuing certification by providing a current IHSA-issued “Letter of Intent (LOI)” (dated within the past year).

- a. COR™ Certification in Ontario – Provide a copy of your Ontario COR™ certificate with Letter of Good Standing if certification is complete.
- b. Out-of-Province COR™ – Provide a copy of any out-of-province COR™ certificates that have been previously issued.

- c. COR™ Internal/External Audit(s) – Provide copies of any internal or external COR™ audits that have been completed.
- d. ISO 45001 – The ISO standard for the requirements of an occupational health and safety management system.
- e. OHSAS 18001 – This is a recognized 3rd-Party validation system. The IHSA has developed a formal equivalency review process for this designation.
- f. CSA Z1000 – This is a recognized 3rd-Party validation system. Compliance with this CSA standard illustrates the organization’s commitment to operating with a ‘best practices’ approach. Provide evidence of compliance if applicable e.g. external compliance audit.
- g. Other – Provide a description of any other 3rd-Party Validation system in which your company participates.

4.5 Section E: Personnel

The applicant shall provide the details of any personnel dedicated to GTAA work. At minimum, the submission must include details on the manager, supervisor and health and safety coordinator. Résumés for each person must be provided along with training documentation to ensure proficiency for the position held.

- a. Manager – this individual will have direct responsibility for managing the scope of work and will coordinate communications between all stakeholders for the successful completion of work objectives. The résumé submittal must provide a summary of related experience and associated competency training must be demonstrated. Examples of appropriate qualifications may include Gold Seal Certification, Project Management Professional (PMP) certification or experience in work of similar scope.
- b. Supervisor – the person who has charge of a workplace or authority over a worker. Supervisors must meet the legal definition of a competent person under the Occupational Health and Safety Act (OHSA) which requires them to be qualified because of knowledge, training and experience to organize the work and its performance. Supervisors must be familiar with the OHSA, understand the potential or actual dangers of the work to be performed and take the necessary precautions to protect the workers. Examples of appropriate qualifications may include supervisor competency programs, OH&S training, COR™ training, and experience in work of similar scope.
- c. Health and Safety Coordinator – this individual will support the development and enforcement of safe work procedures and advise management on occupational health and safety concerns. If the Applicant has elected to appoint a supervisor as their Health and Safety Coordinator, they must provide details on the

supervisor's qualifications to act in this capacity. Examples of appropriate qualifications may include COR™ training, National Construction Safety Officer (NCSO) certification, Gold Seal Construction Safety Coordinator certification, and Canadian Registered Safety Professional (CRSP).

4.6 Section F: Type of Work Performed

Multi-discipline applicants must identify all applicable industry types that would apply to work that will be or potentially will be completed at the GTAA.

Note: Only work identified in the "Type of Work Performed" section may be undertaken.

4.7 Section G: Additional Program Considerations

The applicant is required to identify the estimated frequency with which the listed activities will be undertaken at the GTAA and attach copies of the safe work procedures for each identified activity. This is to ensure the contractor's program contains elements to minimize potential impacts on the safe operation of the airport. This is in addition to the mandatory elements of your Occupational Health and Safety Program as outlined in Section 5 of this process.

4.8 Section H: Declaration

The applicant is required to affirm the conditions set out in Section H of the Application for Contractor Safety Pre-Qualification by signing the Declaration. The applicant must have the authority to bind the named organization to these conditions.

5 Occupational Health and Safety (OH&S) Program

The applicant's OH&S program shall include (without limitation) the following elements:

a. Policy

A corporate policy statement with respect to a commitment to safety goals and objectives.

b. Hazard Analysis

A hazard assessment process for identifying and evaluating job hazards, including (without limitation) actions to eliminate, minimize, or control these hazards at job start-up and throughout the course of any work.

A process for conducting risk assessments which incorporates information from the GTAA on workplace hazards or operational impacts.

c. Safe Work Practices

Appropriate safe work practices for the tasks performed by the applicant's workforce, including (without limitation) provisions for maintenance of site tools and equipment, lockout/tag-out, working at heights, work near the general public, use of mobile equipment, etc.

d. Safe Job Procedures

Work-Specific Safety Plan - A process for providing a work-specific safety package including safe job procedures to workers, contractors and visitors prior to performing work.

