

GTAA Contractor Safety Pre-Qualification



2024
Process Guidelines



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This document supersedes:

- “GTAA Contractor Safety Pre-Qualification Guidelines v20” – October 2020
- “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

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

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

Version Control

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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 Toronto Pearson 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 “Safety Pre-Qualification”), which is primarily administered during the competitive bidding and RFP processes.

The Safety Pre-Qualification will review company specific occupational health and safety management system (OHSMS) information applicable to the scope of work applied for at Toronto Pearson. 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, upon successful contract award, on site work will not begin until the contractor has developed and communicated a Project or 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.

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 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 Safety Pre-Qualification by completing and submitting to the Construction Compliance & Permits Office (CCPO) their completed Application Form and required supporting documentation. The application is available on-line using this link:

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

All questions and submissions should be directed to the Construction Compliance & Permits Office via 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 - means the process of building, erecting, altering, repairing, dismantling, demolishing, 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.

Construction Compliance & Permits Office (CCPO) - means the entity responsible for verifying compliance of Airport Construction and Contractor safety with relevant regulatory and GTAA compliance requirements. Under the Ground Lease, the CCPO is designated as the Authority Having Jurisdiction (AHJ) for all Construction on Airport Lands.

Constructor - means a Person who undertakes a Project for an Owner and includes an Owner who undertakes all or part of a Project by itself 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 (CLC) and is administrated under the jurisdiction of the Employment and Social Development Canada (Labour Canada).

GTAA Initiator – means the GTAA Representative (Strategic Sourcing, Project Manager, Functional Manager or Contract Administrator) who is inviting the applicant to pursue Safety Pre-Qualification.

Maintenance – means the 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 an initiative to design (if applicable) and construct a facility to be undertaken by a GTAA or a Tenant representative within the Airport Lands and includes:

- 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, pipeline, 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.

Project-Specific Safety Plan – means a safety plan required for construction activities (as part of the Facility Alteration Permit (FAP) process) based on the control of unique hazards and related risks associated with the airport setting to which the work relates.

Provincial – means a company that is provincially regulated and whose employment standards are defined by the Ontario Occupational Health and Safety Act (OHSa) and is administrated under the jurisdiction of the Ministry of Labour, Immigration, Training and Skills Development (MLTSD).

Work Specific Safety Plan – means a safety plan required for maintenance or service activities 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 Safety Pre-Qualification application.

3.1 Application Form

- a. Complete and submit to CCPO your Application Form 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: OHSa Clause 25(2)(j), Canada Labour Code s. 125(1) (z.03))

NOTE: Contractors shall maintain their Occupational Health and Safety Program manual up-to-date and must submit their updated version to the CCPO when revisions are made identifying all revisions from the previous version submitted.

- b. Certificate of Recognition (COR™), with Letter of Good Standing [mandatory for Constructors taking on projects with a value greater than \$5million].
- 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).
- f. Details of any penalties assessed against the contractor by the Ministry of Labour, Immigration, Training and Skills Development (MLTSD), the Technical Standards Safety Authority (TSSA) or Employment and Social Development Canada (Labour Canada) within the previous three (3) years, including (without limitation) copies of convictions or penalties.
- g. Health and safety incident rate for the previous three (3) projects completed (e.g., Lost-Time Injury Rate (LTIR), Non-Lost-Time Injury Rate (NLTJ), etc.).
NOTE: This requirement only applies to Constructors (e.g., construction managers and/or general contractors).
- h. A copy of the most current safety audit conducted by or on behalf of the applicant (which may include COR™ External Audit Results, or most recent COR™ Audit results).
- i. Detailed written (signed and dated) descriptions of any health and safety issues/incidents whilst working at TPIA on previous jobs within the previous three (3) years.
- 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 I) of the Application form:

- a. The applicant shall perform the Work in compliance with all applicable regulatory requirements and 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 Project or 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 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(s) who is inviting the applicant (through either a request for proposal, active contract(s), or by invitation) to pursue their Safety Pre-Qualification. In conjunction with the GTAA Initiator(s), the applicant shall identify the applicable contract(s) types they are actively undertaking or intend to pursue. (e.g., Construction, Maintenance or Both). The applicant shall notify the CCPO of any anticipated changes to the type of contract being pursued and/or undertaken by the applicant during the pre-qualification period.

