



Scarborough Subway Extension Tunnel Boring Machine Naming Contest

(the “Contest”)

OFFICIAL RULES

1. **HOW TO ENTER: NO PURCHASE NECESSARY.** Contest begins at 10:00 am EDT on Tuesday , October 19th, 2021 and ends at 4:00 pm EST on Thursday , November 18th, 2021 (“**Contest Period**”). To enter, complete the official online entry form available at MetrolinxEngage.com/SSE-TBM (the “**Contest Website**”) and click on Submit. Limit: One entry per person/per school class per email address. All entries must be received during the Contest Period. All fields on the entry form must be completed unless indicated as optional. Automated, programmed, scripted or robotic entries are prohibited. Proof of entry does not constitute proof of receipt by Metrolinx. Upon submission, all entries become the property of Metrolinx (the “**Sponsor**”) and the act of submitting the entry shall constitute an acknowledgement and consent to a) the release and assignment of all intellectual property rights in the entry to Metrolinx, including a waiver of moral rights; b) the publishing, printing or distribution of the entry in any form of media, electronic or otherwise, in whole or in part; and c) the consent to disclose personal information of the entrant (name and municipality of residence).
2. **ELIGIBILITY:** To be eligible to enter, you must be a legal resident of Ontario who has reached the age of eighteen (18), with Internet access and a valid email address, prior to Tuesday , October 19th, 2021 (“**Eligibility Requirements**”). Minors can participate only if their parent or their legal guardian submits an entry on behalf of the minor and meets the Eligibility Requirements. A school class can also participate as a group if the teacher of the class meets Eligibility Requirements and submits an entry on behalf of the class. Employees or representatives of Metrolinx, the Ontario Provincial Government and its Ministries, suppliers of materials and services related to this Contest, members of the Judging Panel, and any member of the immediate family (defined as parents, siblings, children, or spouses) or household (whether related or not) of those employees or representatives are not eligible to enter or to win the Contest.
3. **SUBMISSION PERIOD:** During the Contest Period, entries will be received on the Contest Website. Once the Contest Period is over, entries will move to the Judging Period.

JUDGING PERIOD: Within the period commencing 4:00 pm EST on Thursday, November 18th, 2021 and ending 12:00 pm EST on Friday , November 26th, 2021, a panel of judges made up of individuals selected by the Sponsor (the “**Judging Panel**”) will select up to 6 semi-finalist names from all eligible entries received during the Contest Period. Entries will be judged using a four-point scoring system with the following criteria: originality, creativity, and complementary fit of the name of the machine. If multiple entrants submit the same name and the Judging Panel chooses the name, the first eligible entrant, who submitted the name, will be considered a semi-finalist. Semi-finalists will be chosen at the Judging Panel’s sole discretion and notified by email before the voting period starts on Monday , November 29th, 2021.

VOTING PERIOD: Starting at 10:00 am EST on Monday , November 29th, 2021, up to 6 semi-finalist entries will be posted online at the Contest Website. Members of the general public may vote for their favourite entry until 12:00 pm EST on Wednesday, December 22nd, 2021. There will be a limit of one vote per person. At the close of the voting period, the semi-finalist entry with the greatest number of votes will be declared the winner. If there is a tie, the Judging Panel will vote to break it.

In order to be declared a winner, the selected entrant must have correctly answered without assistance of any kind, whether mechanical or otherwise, a mathematical skill-testing question on the official online entry form. The selected winner will be notified within fifteen (15) business days of the close of the voting period. The odds of winning depend upon the number of eligible entries received. Return of any prize notification as undeliverable may result in disqualification and selection of an alternate eligible entrant, at Sponsor’s sole discretion. If the selected entrant cannot be contacted within twenty (20) business days of the first attempt to contact him or her, or does not complete the Release form described in Rule 5 below or does not meet the requirements of these Rules, the prize may be forfeited at Sponsor’s sole discretion.

4. **PRIZE:** There is one (1) machine to be named in the Contest. The prize available to be won consists of recognition through a press release, potential event with the unveiling of the names at one of the Tunnel Boring Machine sites, profile article(s) of winner in Sponsor related articles, newsletters, websites and social media. Also, the winner may have a photo opportunity with the machine that will be named with their entry if

there are no restrictions related to COVID or safety due to ongoing construction on the site. The prize has no monetary value. Prize is not transferable, must be accepted as awarded, and cannot be substituted, whether in cash or otherwise. Sponsor reserves the right to substitute a prize of equal or greater monetary value if a prize, or any component of a prize cannot be awarded as described above for any reason. Prize will only be awarded to verified winner. Limit one prize per person or household or school class.

