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Page 1 of 20



QUALIFIED FIRESTOP CONTRACTOR PROGRAM REQUIREMENTS

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TABLE OF CONTENTS

1.0	INTRODUCTION	3
2.0	SCOPE	3
3.0	DEFINITIONS	3
4.0	APPLICABLE DOCUMENTS	5
5.0	GENERAL	5
6.0	PROGRAM ELIGIBILITY AND ENROLLMENT	6
7.0	DESIGNATED RESPONSIBLE INDIVIDUAL AND EXAMINATION	7
8.0	CONTRACTOR AUDIT AND CONTRACTOR RESPONSIBILITIES	9
9.0	CONTRACTOR MANAGEMENT SYSTEM REQUIREMENTS.....	11
10.0	CERTIFICATES & RE-AUDITS	15
11.0	UL CONTRACTOR DIRECTORY	16
12.0	CONDITIONS FOR USE OF THE CERTIFICATE AND UL DESIGNATION	16
13.0	CONTRACTOR COMPLAINTS / RIGHT TO APPEAL	18

1.0 INTRODUCTION

A Firestop Contractor organization shall establish and effectively implement and maintain a Management System focused on selection and installation of firestop systems to be eligible for UL's Qualified Firestop Contractor Program.

The Management System approach requires the Contractor to analyze customer requirements and establish, utilize and maintain controlled processes in the selection and installation of firestop systems with the intention of meeting customer requirements.

The Contractor organization's customers require products, systems and services with characteristics that satisfy their needs, expectations, and construction documents. Customer requirements may be specified contractually or may be determined by the construction documents with final approval by the AHJ. In either case, the AHJ ultimately determines the acceptability of the installation.

Because the firestop contractor firm's selection and installation of firestop systems to requirements relies on staff knowledge, the UL Qualified Firestop Contractor Program requires at least one individual employed by the Contractor organization to be designated as a Designated Responsible Individual (DRI) who has demonstrated his/her knowledge via examination and meets other related requirements.

The UL Qualified Firestop Contractor Program is not an assessment or certification of firestop installations. The acceptance of completed installations continues to be the responsibility of the AHJ over the construction site.

The Qualified Firestop Contractor Program is only applicable to the Contractor when the Contractor installs UL Classified Firestop Systems.

2.0 SCOPE

This document outlines the requirements for participation in UL's Qualified Firestop Contractor Program.

3.0 DEFINITIONS

- 3.1 AUTHORITY HAVING JURISDICTION (AHJ)** – The organization, office or individual responsible for approving or accepting Firestop materials, installations, procedures, designs. This is typically the building code official or inspector who may also be the final authority signing the "Certificate of Occupancy Permit".
- 3.2 CERTIFICATE** - The *UL Qualified Firestop Contractor Certificate*. This is a document issued after an audit has been completed, and conformance to all Program Requirements has been determined. The Certificate is valid for a period of one year from date of issue.
- 3.3 Continuing Education Unit (CEU)** - For purposes of awarding CEU credit, the International Association of Continuing Education and Training (IACET) definition will be used as follows: One (1) CEU is equal to ten (10) contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction. In determining eligibility of award of CEUs, UL University staff will assess total number of contact hours, sponsoring organization, applicability of training content to industry, and previous CEUs awarded. CEUs are awarded at the discretion of UL University.
- 3.4 CONTINGENCY PLAN** – A documented plan developed by the Contractor that details the actions to be taken by the Contractor for continued compliance with Program Requirements in the event

the Designated Responsible Individual (DRI) ceases employment with the contractor, or is unable to perform his or her duties.

- 3.5 **CONTRACTOR** – A firm or organization eligible for and applying to the UL Qualified Firestop Contractor Program.
- 3.6 **CORRECTIVE ACTION**- Action to eliminate the cause of a detected nonconformity or other undesirable situation.
- 3.7 **DESIGNATED RESPONSIBLE INDIVIDUAL (DRI)** – An individual employed by the UL Qualified Firestop Contractor who is designated as a DRI by the contractor and who is determined by UL to meet the Program Requirements defined in this document.
- 3.8 **FCIA** – Firestop Contractors International Association.
- 3.9 **FIRESTOP SYSTEM** – A combination of Classified materials and products used to prevent the spread of heat, fire, gasses or smoke through an opening in a wall or floor for a prescribed period. The Firestop system refers to all the necessary components in the approved Firestop design, which can include, but is not limited to the penetrants size, annular space, sealant depth, etc. Firestop systems must be selected carefully and effectively to establish a protective system for a joint, gap or penetration within a structure to comply with architectural, code, and customer requirements.
- 3.10 **LISTED** – Equipment, materials or products included in a “list” published by an organization, concerned with evaluation of products and acceptable to the building official, that maintains periodic inspection and/or evaluation of production of listed equipment, materials or products and whose listing states either that the equipment, material or product meets identified standards (ASTM, UL, etc.) or has been tested and found suitable for a specified purpose.
- 3.11 **MANUFACTURER** – The manufacturer of the Listed Firestop material being stored, handled, or applied by the Contractor.
- 3.12 **NONCONFORMITY** - Non-fulfillment of a requirement, including any issue identified and documented by the UL Auditor during the audit process that reflects deviation from the Program Requirements.
- 3.13 **PREVENTATIVE ACTION** - Action to eliminate the cause of a potential nonconformity or other undesirable potential situation.
- 3.14 **PROGRAM** - UL's Qualified Firestop Contractor Program.
- 3.15 **PROGRAM REQUIREMENTS** – Refers to the requirements described in this document, the *Qualified Firestop Contractor Program Requirements*.
- 3.16 **CONTRACTOR** – Contractor that has been determined by UL to comply with the applicable Program Requirements.
- 3.17 **MANAGEMENT SYSTEM (MS)**- Management systems to direct and control an organization with regard to quality (includes organizational structure, responsibilities, procedures, processes, and resources).
- 3.18 **MANAGEMENT SYSTEM MANUAL** – Document specifying the Management System of the Contractor.
- 3.19 **POLICY** – Overall intentions and direction of an organization (Contractor) as formally expressed by the organization's top management.

