

## LIQUIDATED DAMAGES LIST

Type of Deficiency	Requirement	First Incident	Second Incident	Third and Subsequent Incidents
Failure to provide new collection vehicles at the start of the Contract	Collection vehicles used under this Contract shall all be new at the commencement of the Contract  (Section 12.1)	\$100.00 per day per truck until supplied	\$100.00 per day per truck until supplied	\$100.00 per day per truck until supplied
Inappropriate appearance and/or conduct by Contractor's employees	The Contractor shall ensure that all employees engaged on this Contract appear and conduct themselves in a manner which does not reflect adversely upon the City (Section 11.21)	\$100.00 per operator or supervisor	\$100.00 per operator or supervisor	\$100.00 per operator or supervisor
Failure to comply with health and safety requirements	Refer to Section 11.27	\$100.00 per incident	\$100.00 per incident	\$100.00 per incident
Failure to finish collection or Contractor finishing collection late or starting collection early	The Contractor shall collect the Materials under this Contract between the hours of 7:00am and 5:00pm only.  (Section 11.11)	\$150.00 per truck following issuance of warning	\$150.00 per truck	\$150.00 per truck
Failure by the Contractor to submit the daily report as required under this section by 9:00 a.m. the first business day following the previous day's collection	The Contractor shall electronically submit on the City's standard daily reporting form a daily report by no later than 9:00 am the first business day following the previous day collection.  (Section 11.25.5)	\$100.00 per day until supplied	\$100.00 per day until supplied	\$100.00 per day until supplied
While using collection vehicles identified as City of Toronto	While using collection vehicles identified as City of Toronto vehicles, the	\$1,000.00 per incident	\$2,500.00 per incident	\$5,000.00 per incident

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vehicles, the Contractor collects or disposes of any Material not authorized by the General Manager or from customers that are not covered under this Contract.	Contractor shall not collect or dispose of any Material not authorized by the General Manager or from customers that are not covered under this Contract  (Section 11.16)			
Contractor employee scavenging Materials	The Contractor shall not scavenge through the Materials collected under this Contract.  (Section 11.16)	\$100.00 per operator per incident	\$100.00 per operator per incident	\$200.00 per operator per incident
Failure to notify the designated City Representative immediately after emergency personnel or provide the written report of the accident or spill by 9:00 a.m. the following day.	Contractor required to notify the designated City Representative immediately after the emergency personnel have been contacted or provide the written report of the accident or spill by 9:00 a.m. the following day  (Section 11.30)	\$500.00  Failure to report to City verbally and in writing as noted	\$1,000.00  Failure to report to City verbally and in writing as noted	\$5,000.00  Failure to report to City  (Within one (1) hour of occurrence)
Failure to off-load Material at Transfer Station or Re-use Facility at the end of the day	The Contractor shall off load all loads of collected Materials at the end of each collection day at the designated City Transfer Station or Re-use Facility and no loads shall be held over or "stood up" for dumping the following day. (Section 11.17)	\$100.00 per load	\$100.00 per load	\$100.00 per load
Contractor mixes Material during collection	The Contractor shall not contaminate any Material during collection by mixing it with other Materials  (Section 11.15)	\$1,000.00	\$2,000.00	\$5,000.00