

Contractor Security Requirements (3/04)

1. This provision applies whenever Supplier's employees, agents, representatives, subcontractors, subcontractor employees, or any other person used by Supplier will (i) be granted unescorted access on UTCFS Participating Site's premises, or (ii) access any UTCFS Participating Site facility or system, including, but not limited to, computer networks or other information technology systems.
2. Each person requiring access to UTCFS Participating Site's facilities or systems shall meet the following minimum requirements:
 - A. Be a citizen, permanent resident alien, or otherwise authorized to work in the United States (and/or in the country in which the person will be providing services); and
 - B. Not be convicted of any felony violation of any ordinance, regulation or law (including military law).

Supplier shall provide to UTCFS Participating Site in advance of UTCFS Participating Site's granting access to a person (i) a certification that the person meets the requirements of 35.2A and (ii) the results of a background check provided by Choicepoint (or other company as directed by UTCFS) regarding felony issues, which background check is referred to as a Choicepoint Profile or Package #5.

3. In the event Supplier is performing work under, or given access to information related to, (i) information or data controlled for export purposes under U.S. law or (ii) UTCFS Participating Site's contracts with the U.S. Government or subcontracts thereunder (as may be indicated by the appearance of a Government contract number elsewhere in this agreement or the release ordering the services) or UTCFS Participating Site, in other situations, specifically requires, each person Supplier assigns shall meet the following additional requirements:
 - A. Be a "U.S. person" as such term is defined by 22 CFR §120.15; and,
 - B. Have no pending charges resulting from any alleged felony violation of any ordinance, regulation or law (including military law).

For such persons, in addition to the documents required under 35.2 above, one of the following must be provided to UTCFS Participating Site to prove "U.S. person" status:

- United States passport,
 - Certificate of United States citizenship (N-560 or N-561),
 - Certificate of naturalization (N-550 or N-570),
 - Alien registration receipt card with photograph (I-151 or I-151),
 - Unexpired foreign passport with I-551 stamp,
 - Unexpired temporary resident card (I-688A),
 - Unexpired re-entry permit (I327),
 - Unexpired refugee travel document (I-571),
 - Certificate of birth abroad (FS-545 or DS-1350),
 - Report of birth abroad (FS-240),
 - Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States which bears an official seal, or
 - Evidence satisfactory to UTCFS Participating Site that the person has a current U.S. government security clearance.
4. UTCFS Participating Site reserves the right to impose additional requirements for any individual assigned to perform work for which we require drug testing, security clearances, credit checks, etc.
 5. Supplier may request exceptions to these requirements on a case-by-case basis, which UTCFS Participating Site may grant or deny in its sole discretion. Should Supplier desire to assign persons not meeting these requirements, Supplier may present to UTCFS Participating Site, in writing, a description of the specific circumstances for each individual. UTCFS Participating Site may, on a case-by-case basis and in its sole discretion, grant access to that individual.
 6. Failure to provide the documentation required above may result in a refusal by UTCFS Participating Site to grant permission for the personnel to enter or access UTCFS Participating Site's premises or systems either entirely or on an unescorted basis, and the Supplier shall be responsible for providing a replacement, if necessary. Supplier shall notify UTCFS Participating Site immediately if at any time during performance of this agreement that any information related to individuals granted access to UTCFS Participating Site's facility or systems is altered or rendered inaccurate for any reason. Inability of Supplier to comply with the requirements of this provision shall not excuse the Supplier from performing the contract and shall not constitute an excusable delay.
 7. UTCFS Participating Site may (i) audit the methodology, process

and results used by Supplier to confirm that persons meet these requirements, and (ii) deny access to its premises or systems where UTCFS Participating Site reasonably believes that Supplier personnel do not meet these requirements.

8. Supplier acknowledges and agrees that any breach of this provision may result in a violation of U.S. law for which UTCFS Participating Site, Supplier and/or their personnel may be liable.