- 3.20 **SPECIFIER FIRM** – The party responsible for development, issuance and control of the Firestop system specification for the structure or building.
- 3.21 **UL AUDITOR** – An individual designated by UL to conduct the Contractor audit in accordance with the Program Requirements.
- 3.22 **FIRE RESISTANCE RATED DESIGN** - A UL Classified Firestop system, as defined in UL's Fire Resistance Directory.

4.0 APPLICABLE DOCUMENTS

- 4.1 ISO/IEC DIS 17021.2 International Standard, Conformity assessment – Requirements for bodies providing audit and certification of Management Systems.
- 4.2 UL Qualified Contractor Management System Checklist
- 4.3 FCIA Firestop Manual of Practice (MOP)

5.0 GENERAL

5.1 The Firestop Systems Industry

The Firestop Systems industry is a subset of the building industry that serves residential, institutional, commercial and industrial structures. The industry addresses the common need to limit the hazardous spread and damaging effects of fire. Firestopping involves returning the wall and/or floor to its original fire and smoke rating before a joint, gap or penetration was made during construction. Firestop Contractors must choose and install Classified Firestop systems carefully and effectively to establish a protective system for a joint, gap or penetration within a structure to comply with construction documents.

5.2 UL's Qualified Firestop Contractor Program

- 5.2.1 UL's Qualified Firestop Contractor Program offers this industry independent, third party audit services for the following:
 - a) Acknowledgement of a Designated Responsible Individual (DRI) who has met Program Requirements, and passed a written exam that tests knowledge of the FCIA Firestop Manual of Practice for Firestop Contractors and the UL Fire Resistance Directory.
 - b) Examination of Contractor's established Management System and an on-site audit to determine conformance in accordance with Program Requirements.
- 5.2.2 UL's Qualified Firestop Contractor Program requirements are based on the requirements of ISO/IEC DIS 17021.2 "Conformity Assessment Requirements for bodies providing audit and certification of management systems".
- 5.2.3 The contractor firm systems audited under this Program provide an integrated approach (demonstrated knowledge and Management System) to controlling the process in addressing customer and other applicable requirements.
- 5.2.4 The Management System (MS) Checklist Form, available on UL's website www.ul.com/contractors, is intended to help organize and streamline Contractor's effort in

determining compliance of Contractor's management system with UL's Qualified Firestop Contractor Program Requirements defined in this Program requirements document.

- 5.2.5 Upon completion of the written DRI exam, the Contractor is issued a Letter of Completion stating the name of the individual who completed the exam, exam score, results of exam and explanation that all Program Requirements must be met before the Contractor will be issued a Certificate.
- 5.2.6 Upon completion of the audit of the Contractor's Management System, UL will provide the Contractor with an Audit Report within a mutually agreed time that includes audit findings and conclusions, any identified non-conformities still remaining and eligibility for a Certificate. UL retains ownership of the Audit Report.
- 5.2.7 Upon a determination that the Contractor has met UL Requirements, the Contractor will be issued a Certificate. Certificates expire 12 months from date of issue and may be canceled or withdrawn by UL at any time. To remain current, the Contractor will be subject to an annual full and complete re-audit. The re-audit will include a comprehensive audit of the Contractor's Management System. The purpose of the re-audit is to determine if the Contractor, their DRI and their Management System complies with all aspects of the Program Requirements.
- 5.2.8 Upon a determination that the Contractor has met UL Requirements, the Contractor organization's name and contact information will be published on UL's Internet directory as a UL Qualified Firestop Contractor.
- 5.2.9 UL Qualified Firestop Contractors may use the UL Qualified Firestop Contractor Program marking and the words "UL Qualified Firestop Contractor", in accordance with the limitations specified in this document and at www.ul.com/contractor, on promotional material.
- 5.2.10 The general public, firestop manufacturers, architects, building owners, insurance agencies, and any other interested parties can view UL Qualified Firestop Contractors on UL's Internet directory at www.ul.com/contractor.

6.0 PROGRAM ELIGIBILITY AND ENROLLMENT

6.1 Program eligibility requirements are as follows:

- a) Contractor must employ a Designated Responsible Individual (DRI) in accordance with the Program Requirements.
- b) Contractor must have an established Management System in accordance with the Program Requirements.