NOTE: Applications without an initiator will not be processed. [The GTAA Initiator must be the GTAA Strategic Sourcing representative, GTAA Project Manager, GTAA Functional Manager or GTAA Contract Administrator. Representatives of the CCPO cannot be named as the GTAA Initiator.](#)

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/eregistration>

- b. WSIB Classification – Provide the firm's NAICS Code, Class, and Subclass. (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://onlineservices.wsib.on.ca/EClearanceWeb/eclearance/GCStart>

- 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 Premium Rate Summary Statement, copy of the report issued by the WSIB, as amended by the WSIB.
- f. Convictions/Penalties issued by the MLTSD, TSSA or Labour Canada – Attach copies of any convictions or penalties that have been issued within the previous three (3) years.
- g. Detailed written (signed and dated) descriptions of any health and safety issues/incidents whilst working at Toronto Pearson on previous jobs within the previous three (3) years; and
- h. Overall Project Incidence Report – Constructors (e.g., 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 Lost Time Injury Rate (LTIR), Non-Lost-Time Injury Rate (NLTI), or other information related to property damage or 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 contractors taking on the role of Constructor for GTAA projects with a value greater than \$5M to be COR™ certified. These Constructors must show that they are COR-certified or have attained another accreditation by submitting their:

- a. IHSA COR™ Certification in Ontario – Provide a copy of your Ontario COR™ certificate with **Letter of Good Standing** issued by the Infrastructure Health and Safety Association (IHSA) if certification is complete if certification is complete.
- b. COR™ Internal/External Audit(s) – Provide copies of the most recent internal or external COR™ audits that have been completed.
- c. ISO 45001 – The ISO standard for the requirements of an occupational health and safety management system. The IHSA has developed a formal equivalency review process for this designation.

- d. OHSAS 18001 – This is a recognized 3rd-Party validation system. The IHSA has developed a formal equivalency review process for this designation.
- e. CSA Z45001 – 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.
- f. 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 at minimum, the manager, supervisor and health and safety coordinator dedicated to GTAA work . 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 for 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 activities that their organization can perform, manage and/or anticipates undertaking for the GTAA and attach copies of the controls that will be in place 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: Submission Checklist(s)

The applicant is required to complete the applicable submission checklist. Checklist 1 shall be completed for new applications and/or renewal applications without COR™ Certification. Checklist 2 shall be used for renewal applications with COR™ Certification. Applicants shall complete the checklist in full by matching their submission to the listed items.

4.9 Section I: Declaration

The applicant is required to affirm the conditions set out in Section H of the Application for 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 for **Construction** and/or **Maintenance activities** as identified on the application:

a. Health and safety Policy

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

b. Hazard Assessment, Analysis and Control

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.

Project / 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.

A sample Project / Work-Specific Safety Plan must be submitted in order to verify the applicants hazard analysis process

c. Controls

Appropriate safe work procedures and 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 (including airport personnel), use of mobile equipment, etc.

d. Procurement and Contractor management

The applicant shall establish, implement, monitor, and maintain a documented policy statement and procedure for procurement and contractor management/outsourcing.

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. Preventative Maintenance

A policy and program 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 and First Aid

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

[A process for implementing First Aid regulation requirements, including first aid stations, qualified personnel, and treatment logs.](#)

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 and Other Requirements

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. Management Review and Management of Change

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

o. Occupational Health and Hygiene

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

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

A policy/program for implementing pandemic control strategies.

