

COVID-19 POLICY




Vaccination Requirement for Contractors

Department: Office of the COO

Approved by: Marissa Madrigal, Chief Operating Officer

Policy approval:



Marissa Madrigal, Chief Operating Officer

9/29/2021
Date

ABOUT THIS POLICY

Metro is committed to providing a safe work environment for all of its employees, and to supporting efforts to reduce the spread and transmission of COVID-19. Accordingly, Metro requires that contractors only utilize contractor personnel who have been fully vaccinated for the COVID-19 virus if the contractor personnel will (a) physically interact with Metro staff or members of the public on behalf of Metro in the course of performing work under the contract; or (b) provide goods or perform services on-site at a Metro worksite or property. Contractors who perform work in isolated areas on Metro worksites or property, and who do not interact with Metro staff or members of the public on behalf of Metro may request an exception to this policy.

DEFINITIONS

Contractor: any individual, company or entity who provides any type of goods and services (including personal services, public improvements and construction services), to Metro pursuant to a contract, work order, intergovernmental agreement, or other contractual instrument. The term “contractor” includes consultants, as well as any community-based organizations or local governmental partners, that receive any form or compensation, stipend, grant or other payment from Metro for services rendered. The term “contractor” does not include persons making deliveries to or pick-ups from Metro worksites or properties.

Contractor personnel: any employees, subcontractors, workers, or agents hired, employed or otherwise directed by a contractor.

COVID-19: Coronavirus disease (COVID-19) is an infectious disease caused by the novel coronavirus, SARS-CoV-2 that appeared in late 2019. It is a predominantly respiratory illness that can affect other organs and can lead to severe illness, hospitalization or death.

Fully vaccinated: An individual is fully vaccinated two weeks after their last dose of a vaccine series, or current guidance from the U.S. Centers for Disease Control (CDC). To be considered fully vaccinated, individuals will also need to receive booster doses when available.

Booster doses: A supplementary dose of an immunizing agent, often a vaccine that “boosts” or increases the immune system response to a certain disease or virus.

Physically interact with: being within six feet of distance for at least 15 minutes or longer.

POLICY

1. All contractors who will physically interact with Metro staff or members of the public on behalf of Metro in the course of performing work under a contract or who provide goods or perform services on-site at a Metro worksite or property must provide fully vaccinated contractor personnel to fulfill its contractual obligations.
2. Contractors will be required to certify compliance with the requirements of this policy by submitting a signed copy of Exhibit A to Metro.
3. Failure to comply with the requirements of this policy may result in Metro taking any action it may have available to it under contract, in law or in equity, including without limitation, terminating the contract for default and denying entry to Metro worksites or properties. Metro may also impose consequential and delay damages against Contractor.
4. Contractors must also follow any other health and safety requirements imposed by the Metro location where their work is conducted. This may include wearing face coverings, social distancing, or other protections.

RESPONSIBILITIES

Employees

- For employees who manage contracts on behalf of Metro, ensure the contractor is in compliance with this policy by asking for a signed copy of Exhibit A.
- If you have a question about whether a contractor is complying with this policy, contact your manager.
- Forward any reports of or observed violations of this policy to your manager.

Supervisors

- If you are aware of a contractor who has failed to comply with this policy, you should not allow the contractor to work with any Metro staff, and not allow the contractor to enter Metro property.
- Respond to violations of this policy by informing and working with the Office of Metro Attorney to terminate the contract.

COVID-19 VACCINE REQUIREMENT CERTIFICATION

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| Contractor/Organization Name: | Metro Contract Number: Name of Metro contract manager (if known): |
| Name of person completing form: | Email and phone number of person completing form: |
| Begin date of Metro contract: End date of Metro contract: | Name of Metro location/sites where work will take place: |

Beginning October 18, 2021, Metro requires contractors only utilize contractor personnel who have been fully vaccinated for the COVID-19 virus if the contractor personnel will (a) physically interact with Metro staff or members of the public on behalf of Metro in the course of performing work under the contract or (b) provide goods or perform services on-site at a Metro worksite or property. If you are unsure whether the vaccination requirement applies to you, please contact your Metro contract manager to discuss further.

By signing this form, I certify and attest to the following:

____ I am authorized to sign this Certification on behalf of Contractor and am authorized to legally bind Contractor.

____ Contractor will not allow any unvaccinated employees, subcontractors, workers, or agents of the organization to engage in any work, perform any services or provide any goods pursuant to any Metro contract where such work or provision of goods (a) will involve physical interaction with Metro staff or members of the public on behalf of Metro, or (b) is located on a Metro worksite or property.

____ Contractor will ensure that any employees, subcontractors, workers, or agents of the organization engaged in work pursuant to a Metro contract will adhere to any and all of Metro health and safety guidelines for the location where the work is performed, including wearing face coverings, distancing from others, and isolating or quarantining if exposed to or contracting COVID-19.

____ Contractor understands and agrees that failure to comply with these requirements, which are hereby incorporated by reference as part of the terms and conditions in the above-mentioned contract, may result in the termination of contract for default.

Print Name

Sign Name

Date