6.2 The application process is as follows:

- a) Applications for the Program are obtained online at www.ul.com/contractors. Once a completed application is received and reviewed agreement forms follow.
- b) Agreement forms reference and require compliance with this "UL Qualified Firestop Contractor Program Requirements" document. Agreement forms are signed by the Contractor's authorized representative. Once the application and agreement has been received, reviewed, and deemed acceptable, an acknowledgement letter and quotation is sent to the Contractor.
- c) Upon acceptance of the quotation, arrangements are made to conduct audit activities as defined in the Program Requirements.

7.0 DESIGNATED RESPONSIBLE INDIVIDUAL AND EXAMINATION

7.1 Designated Responsible Individual (DRI)

- 7.1.1 Each Contractor under this program shall have at least one Designated Responsible Individual (DRI) who is employed by the Contractor and meets the Program Requirements and who has the following responsibilities:
- Defined and documented responsibility for oversight and maintenance of the Contractor's Management System in accordance with Program Requirements.
 - Defined and documented responsibility for training staff and determining staff has received any required training or qualifications necessary to choose Firestop materials and install Firestop systems in accordance with UL Fire Resistance Design. The DRI has responsibility to act as a resource to Contractor staff as the Contractor's "designated expert" to assist with resolving questions.
- 7.1.2 A DRI for each unique Contractor location may be required as determined by UL.
- 7.1.3 In the event the DRI is no longer employed by the Contractor or is otherwise unable to fulfill the duties of DRI, the Contractor shall carry out the following to remain in the Program:
- Immediately notify UL.
 - Immediately initiate the Contingency Plan for continued compliance with Program Requirements.
 - Employ or qualify a replacement DRI within 120 days.

7.2 Demonstrated Knowledge

- 7.2.1 Demonstrated knowledge is determined by at least one Designated Responsible Individual (DRI) meeting the minimum examination requirements:
- Demonstrated knowledge of the FCIA Firestop Manual of Practice (MOP) and the UL Fire Resistance Directory as evidenced by completion of the required UL written examination with a score of 80% or better.

7.3 Examination Procedures

- 7.3.1 The DRI exam will be administered by Underwriters Laboratories Inc. at designated locations and times.
- 7.3.2 To be eligible to sit for the DRI examination, the DRI must be an active employee of a specialty building construction Contractor conducting business in the firestopping industry. A Contractor is considered active in the firestopping business when past, current, or pending contracts include firestopping work or specifications.
- 7.3.3 Eligible DRIs must complete a DRI Examination Application in order to sit for the DRI examination. Completed DRI Examination forms may be submitted to the Firestop Contractors International Association (FCIA) for testing during scheduled FCIA conferences or to UL University to request testing outside of FCIA conferences. Examination fees must be included at the time of application submittal.
- 7.3.4 For successful exam results, the DRI is issued a UL University Certificate of Completion.

7.4 DRI Certification Period

- 7.4.1 Individuals are certified as the DRI for a Contractor upon successful completion of the DRI Examination with a correct score of 80% or better.
- 7.4.2 The DRI certification period is valid for three (3) years from the date of certification.
- 7.4.3 To maintain DRI certification, DRIs must renew their certification prior to the expiration date of the certification period. Recertification may be accomplished through continuing education unit (CEU) credits and/or reexamination. Failure to obtain the required number of CEUs or complete the reexamination prior to the end of the certification period will result in DRI decertification which may impact the UL Qualified Firestop Contractor status.

7.5 Re-Examination Period

- 7.5.1 DRIs meeting eligibility requirements may retake the DRI examination no earlier than 90 calendar days following the failure on a previously administered DRI examination. The date of failure is considered the actual date of exam administration.
- 7.5.2 Examinations may also be taken by a DRI to renew the DRI Certification. The reexamination must be completed prior to the end of the current certification period to prevent DRI decertification.
- 7.5.3 Eligible DRIs must complete and submit a DRI Examination Application along with testing fees following the processes as described in the Application Process section.
- 7.5.4 Reexamination may be required when Program Requirements, the FCIA Firestop Manual of Practice and/or industry standards are revised.

7.6 Continuing Education

- 7.6.1 To maintain continued certification as a DRI the DRI shall:
- Achieve at least 6 continuing education units (CEUs) for every three years. One (1) CEU is equal to 10 contact hours of participation in organized industry related continued education. CEUs may be obtained through continuing education programs, instruction, on-the-job experience, and professional membership.
 - Continuing education program CEUs are obtained by attendance at FCIA seminars, industry related seminars and educational programs offered by accredited colleges, universities and other providers of adult education. All continuing education topics shall be relevant to the industry, such as life safety, loss prevention, building codes and other related topics approved by the DRI's management and accepted at the discretion of UL. The entire 6 CEU requirement may be obtained through continuing education programs.
 - DRIs may receive CEUs for conducting presentations or holding instructional sessions at industry-sponsored events. CEUs are awarded only for the first time a body of knowledge is presented. Additional presentations using the same or similar content are not eligible for CEUs. A maximum of two (2) CEUs may be obtained through instruction.
 - DRIs may receive CEU credit for a first time on-the-job work experience. The work experience must be industry related and add to the DRI's body of knowledge of the Firestop industry. A maximum of one (CEU) may be obtained through first time on-the-job work experience.