NOTE: A sample Work-Specific Safety Plan may be requested in order to verify the applicants hazard analysis process.

e. Company Rules

A company policy for inappropriate workplace behavior including drug and alcohol use and a process for disciplinary actions regarding noncompliance with safety requirements.

f. Personal Protective Equipment

A policy for the training, inspection, maintenance and supply of standard and/or specialized personal protective equipment.

g. Preventive Maintenance

A policy for the inspection and maintenance of equipment.

h. Training and Communication

A process to ensure that workers have appropriate training (including employee orientation) prior to undertaking work activities.

A process to ensure regular communication of safety information to workers such as (without limitation) daily meetings, toolbox talks, etc.

i. Workplace Inspections

Provision for an inspection schedule including conducting site safety inspections and equipment inspections prior to use on site to eliminate unsafe working conditions.

j. Investigations and Reporting

A process for ensuring that all injuries, incidents, and accidents are reported, and appropriate investigations are conducted to identify root cause(s) as required.

k. Emergency Preparedness

Identification of contractor emergency response program procedures, including (without limitation) training for workers, subcontractors, and visitors, and locations of adequate first aid supplies.

l. Statistics and Records

A process for reviewing company safety data (i.e. incident records, hazard reports, workplace inspections, etc.) which includes identifying appropriate actions to respond to trends, contraventions, injuries and identified hazards.

m. Legislation

A process for providing relevant legislation including roles and responsibilities for management, supervisors, safety coordinator, foremen and workers.

A process for the posting of Health and Safety Documentation and required information.

n. Occupational Health

Processes for addressing the control of applicable biological, chemical or physical hazards per legislation and guidelines.

A process for identifying and controlling hazardous products according to WHMIS requirements.

o. First Aid

A process for implementing First Aid regulation requirements, including first aid stations, qualified personnel and treatment logs.

p. Health and Safety Representative/Joint Health and Safety Committee (JHSC)

A process for establishing and maintaining JHSC meetings, including (without limitation) record-keeping.

q. Workplace Violence

A Workplace Violence and Harassment policy and program that includes a workplace violence risk assessment.

r. Return to Work

A program and policy to manage workplace injuries and illness with a focus on the early and safe return to work.

s. Management Review

A management review standard to develop a process to review applicable legislation, statistics and records.

6 Acceptance Criteria

The applicant shall (subject to the GTAA's discretion) be eligible for Contractor Safety Pre-Qualification status if the Applicant meets the following criteria:

- a. The applicant has provided and met all submission requirements to the satisfaction of the GTAA,
- b. The applicant has submitted revised, missing, or updated information to the satisfaction of the GTAA, and
- c. The applicant's WSIB status remains in good standing.

7 Assessment

Assessments will be undertaken by the CCPO or its designate. As part of the assessment, the CCPO or its designate may request a meeting with the applicant to discuss this application prior to acceptance.

The GTAA anticipates that its assessment period for applications may take up to ten (10) business days after full receipt of all requested information and documentation. CCPO will make every effort to expedite this review, however, failure to make a decision with respect to an application within the ten (10) business days period shall not be deemed to constitute an acceptance of an applicant's application. The GTAA reserves the right to take such further time as it deems necessary to assess and respond to any application.

7.1 Notification of Assessment

Upon receipt of the contractor's documentation submission, the CCPO will notify the applicant via email that their application has been received and the preliminary review has been initiated. Upon completing the preliminary review, the applicant may be contacted where additional information is required to support the Contractor Safety Pre-Qualification Application.

The applicant acknowledges and agrees the GTAA shall make its assessment of the applicant's submission in its own discretion using such criteria and the GTAA shall be under no obligation to make a timely decision with respect to any application in respect of any project, work or job.

The GTAA shall not be liable for any failure to consider an application or for any delay in considering an application, including (without limitation) any failure of an applicant to obtain eligibility for a competitive bidding process for work at the Airport. The GTAA shall in no event be liable for any claims by the applicant in respect of its decision to pre-qualify the applicant.

Under no circumstances shall the applicant communicate its Contractor Safety Pre-Qualification status to any party other than the GTAA or its representatives as part of a submission in connection with a competitive bidding process for work at the Airport.