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 and Harassment

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

r. Return to Work

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

6 Acceptance Criteria

The applicant shall (subject to the GTAA's discretion) be eligible for 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 decide 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 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 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. 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 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 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

Safety Pre-Qualification status is valid for **up to three (3) 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 "GTAA 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 Contractor's company name will be added to an internal GTAA Safety Pre-Qualified Contractors List which is distributed to all GTAA project managers and contract administrators. Contractors are responsible for seeking renewal prior to the expiration date of their Safety Pre-Qualification Status Letter, and the GTAA shall not be under any obligation to communicate any pending renewal date requirements to the contractor. Contractors who allow their Safety Pre-Qualification status to expire will not be eligible for new GTAA work assignment until their Safety Pre-Qualification is renewed.

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 applicable requirements described in this document including (as applicable): the Airport Construction Code, the Canada Labour Code (CLC), the Canada Occupational Health and Safety Regulations, the

Occupational Health and Safety Act (OHSA) and Regulations for Construction Projects and/or Industrial Establishments.

Contractors must submit their updated version of their Occupational Health and Safety Program manual to the CCPO when revisions are made with clear details of all revisions from the previous version submitted.

IHSA COR™ certified Constructors are expected to submit an updated copy of their COR™ certificate within thirty (30) days of recertification. See figure 1 below:

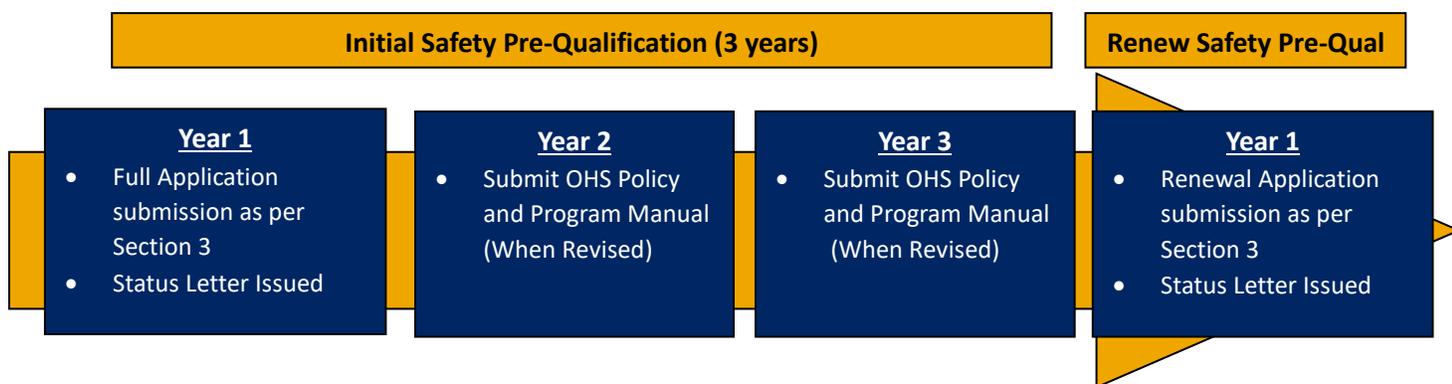


Figure 1 – Safety Pre-Qualification and Status Letter Cycle

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 Dormant Application Status

During the assessment of an application or renewal for Safety Pre-Qualification, the Contractor is expected to respond to GTAA communications within ten (10) business days. If correspondence between the GTAA and the applicant go unanswered or without response for more than thirty (30) calendar 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.

8.6 Expired Application Status

If an applicant's Safety Pre-Qualification status expires, the applicant will have thirty (30) calendar 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 may be provided (upon request) with copies of observation 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 tolerated 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 Safety Pre-Qualification by the applicant.

Factors that may affect the acceptance status or renewal of 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 may 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, Engineering, Architecture and Construction, their designate, or such other parties as the GTAA may consider necessary in order to make its determinations.