- A maximum of one (1) CEU may be obtained by maintaining active membership in an industry related professional organization.
- Be permitted to take a written examination every (3) years as an alternative to obtaining the CEUs noted above. The required examination and score needed to maintain DRI status is 80% correct responses.

7.7 DRI Recertification

- 7.7.1 DRIs meeting the CEU requirement or successfully completing reexamination during their certification period are issued a new Certificate.
- 7.7.2 This certificate is valid for a three (3) year period and subject to the rules and conditions of the Program Requirements.

7.8 Certificate of Completion

- 7.8.1 Upon completion of the written DRI exam, the Contractor is issued a Certificate of Completion stating the name of the individual who completed the exam, exam score, results of exam and explanation that all Program Requirements must be met before the Contractor will be issued a Certificate as a UL Qualified Firestop Contractor.

8.0 CONTRACTOR MANAGEMENT SYSTEM AUDIT AND CONTRACTOR RESPONSIBILITIES

- 8.1 Audit Overview- The Contractor shall work directly with the assigned UL Auditor for scheduling and conduct of audits. An audit will be conducted of the Contractor's management system at the Contractor's facility and at least one job-site. Prior to schedule of the audit, the UL Auditor will contact the Contractor to obtain a copy of the Contractor's Management System (MS) Manual. The UL Auditor will review the MS Manual in advance of the initial audit to become familiar with the Contractor's MS, identify any potential areas of nonconformity with Program Requirements, and determine readiness for the facility audit. The UL Auditor will discuss potential nonconformities, resolve any known differences in understanding and agree on a mutually acceptable schedule for the audit.
- 8.2 On-site contact- The DRI must be available at the agreed time of audit, and must have a thorough working knowledge of the company's Management System (systems, processes, and procedures) as well as a working knowledge of the Program Requirements. Likewise, the DRI shall have full authorization to act on behalf of the Contractor with regard to issues falling within the scope of the Program.
- 8.3 Safety- System audits are conducted in and about a variety of structures, and workplace conditions may change at each site. It is crucial that the UL Auditor and Contractor representatives know and use safe workplace practices. The Contractor is responsible for coordinating all special safety training (such as emergency evacuation procedures or use of specialized safety equipment) required at the facility.
- 8.4 Audit Participation- The Contractor shall actively participate and assist the UL Auditor as necessary in the review of the Contractor's Management System and documentation relating to compliance with the Program Requirements.
- 8.5 Job Site Visit- As a component of the overall Management System audit, a visit is required to a site where installation of Firestop systems by the Contractor is in progress or has been completed. The purpose of the job site visit is to audit the Contractor's Management System processes in the field. During the job site visit UL will observe at least one test being carried out on the installed Firestop system by the Contractor or independent third party inspector firms. The visit shall be treated as an extension of the audit activities taking place at the Contractor's facility. Activities by the UL Auditor shall

be limited to observation. Observation of any tests in no way implies UL approval of the Firestop system or the installation conducted by the Contractor. UL audit activities including observation of tests during the job site visit are not intended to address, nor do they imply proper installation of Firestop materials or systems at the job site or installation and in no way imply approval by UL of the installation. UL shall not participate in the testing or testing process, but will consider the on-site testing as part of the overall audit of the Management System. The Contractor assumes responsibility of gaining access to the job site and ensuring the safety of the UL Auditor.

8.6 Nonconformity- Nonconformity issues discovered during the audit will be documented and provided to the Contractor. The Contractor shall provide a written Corrective Action plan (addressing the nonconformity issues) to the UL Auditor within 30 days. If a Corrective Action plan is not received within 30 days of the audit conclusion, another complete audit may be deemed necessary. However, the UL Auditor shall make every attempt to contact the Contractor to reach a mutually acceptable timeline for submittal of the Corrective Action plan.

Nonconformities can be broken down into two categories as follows:

Minor - A nonconformance that the UL Auditor's judgment and experience indicates is not likely to:

- result in the failure of the MS, or
- reduce its ability to assure controlled processes, or
- result in the probable shipment or installation of nonconforming product or system.

Major – is:

- The absence or total breakdown of a MS or element thereof required to meet the applicable requirements. A number of minor nonconformities against one requirement which when combined can represent a total breakdown of the system and thus be considered a major nonconformance.
- Any nonconformance that would result in the probable shipment or installation of a nonconforming product or system.
- Any nonconformance that presents a potential safety risk.
- A nonconformance that judgment and experience indicate is likely either to result in the failure of the MS or to reduce its ability to assure controlled processes, products and systems.

8.7 Corrective Action- The Contractor shall thoroughly and accurately address all documented nonconformity issues. Corrective Action plans shall be communicated in writing directly to the assigned UL Auditor within a mutually acceptable time period. The Contractor shall assist the UL Auditor to substantiate if Corrective Actions to resolve nonconformity items are acceptable. If major or numerous minor nonconformity items are discovered, as determined by the UL Auditor, a full re-audit will be required. If only a limited number of minor nonconformity items are discovered, a partial re-audit or appropriate evidence will be required. Acceptance into the program cannot be granted until all nonconformity items are resolved and verified by UL.

