

CONSULTANT'S ENGINEERING SERVICE PROVIDERS INFRACTIC
Ontario 

Ministry of Transportation

SERVICE PROVIDER: _____ ASSIGNMENT NO.: _____

REGION: _____ HWY NO: _____ LOCATION: _____

<u>Record ID</u>	<u>Number</u>	<u>Area</u>	<u>Area name</u>
<u>Assignment No.</u>	<u>Number</u>	<u>Highway No.</u>	<u>Number</u>
<u>Location</u>	<u>Contract name/description</u>		
<u>Service Provider</u>	<u>Consultant's name</u>		
<u>Report Date</u>	<u>Date of report</u>		

INSTRUCTIONS

TO REGION THE MINISTRY:

1. Complete the form by marking "X" in the applicable boxes.
2. Provide supporting evidence of the infraction, in the form of a chronological summary as an attachment.
3. The following should be addressed to support the Consultant's Infraction Report:
 - Description of subject activity of the Service Provider, ~~date~~Date and ~~location~~Location.
 - What is the Assignment term and condition/clause(s) violated?
 - When did the Service Provider violate the term and condition/clause(s)?
 - Explanation of how the subject activity is contrary to the contractual requirements.
 - ~~Photographs with descriptions, if applicable.~~
 - What action did the ~~ministry~~ministry take (e.g., verbal and/or written warnings, Warning of Infraction)? List of previous verbal warnings or/and written warnings and to whom it was it given and the Warning of Infraction (attach copies as applicable).
 - Explanation of any corrective action taken by the Service Provider, as applicable.
 - Cost description of the impact of subject conduct, if applicable and if known.
 - State and attach copies of Service Provider written responses to prior notices, if applicable.
 - Statement of whether the matter constituted a reportable event to a governing/regulatory authority including any corresponding ministry (i.e., labour, health, environmental etc.),

federal agency (i.e., fisheries, etc.), Conservation Authorities, or other governing/regulating authorities (attach a copy of the incident report from the governing/regulatory authority, if applicable).

- State if the subject of the Service Provider’s Infraction Report (Infraction Report) is also the subject of a pre-existing dispute; if yes, state the status of the dispute.

4. All supporting evidence must be made available to the Service Provider upon issuing the infraction.

5. Hold a meeting with the Service Provider to present Infraction Report¹.

6. Forward one copy ~~ofto~~ the ~~Infraction Report to~~ Secretary, Qualification Committee at qualificationcommittee@ontario.ca, qualificationcommittee@ontario.ca, together with the minutes of the meeting to present the Infraction Report.

TO THE SERVICE PROVIDER:

The Qualification Committee will ~~assess~~deal with this Infraction Report. Any response or comments are to be sent to the Secretary, Qualification Committee ~~at~~ qualificationcommittee@ontario.ca within 15 business days of the receipt of this Infraction Report, with a copy to the Manager in the applicable office.

TYPE OF INFRACTION:

- (A) Poor quality of services attributable to Service Provider (or sub-Service Provider)
- (B) Failure to abide by the tendering requirements.
- (C) Failure to provide adequate organization, cooperation, personnel or equipment to perform the services.
- (D) Tender declarations that are incomplete, inaccurate, or are not adhered to
- (E) Failure to discharge liabilities
- (F) Offering inducements to MTO Project Manager/Agreement Administrator.
- (G) Failure to comply with terms and conditions of the ~~Assignment.~~ Agreement
- (H) ~~Willful~~Willful disregard of written instruction to correct/adjust services or practices.
- (I) Serious defects in quality of the services and deliverables.
- (J) Severe ~~contractual~~contract breaches, including default
- (K) Failure to adhere to the specifications, special provisions, or any contract specific clause

¹ An Infraction Report should be followed by a meeting to explain the reasons for issuing the Report.

(L) Failure to complete the Assignment Agreement deliverables in a timely manner.

(M) Failure to follow direction/instructions given by the MTO Project Manager/Agreement Administrator

~~(N)~~ (N) Fraud, Collusion, Conflict of Interest, Deceit or Falsifying Documents

(O) Other circumstances which may lead to a deteriorated working relationship.

Specify: _____

Specify: _____

Prepared by: _____ Title: _____ Date: _____

Office Manager: _____ Date: _____

Date Presented to the Service Provider: _____