All applicants acknowledge and agree that any determination by the GTAA that an applicant is qualified shall be without prejudice to any rights or remedies that the GTAA may have under contract, equity or at law with respect to any noncompliance by a successful applicant with the terms of this document or any contract between the GTAA and a successful applicant. Contractor Safety Pre-Qualification shall not constitute an endorsement of the successful applicant's safety program or the successful applicant's ability to perform work in accordance with the applicant's safety programs, applicable laws or this Contractor Safety Pre-Qualification process. All applicants shall be prohibited from claiming in any circumstances that the GTAA has approved or endorsed the applicant's safety program or ability to comply with this program by virtue of the GTAA's granting of status under this Contractor Safety Pre-Qualification program or that the applicant's obligations under this program, at law, under contract or otherwise have been reduced in any way by the GTAA's granting of any status hereunder.

8 Safety Pre-Qualification Status Communication and Renewal

Following the GTAA's assessment, successful applicants will be added to the GTAA Safety Pre-Qualified Contractors List.

8.1 Status Period

Contractor Safety Pre-Qualification status is valid for up to two (2) years from the date of approval, provided that the GTAA may in its sole discretion revoke a contractor's status pursuant to Section 10 (Factors Affecting Contractor's Safety Pre-Qualification Status and Remedies of the GTAA). The GTAA reserves the right to request and require submission of documents prior to the Contractor's Safety Pre-Qualification anniversary date.

8.2 Status Letter

Upon completion of GTAA's assessment of the applicants submitted documentation, successful applicants will receive a "Contractor Safety Pre-Qualification Status Letter" issued by the CCPO. The Status Letter will specify the **type of work** the applicant has been qualified to undertake for the GTAA and an **expiry date**. The Contractors Company name will be added to an internal GTAA Safety Pre-Qualified Contractors

List. Contractors are responsible for seeking renewal prior to the expiration date of their Contractor Safety Pre-Qualification Status Letter, and the GTAA shall not be under any obligation to communicate any pending renewal date requirements to the contractor.

8.3 Maintaining Status

Maintaining Safety Pre-Qualification status is subject to the applicants ongoing demonstration that its work is performed in accordance with the requirements described in this document, the Airport Construction Code and applicable laws.

Contractors are responsible for submitting their Occupational Health and Safety Program manual on an annual basis to the CCPO.

COR™ certified Constructors are expected to submit an updated copy of their COR™ certificate within thirty (30) days of recertification.

8.4 Renewal

Contractors shall submit the Safety Pre-Qualification application renewal and supporting documents not less than four (4) weeks prior to the status expiration date. The contractor's previous record and demonstrated efforts toward operating in a safe, efficient, and environmentally conscious manner while working at the Airport will be reviewed by the CCPO and is a major consideration when evaluating any request for renewal.

8.5 Status Renewal for COR™ Certified Constructors

For Constructors, once an applicant has achieved COR™ certification, the Safety Pre-Qualification status is renewed by providing the following submissions:

- a. Updated Application for Contractor Safety Pre-Qualification;
- b. COR™ Certificate, with Letter of Good Standing;
- c. COR™ External Audit Results, or most recent COR™ Audit results;
- d. Updated WSIB Classification, Firm's Premium Rate, Valid Clearance Certificate and Workplace Injury Summary Reports (WISR); and
- e. Occupational Health and Safety Program duly signed and dated within the previous year.

8.6 Dormant Application Status

During the assessment of an application or renewal for Contractor Safety Pre-Qualification, if correspondence between the GTAA and the applicant go unanswered or without response for more than thirty (30) days (beyond the date of the last

communication from the GTAA), the applicant's account will be deemed to be dormant. Applicants who become dormant will not be listed on the GTAA Safety Pre-Qualified Contractors List.

8.7 Expired Application Status

If an applicant's Safety Pre-Qualification status expires, the applicant will have thirty (30) days after the expiry date to contact the GTAA (via email) to begin the renewal process. If the renewal process has not been initiated during this thirty (30) day period, the contractor will be removed from the GTAA Safety Pre-Qualified Contractors List.