8.8 Changes – The Contractor must inform UL, without delay, of matters that may affect the capability of the Management System to continue to fulfill the requirements used for certification related to:

- a) legal, commercial, organizational status or ownership;
- b) organization and management, e.g. key management, DRI or technical staff;
- c) address and sites;
- d) scope of operations impacting Management System and processes;
- e) major changes to the Management System and processes.

9.0 CONTRACTOR MANAGEMENT SYSTEM REQUIREMENTS

9.1 General

The Contractor shall establish and effectively implement and maintain a Management System (MS) to be eligible for this program. The MS must meet requirements specified here that focus on the selection and installation of UL Classified Firestop Systems.

The Contractor shall at a minimum:

- a. identify the processes needed for the Management System and determine the sequence and interaction of these processes;
- b. determine that the identified processes are effective;
- c. ensure that sufficient resources are available to support the operation and monitoring of these processes;
- d. document the processes in writing by means of a manual, which includes defined responsibilities and authorities including those of the DRI;
- e. monitor, measure and analyze to continually improve the processes;
- f. maintain control of any outsourced processes that could affect the conformity of selection and installation of firestop systems with requirements through the above activities to the extent needed.

9.2 Management System Elements

This section describes the 10 Management System elements identified by UL and the Firestop Contractors International Association as required to be established by the Contractor for consideration into the program.

9.2.1 Construction Document Requirements and Review

The Contractor shall have defined processes for communicating effectively regarding requirements for Firestop systems. The process and DRI competence capability should provide the Contractor with a complete understanding of needs and expectations so that this information can be translated into specific product and process installation requirements.

The Contractor shall review applicable construction documents (architectural drawings, structural drawings, mechanical drawings, plumbing drawings, electrical drawings, project specifications), project scope, applicable Classified systems and designs to determine the type of product or products to be used, the fire resistive design specified for the project, to identify any inconsistencies, and to adequately define and understand all requirements.

The appropriate Classified Firestop system is chosen to meet the applicable construction documents. This process, DRI competence and experience of the contractor shall assure the determination that the Firestop system meets the specifications, and shall include the steps taken when Firestop system does not cover all of the building elements in the specifications or when it is determined that requirements can not be met.

Any contract, bid or requirement differing from those previously expressed shall be resolved. Where the customer provides no documented statement of requirement the Contractor shall confirm and document the requirements with the customer. When requirements are changed the Contractor shall communicate those changes to relevant personnel and amend any applicable documents.

A record of this review shall be maintained.

9.2.2 Procurement of Firestop Materials

The Contractor shall have defined processes and capability for verifying that purchased product conforms to specified requirements. In general, the type and extent of control applied to the supplier of purchased product is dependent upon the effect of this product on the contractor's final installed firestop systems.

The process shall include an evaluation of suppliers based on their ability to supply Classified firestop systems and products in accordance with requirements. This includes establishing the criteria for selection, evaluation and re-evaluation of suppliers. Records of the results of these evaluations and any necessary actions should be maintained.

The process shall also include detailed and accurate communication between the Contractor and the supplier describing the product requirements so that the supplier has every opportunity to deliver product that meets the Contractor's requirements. This communication can take many forms, including electronic linkage to optimize the accuracy and efficiency of the information and communication.

A record of all materials purchased for each project shall be maintained. These records should include the manufacturer and supplier name, product name, product type, quantity, traceability requirements, ie. Lot number, shelf-life, approval agency label, as applicable.

Finally, the process shall include verification of purchased product (inspection or other activities) to provide evidence that the purchased product meets specified requirements.

9.2.3 Storage, Handling, Preservation and Delivery

The contractor firm shall establish a process for the labeling, storage, handling, preservation and delivery of Firestop materials to prevent misuse, contamination, damage and deterioration. Storage conditions and shelf life must be considered to prevent deterioration of Firestop materials. This requirement extends to the job-site.

9.2.4 Installation, Application and Field Quality Assurance Procedures

The Contractor shall plan and carry out installation of firestop systems under controlled conditions. These controlled conditions include availability of information describing the product characteristics, availability of work instructions, suitable equipment, monitoring and measurement of the process and product, availability and use of monitoring and measuring devices, control of nonconforming product and firestop systems, product identification and traceability, adequate resources (equipment and qualified personnel), and preservation of firestop systems.

The Contractor shall use the FCIA Firestop Manual of Practice (MOP) and any other applicable industry documents as a guide in developing Firestop field installation application procedures.

Records of all field tests shall be maintained showing their results (pass or fail) and any actions taken to resolve nonconformities and compliance with the firestop system requirements.

9.2.5 Inspection, Testing and Calibration

The Contractor shall determine the appropriate inspection, testing, calibration/verification to be undertaken at the Contractor site and at the on-site installation of the firestop system to verify all requirements have been fulfilled. This may include but is not limited to in-process inspections performed at the time of installation by the Contractor, installer or third party inspection service. In addition destructive examination of firestop systems can be performed as well as destructive tests performed on firestop mock-ups or test samples.

