

Effective: January 1, 2018

Unescorted Access to Battelle Facilities Supplement

Subcontractor shall comply with all the rules and regulations regarding conduct, security and safety established by Battelle for access to and activities in and around Battelle's buildings and properties. Subcontractor also agrees that all Subcontractor's employees will execute, upon request, an access agreement permitting access to a Battelle facility.

Subcontractor agrees that all subcontractor's employees requiring unescorted access to Battelle Facilities or have access to Battelle systems agree to complete background checks and drug screening as stated below prior to access being granted.

Background Checks

Background checks will be performed by Subcontractor for all Subcontractors and its employees, agents, subcontractors or assistants ("Personnel") who provide work in support of the Statement of Work ("Services") at or from a Battelle location or have access to Battelle systems, prior to such Personnel providing any Services. Background checks on Personnel shall, at a minimum, include the following: a criminal background check for the past seven (7) years (subject to applicable law) in all counties of residence during that time to include pleas of guilty and nolo contendere, a Social Security number confirmation, a maiden or prior name check (if applicable), a verification of education and previous work experience, a verification that Personnel is not listed on the List of Excluded Individuals/Entities maintained by the HHS Office of Inspector General pursuant to 42 U.S.C. Sections 1320a-7, 13955ccc, 1320c-5 and regulations promulgated thereunder, which, as of the Effective Date, can be searched at the internet website of <http://exclusions.oig.hhs.gov/> (the "OIG List"), a verification that Personnel is not listed on the Excluded Parties List System maintained by the United States General Services Administration which, as of the Effective Date, can be searched at the internet website of <http://www.sam.gov> (the "GSA List"), and a verification that Personnel is not listed as a Specially Designated National or Blocked Person on the U.S Treasury's Office of Foreign Assets Control list of Specially Designated Nationals and Blocked Persons which, as of the Effective Date, is located at the internet site of <http://www.ustreas.gov/offices/enforcement/ofac/sdn> (the "SDN List"). Subcontractor will not allow any of its Personnel to provide Services if such individual Personnel (a) is included on the OIG List, (b) is included on the GSA List, (c) is included on the SDN List, or (d) otherwise fails the background check as determined by Subcontractor, in compliance with all applicable law, including guidance from the Equal Employment Opportunity Commission. In addition, Subcontractor will not allow any Personnel to provide Services to the extent the other confirmation and verification procedures of the background check reveal any information which conflicts with that supplied by such Personnel or which is reasonably suspect. Subcontractor shall retain the results of each background check for the duration of the time that the individual is rendering any Services to Battelle under this Subcontract and for six years thereafter, with this obligation surviving the expiration and termination of this Subcontract. As may be required by Battelle, Subcontractor shall certify in writing to Battelle that individual Personnel background checks have been completed as required under this Subcontract, and that the results thereof satisfy the requirements of this Section. Upon Battelle's request, Subcontractor will provide Battelle with copies of all records demonstrating Subcontractor's compliance with this Section of this Subcontract, including, without limitation (i) all invoices Subcontractor received from vendors performing background checks on Personnel, with such invoices to include the name of the person(s) on whom the background check was performed, the dates the background checks were performed, and the type of background check performed, and (ii) cancelled checks and other proof of Subcontractor's payment of invoices resulting from background checks performed on Personnel. Additional background checks may be required depending upon the individual's assigned duties. Subcontractor will comply with all applicable law when conducting background checks and drug screening under this Subcontract.

Drug Screening

Drug screening shall be performed by Subcontractor on all Personnel who provide Services at or from a Battelle location or have access to Battelle Systems, prior to such Personnel providing any Services. Drug screening to be performed on Personnel shall consist of National Institute on Drug Abuse (“NIDA”) 10 Panel Urine Screening Test for the following substances: (a) amphetamines; (b) barbiturates; (c) benzodiazepines; (d) cocaine metabolite; (e) methadone; (f) opiates (including codeine, morphine, hydrocodone, hydromorphone); (g) 6MAM; (h) oxycodone; (i) phencyclidine (PCP); (j) propoxyphene; and (k) marijuana metabolite (THC). The testing laboratory selected by Subcontractor must be certified by NIDA, or accredited by the College of American Pathologists. Subcontractor will not allow Personnel who test positive for any of the controlled substances listed above (unless they have been lawfully prescribed) or any Personnel whom Subcontractor has reason to believe have misused a lawfully prescribed controlled substance, to provide Services for Battelle. Subcontractor shall retain the results of each individual’s drug test for the duration of the time that individual renders Services to Battelle under this Subcontract and for six (6) years thereafter and this obligation shall survive the termination and expiration of this Subcontract. Any Personnel who test positive after having begun performing Services must be removed from involvement with Battelle and from the provisions of any Services. As may be required by Battelle, Subcontractor shall certify in writing to Battelle that the individual Personnel drug tests have been completed as required under this Subcontract and that the results thereof did not yield positive results for any of the above listed controlled substances.

Subcontractor will be responsible for any costs incurred in conducting background checks and drug screening. Upon Battelle’s request, Subcontractor will disclose to Battelle the results of the background checks and drug testing performed on its Personnel who will be providing Services.