5. **RELEASES:** Before being declared a winner, the selected entrant will be required to sign a Declaration of Compliance with the Contest Rules and Release of Liability, releasing Sponsor, the Ontario Provincial Government and its Ministries, the Judging Panel, and suppliers of materials and services related to this Contest (collectively, the “**Releasees**”), from any liability in association with this Contest or the prize.
6. **PRIVACY:** Pursuant to Section 39(2) of the *Freedom of Information and Protection of Privacy Act*, you are hereby notified that by entering this Contest, personal information relating to you is being collected for the purpose of participating in promotional activities. Questions about this collection should be addressed to the Senior Privacy Officer, Metrolinx, 97 Front Street West, 2nd Floor, Toronto, Ontario, M5J 1E6, (416) 202-5941. By accepting a prize, the winner agrees that the Sponsor may use their name, address (city/province), likeness, and/or prize information for promotional purposes in any medium, whether now known or hereafter developed, including but not limited to any Internet-based medium, at any time and in perpetuity, without additional compensation or notice. Metrolinx’s handling of all personal information is governed by the *Freedom of Information and Protection of Privacy Act*.
7. **LIMITATIONS OF LIABILITY:** Without limiting the release provided in Rule 5 above, by entering this Contest entrants agree that Releasees will not be responsible or liable for: (a) late, lost, stolen, damaged, garbled, incomplete, misdirected, or undeliverable email or other communications; (b) errors, omissions, interruptions, deletions, defects, or delays in operations or transmission of information, whether arising by way of technical or other failures or malfunctions of computer hardware, software, communications devices, or transmission lines or data corruption; (c) theft, destruction, unauthorized access to or alteration of entry materials; (d) any injuries, damages, or losses to any person or property resulting in whole or in part, directly or indirectly, from participation in this Contest (including, without limitation, damage to any computer system resulting from accessing or downloading information related to this Contest) or any Contest-related activity or from the acceptance, possession, participation in, use or misuse of a prize; or (e) electronic communications that are undeliverable and/or redirected from an individual’s email inbox as a result of any form of active or passive filtering of any kind, including but not limited to spam filtering, or insufficient space in entrant’s email account to receive email messages.
8. **GENERAL:** Contest is subject to all applicable federal, provincial, municipal and local laws. By entering the Contest, entrants agree to comply with these Official Rules and the decisions of the Sponsor and/or the Judging Panel, whose decisions are final and binding in all matters related to this Contest. Entrants who have not complied with these Official rules are subject to disqualification. Sponsor reserves the right, at its sole discretion and without prior notice, to modify, cancel, terminate or suspend this Contest should any virus, bug, worm, trojan horse, technical failures, unauthorized human intervention, or other causes beyond Sponsor’s control corrupt or affect the administration, security, fairness or proper conduct of the Contest. Paragraph headings are for reference only and are not to affect the interpretation of these Official Rules. No correspondence will be entered into except with potential winners or as otherwise in compliance with Rule 6 above. If any provision of these Official Rules is declared invalid or unenforceable, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable. In any event, the unenforceability or invalidity of any provision shall not affect any other provision of these Official Rules.

In the event of a dispute regarding the identity of the person who submitted an online entry, the entry will be deemed submitted by the authorized account holder of the email address submitted on the official online entry form. “Authorized account holder” is defined as the natural person who is assigned to an email address by an Internet access provider, online service provider or other organization or person that is responsible for assignment of email addresses for the domain associated with the submitted email address. A selected entrant may be required to provide Sponsor with proof that s/he is the authorized account holder of the email address associated with the selected entry.

Sponsor reserves the right in its sole discretion to disqualify, from this Contest and any future Contest or other promotion conducted by Sponsor, any individual that it finds or believes to be tampering with the entry process or operation of the Contest or Contest Website; to be acting in violation of these Official Rules, or in an unsportsmanlike or disruptive manner, or with intent to annoy, abuse, threaten or harass any other person. Any attempt by an entrant or any other person to deliberately damage any website or undermine the legitimate operation of this contest may be a violation of criminal and civil laws. Should such an attempt

be made, sponsor reserves the right to seek damages from any such individual to the fullest extent permitted by law.

For French Official Rules, visit: [Metrolinxengage.com/fr/SSE-TBM](https://metrolinxengage.com/fr/SSE-TBM)