Inspection and/or testing reports shall be retained with project records and include corrective

actions taken to resolve any nonconformities resulting from inspections or tests with results not in compliance with acceptance criteria.

The Contractor shall select and maintain all necessary monitoring and measuring devices required to complete the inspection and/or testing. In order to provide confidence in the data, monitoring and measuring devices shall be:

- calibrated or verified at specified intervals, or prior to use, against measurement standards traceable to international or national measurement standards, as applicable;
- adjusted or re-adjusted as necessary;
- identified to enable the calibration status to be determined;
- safeguarded from adjustments that would invalidate the measurement results;
- protected from damage and deterioration during handling, maintenance and storage;
- hand measuring devices including steel tape measures and steel rules used for installation and verification of firestop systems shall be validated through observation as fit for use at prescribed intervals.

In addition, the Contractor shall assess and record the validity of previous measurement results when the devices are found not to conform to requirements.

9.2.6 **Control of Nonconforming Firestop Materials and Systems**

The Contractor shall have a documented procedure for the control of nonconforming Firestop material and systems that do not meet specified requirements and shall be identified and controlled to prevent unintended use or delivery. The controls, related responsibilities and authorities for dealing with nonconforming Firestop materials and systems shall be defined in applicable Management System documentation. Records of the nature of nonconformities and any subsequent actions taken including concessions obtained shall be maintained. Control of nonconforming Firestop materials and systems extends to the installation at the project site.

When nonconforming product is corrected it shall be subject to verification to demonstrate conformity to requirements.

9.2.7 **Training and Qualification of Staff**

The Contractor shall determine and provide the resources needed to implement and maintain the Management System and fulfill requirements for the installation of Firestop systems in accordance with requirements. Personnel performing Firestop System and material selection, material installation, inspection, and/or testing shall be competent on the basis of appropriate education, training, skills and experience.

Personnel shall demonstrate proficiency by means of examination or equivalent. Effectiveness of the proficiency method must be validated.

Records of training, qualification and effectiveness shall be maintained.

The Contractor shall determine the necessary level of competence for staff whose work affects the fulfillment of requirements by installation of Firestop systems; provide education and training to satisfy these needs; evaluate the effectiveness of the training; maintain appropriate records of education, training, skills and experience; periodically re-evaluate staff competence.

The Contractor shall demonstrate that the DRI and responsible personnel have appropriate skills and knowledge with regard to the selection and application of Firestop materials and systems in accordance with: manufacturer application requirements; specific firestop system; established industry guidelines (i.e. FCIA Firestop Manual of Practice).

9.2.8 Corrective/Preventive Action

The Contractor shall have a documented procedure for corrective and preventive action and use corrective action as a tool to address nonconformities and as a tool for improvement. Corrective actions should be focused on eliminating causes of nonconformities in order to prevent recurrence. Sources of information for corrective action should include complaints regarding fulfillment of requirements of Firestop systems, process and product nonconformity reports, audit results, test results, measurements and inspections, etc. The Management System documentation shall include a procedure to define requirements for:

- reviewing Nonconformities (including test failures and complaints);
- determining the causes of Nonconformities.;
- determining and implementing the actions needed to correct the nonconformity and prevent the nonconformity from recurrence;
- recording the results of actions taken;
- reviewing the effectiveness of actions taken.

9.2.9 Management System Monitoring and Improvement

Management shall provide evidence of their commitment to the development and implementation of a Management System. This can be effectively achieved if management communicates to the Contractor Organization the importance of meeting requirements; establishes a policy and objectives related thereto; defines and communicates responsibilities and authorities within the organization; conducts management reviews; provides adequate resources.

The Contractor shall continually improve the effectiveness of the Management System through the use of the inspection results, analysis of data, corrective and preventive actions, and management review. The Contractor's DRI shall audit activities and responsibilities that are outside his/her direct control to assure the Management System is effectively implemented. These audits shall be planned and take into consideration the status and importance of the activity to be audited as well as the results of previous audits. The DRI has responsibility for planning, conducting, reporting audit results and maintaining audit records. These responsibilities and requirements shall be documented.

The Contractor's DRI, optionally with top management, shall review the suitability, adequacy and effectiveness of the Management System at planned intervals. The inputs into management review should include management objectives; results of inspections; DRI Audits; staff competency; customer feedback; project nonconformities; UL feedback; status of corrective and preventive actions; follow-up actions from previous management reviews; changes that could affect the Management System and recommendations for improvement. The output from management review should include decisions and actions related to improvement of the effectiveness of the Management System; improvement of processes related to fulfilling requirements; and resources. Records from management reviews shall be maintained.

9.2.10 Documentation and Record Keeping

Documents required by the Management System shall be controlled. The Contractor shall establish a documented system that includes a policy on fulfillment of requirements, a manual, procedures, work-instructions, and additional documents and records so that processes and activities are carried out as planned to meet requirements.

The Contractor shall have a documented system in place to define the controls required for:

- a) approval of documents for adequacy prior to use;
- b) review and update of documents;
- c) changes and identification of revision status of documents;
- d) availability of relevant documents at points of use;

- e) legibility and document identification;
- f) documents of external origin (identification and distribution control);
- g) prevention of unintended use of obsolete documents.