9 Inspections and Auditing

The GTAA will inspect, audit and review relevant documentation as it deems appropriate to assess ongoing compliance with safety regulatory requirements. Contractors shall provide such information as the GTAA deems necessary to assess compliance. Contractors will be provided with copies of all inspection reports and audits and shall correct any noted deficiencies in a timely manner.

10 Factors Affecting Status and Remedies of the GTAA

Noncompliance with GTAA safety requirements, applicable legislation, and good industry practices will not be accepted and will precipitate action by the GTAA appropriate to the severity or frequency of the noncompliance, as determined in the sole discretion of the GTAA. The GTAA will provide the contractor with written notification specifying the nature of the noncompliance and corresponding actions taken by the GTAA in response to such noncompliance.

These written notifications will remain on file and will be reviewed and taken into consideration by the GTAA / CCPO during subsequent applications for Contractor Safety Pre-Qualification by the applicant.

Factors that may affect the acceptance status or renewal of Contractor Safety Pre-Qualification may include (without limitation):

- a. Where COR™ Status is applicable, a failure on behalf of the applicant to maintain good standing with the Infrastructure Health and Safety Association;
- b. Injury or death to a worker, visitor, tenant, or public arising in any way due to any negligent act or omission by the contractor or those for whom it is their responsibility;

- c. Property damage, environmental damage or claims arising in any way due to any negligent act or omission by the contractor or those for whom it is their responsibility;
- d. Operational impact on facilities due to any negligent act or omission by the contractor or those for whom it is their responsibility;
- e. Damage to aircraft due to any negligent act or omission by the contractor or those for whom it is their responsibility;
- f. Violation of Airport Construction Code requirements;
- g. Multiple punitive measures by the Construction Compliance and Permit Office;
- h. Failure to rectify reported safety deficiencies;
- i. Failure to comply with applicable laws or safety requirements of the GTAA or applicable authorities having jurisdiction;
- j. Failure to enforce subcontractor compliance with safety requirements; or
- k. Substantial or repetitive complaints from GTAA, airlines, or tenants due to contractor's failure to follow safety requirements.

If the organization is in noncompliance with the above factors; the following remedies will apply:

- a. Notification to the contractor that Safety Pre-Qualification status has been suspended until the offence has been corrected to the satisfaction of the GTAA;
- b. Termination of any and all contracts with the GTAA, whether such contracts were the subject of the Contractor's Safety Pre-Qualification; or
- c. Any other rights and remedies as may be available to the GTAA under contract, equity or at law.

Without limiting the generality of the foregoing and for greater clarity, it is acknowledged and understood that a revocation or suspension of Safety Pre-Qualification status during the performance of work under a GTAA contract shall constitute a breach of all contracts for work between the GTAA and the contractor.

11 Appeals and Determinations

Note: Decisions of the Review Committee are final and binding.

1. Except in circumstances where the GTAA has exercised its right to terminate a contract or contracts between the GTAA and a contractor in accordance with Section 10 (Factors Effecting Status and Remedies of the GTAA) (in which case the contractor's sole recourse shall be under any applicable dispute resolution provisions set out in the terminated contracts and the following appeal process

shall not be available in such circumstance), a contractor may appeal a decision of the GTAA regarding noncompliance made under Section 10 as noted below by delivering to the GTAA written notice of appeal within ten (10) business days after receipt of the GTAA's written notice of such decision. Appeals shall only be available to the contractor with respect to the following decisions:

- a. To challenge the factual circumstances resulting in the disciplinary action (provided that it is understood that only factual determinations shall be subject to appeal and further provided that GTAA assessments of severity or materiality of the determinations and whether the circumstances merit the exercise of a particular remedy shall not be subject to appeal);
 - b. To demonstrate that the circumstances resulting in the disciplinary actions have been rectified to the satisfaction of the GTAA; or
 - c. To request an appeal extension.
2. Appeals will be conducted in as timely a manner as may be reasonable in the circumstances, provided that the contractor will continue to be responsible for any noncompliance that are ongoing during the appeal process.
 3. Appeals and determinations will be undertaken by a Review Committee which includes the Director of Engineering, their designate, or such other parties as the GTAA may consider necessary in order to make its determinations.