Records are a special type of document that require specific controls (identification, storage, protection, retrieval, retention, disposition). The contractor shall establish a documented system for the control of records.

Included in the Management System documentation is a manual (or equivalent), which contains documented statements of a policy and objectives for fulfillment of requirements; procedures established for the Management System (or reference to them); documents needed by the Contractor for the effective operation of the Management System; responsibilities, including responsibilities of the DRI.

Records shall be established and maintained to provide evidence of conformity to requirements and of the effective operation of the Management System. Records shall remain legible, readily identifiable and retrievable, and shall be retained for a period of 7 years or as required by code or government regulation.

The following records shall be maintained, at a minimum:

- a) construction records, including contracts, systems and amendments;
- b) incoming material inspection;
- c) installation inspection and test records;
- d) equipment records including calibration when applicable;
- e) customer complaints records, with Corrective Action (and Preventative Action as appropriate);
- f) corrective and Preventive Action records;
- g) non-conforming material records;
- h) staff education, training, competency evaluations and training effectiveness;
- i) DRI Audits;
- j) Management review records.

10.0 CERTIFICATES & RE-AUDITS

10.1 Certificate Issuance and Control

10.1.1 Upon a determination that the Contractor has met the UL Requirements, the Contractor will be issued a certificate that includes:

- Contractor firm name and address of location assessed under the Program;
- effective date (date of compliance decision) and renewal date (one year following effective date);
- unique identification code ;
- Underwriters Laboratories Inc. and name of UL's Contractor Program to which Contractor firm was assessed;
- authorized marking and UL designated logo Contractor may use and restrictions on use.

10.1.2 UL exercises control on the use of its certificates in accordance with Program Requirements.

10.1.3 UL takes whatever action is necessary to preserve the integrity of its certificates and UL designations. Reports of misuse or unauthorized use of certificates and designations are

investigated. Incorrect references to, or misleading use of certificates or designations found on printed matter, such as advertisements or catalogues, are dealt with by suitable actions and are referred to UL's Legal Department as appropriate.

- 10.1.4 Certificates are issued only to those Contractors that comply with UL Requirements and only after the nonconformities resulting from the initial audit have been resolved. The Program Management Team will allow the issuance of certificates only to Contractors who meet these requirements.

10.2 Certificate Renewal

10.2.1 Certificates may be renewed annually on the renewal date as indicated on the certificate. Certificates may be canceled or withdrawn by UL at any time. To remain current, the Contractor will be subject to an annual full and complete re-audit. The re-audit will include a comprehensive audit of the Contractor's Management System. The purpose of the re-audit is to determine if the Contractor, their DRI and their Management System complies with all aspects of the Program Requirements.

10.2.2 All nonconformities resulting from annual re-audits must be resolved in order for certificates to remain valid.

10.3 Withdrawal

10.3.1 Program Requirements and formal agreements clearly state the conditions for the Contractors use of certificates and designations.

10.3.2 UL reserves the right to suspend or withdraw a certificate should any of the following conditions occur:

- Contractors MS no longer complies with UL Requirements;
- Contractors use of any UL designation, marking, symbol, or statement is unacceptable, or misleading in the opinion of UL;
- Contractor is delinquent in payment;
- Contractor violates a signed UL agreement;
- Contractor requests withdrawal from the Program in writing;
- Contractor does not request or allow an annual re-audit to be conducted.

11.0 UL CONTRACTOR DIRECTORY

UL Qualified Firestop Contractor firm's name and contact information are published on UL's Internet directory. The general public, building owners, architects, designers, insurance agencies, and other interested parties can view UL Qualified Firestop Contractors on UL's Internet directory at.

12.0 CONDITIONS FOR USE OF THE CERTIFICATE AND UL DESIGNATION

12.1 Certificate and UL Designation

12.1.1 UL Qualified Firestop Contractors may use the words "UL Qualified Firestop Contractor" and the approved UL designation referred to as the Qualified Firestop Contractor Program marking in their promotional material per the limitations specified here. The designation and Guidelines on use of the UL designation are provided at www.ul.com/contractors.

12.1.2 The UL designation shall not be:

- used directly on or closely associated with products, product packaging or services in any way that may imply that the products or services themselves are Listed, Recognized, Classified, or in any way certified by UL ;

- applied to a job-site or firestop installation;
- applied to laboratory test, calibration, or inspection reports.

12.1.3 The UL Qualified Firestop Contractor firm:

- Shall discontinue use of the UL designation upon withdrawal from the Program;
- Shall not make or permit any misleading statements regarding its certification;
- Shall not use the UL designation in a manner that would bring UL or the UL Program into disrepute or lose public trust
- Shall discontinue any use of the UL designation and any form of statement with reference to the authority of the Contractor organization to use the UL designation that is unacceptable to UL and which in the opinion of UL might be misleading.

12.1.4 UL is the owner of the UL designation, which incorporates the name, abbreviation or symbol of Underwriters Laboratories Inc. and which shall, only under the conditions of this document, be used by the Contractor Organization to indicate the Contractors acceptance in accordance with the Program Requirements.

12.1.5 In the opinion of UL the promotional or advertising material shall not be in conflict with the findings of UL and the reference to Underwriters Laboratories Inc. shall in no way create a misleading impression as to the nature of UL's findings and acceptance of the Contractor organization. Except for the UL designation that is prescribed for use in these Program Requirements, no other UL designation may be used in the advertising and promotional material supplied unless otherwise specifically authorized in writing by UL. In those instances where a UL designation is used, any text that is prescribed by this document shall be used.

12.1.6 The UL Certificate and the UL designation shall be used in the manner authorized by UL and subject to the control of UL. Requests for use of UL's Certificate and UL's designation shall be processed through UL. Notwithstanding that the cost of displaying UL's Certificate and UL's designation is not paid by UL, it is agreed that the right to control the display or other use of the Certificate and designation shall be vested in UL. UL's representative shall have the right, on demand, to acquire possession of the UL Certificate and UL designation and any or all advertising and promotional material, or other means of displaying the Certificate and Mark when in the judgment of UL's representative, such action is warranted.

12.1.7 The UL designation may be used only on correspondence, advertising and promotional material and shall be used only in connection with the services described in the Program Requirements. The Contractor organization shall identify the services to which the Certificate applies when using the UL designation in a context where the scope of application is open to interpretation.

12.2 Preferred Text

UL Qualified Firestop Contractor organizations may use the following pre-approved statements in connection with the UL designation or standalone to describe their status:

- "UL Qualified Firestop Contractor"
- "Our organization has been evaluated by Underwriters Laboratories Inc. and found to comply with UL's Qualified Firestop Contractor Program Requirements."

13.0 CONTRACTOR COMPLAINTS / RIGHT TO APPEAL

13.1 Complaints

- 13.1.1 Anyone may lodge a complaint regarding UL's auditors or services. Complainants can without prejudice, present and discuss their views with UL's Management Personnel.
- 13.1.2 Upon receipt of a formal complaint, UL's Management Personnel shall initiate an investigation to determine the cause of the complaint.
- 13.1.3 A complaint can be made through any form of communication; such as telephone, facsimile, telex, email or letter. If a complaint is communicated orally, the complainant shall be encouraged to submit a documented complaint.
- 13.1.4 If a complainant wants to remain anonymous and does not request a response, the complaint shall nevertheless be evaluated and considered for corrective actions. If a formal complaint has not been resolved sufficiently, it may be escalated to a higher UL management level for resolution.

13.2 Short Notice Audits

- 13.2.1 It may be necessary to conduct audits on short notice to investigate complaints, in response to Contractor changes, or for any reason deemed necessary by UL.
- 13.2.2 UL will inform the Contractor of the visit with at least one-week notice prior to the visit and an explanation of the purpose or reason for the visit.

13.3 Appeals

- 13.3.1 Appeals are generally not complaints. An appeal is made when there is a disagreement with a UL decision and the dispute cannot satisfactorily be addressed.
- 13.3.2 If a client has questions concerning a compliance decision, or if an application for the Contractor Program is not considered, the client should discuss the situation with the Program Manager of the Contractor Program to determine that all objective information was clearly understood and all questions were answered. If the dispute is not resolved by the Program Manager, UL's Vice President - Fire & Security Commercial Sector (VP-FS) shall be contacted to review the dispute to ensure that all views have been considered.
- 13.3.3 If the dispute cannot satisfactorily be addressed and if the client still disagrees with UL's decision, the client will be informed that they may lodge an appeal regarding UL's decision.
- 13.3.4 The right to appeal and the appellate process is made known and fully explained to anyone who requests such information and especially at those times where there is disagreement with UL's decision.
- 13.3.5 The appellant shall submit a request for an appeal on company letterhead to UL, with the signature of an executive officer of their company. The request for appeal shall be forwarded to the VP-FS who will ensure that the request is acknowledged within 5 days and inform UL's Senior Vice President and Public Safety Officer (SVP-PS).
- 13.3.6 The SVP-PS verifies that a complete investigation was conducted.
- 13.3.7 The VP-FS shall initiate the investigation of the Appeal, assigning applicable personnel to obtain all relevant information. The entire process from when all information is gathered until the conclusion of the Appeals Panel shall take no more than 90 days.

- 13.3.7 The SVP-PS shall select an Appeals Panel. No member of the Appeals Panel shall have a vested interest in the decision under appeal. Both UL and the appellant must agree to the composition of the Appeals Panel. The Appeals Panel must include only UL staff. At any time prior to the Appeals Panel convening, the appellant has the option of withdrawing or continuing with the certificate process.
- 13.3.9 Once an Appeals Panel is selected, it shall be verified with the appellant to ensure they have no objection to the composition of the Panel. The appellant may state objections to the composition of the Appeals Panel. Consequently the constitution of the panel may be amended accordingly in order to resolve those objections.
- 13.3.10 The Appeals Panel shall convene to discuss the situation, including the results of the investigation to render a decision.
- 13.3.11 Results of the Appeals Panel shall be provided to the appellant in writing.
- 13.3.12 Both UL and the appellant agree to abide by the decision formed by the Appeals Panel.