

East Bay Municipal Utility District

DAM System and EBMUD Archive Scanning and Consolidation

EXHIBIT C

EBMUD COVID-19 Contractor Vaccination and Testing Protocols

PROJECT SAFETY REQUIREMENTS
COVID-19 VACCINATION AND TESTING

GENERAL

All contractors (including all tiers of subcontractors), defined in this Appendix to also include consultants, suppliers and vendors (Contractors), who hold contracts with East Bay Municipal Utility District (District) and who perform work at District Facilities or on District jobsites, shall incorporate the requirements of this document into their operations. These requirements shall be included in any contractually required site-specific health and safety plans (SSHASP) for work at District jobsites. The Contractor shall submit their SSHASP, showing compliance with the requirements of this document, to the District.

Even if a formal SSHASP is not required under the terms of a contract, the contractor shall designate a Site Safety Representative (SSR) for the project to monitor and implement all recommended safety practices regarding any threat to public health with all Contractor staff members. In the case of a sole proprietor that is working for the District directly, the owner/operator shall serve as the SSR for their part of the work.

EFFECTIVE ON SEPTEMBER 20, 2021

Contractors shall require all of their jobsite personnel to either: a) Be Fully Vaccinated against COVID-19 or b) Submit to regular weekly COVID-19 testing at the Contractors' expense until Fully Vaccinated.

EFFECTIVE ON NOVEMBER 15, 2021

Contractors shall require all of their jobsite personnel to be Fully Vaccinated against COVID-19 unless they have sincere religious or medical vaccination exemptions. Contractors shall continue weekly testing of unvaccinated personnel. Personnel with approved and documented, sincere religious or medical vaccination exemptions on file with the Contractor, shall continue weekly testing indefinitely.

EXCEPTIONS

Vendors or suppliers making deliveries to District facilities or job sites where no contact or only incidental contact (less than 10 minutes) is made with other people are exempt from the vaccination and testing requirements but shall wear a face covering and maintain social distancing protocols at all times. Note - this exception does not apply to contractors providing on-site services such as Fully Maintained and Operated (FM&O) services and general services such as dump truck

services, flagging, maintenance/repair services at District facilities, IT or equipment installations, or other contractors that provide in-person services at District facilities or support to construction projects performed by District construction and maintenance groups. Due to the nature of their work with respect to other staff on site, these types of contractors shall comply with all requirements in this Appendix.

Contractors hired on an emergency basis that must mobilize quickly, shall certify that they comply with the requirements in this Appendix before starting work. If this is not practical due to the emergency nature of the work, the contractor can come to the jobsite in appropriate COVID19 related PPE, only with advance written approval by the District. At the earliest time possible, but no later than three business days after the start of work, the Contractor shall certify that they are in compliance with the requirements in this Appendix.

Contractors that are performing work in the public right of way, at unmanned District facilities or watershed lands, where no EBMUD staff are present, are exempt from these requirements.

VACCINATION

Being “Fully Vaccinated” is defined as the point in time 14 days after having received the final dose of a vaccine series.

Vaccines:

- 1) Comirnaty, Pfizer – BioNTech (2 dose series)
- 2) Spikevax, Moderna (2 dose series)
- 3) Janssen COVID-19, Johnson and Johnson (single dose)
- 4) Or other FDA approved equal

In the event that additional vaccination boosters are required, the District will issue clarifications to these requirements.

Vaccination Status Tracking: Contractor (all tiers of subcontractors) shall implement a process to confirm, track, and certify (if requested) its employees’ vaccination or declination of vaccination status. Contractor SSR shall be responsible for assuring compliance with these vaccination requirements. SSR shall also ensure that Contractor personnel complete daily symptom checks, even if fully vaccinated.

TESTING:

The Contractor shall test unvaccinated jobsite personnel through FDA-approved methods for detecting the virus (Polymerase Chain Reaction (PCR) or antigen) at the Contractor’s expense. These tests shall be performed no more than three days immediately prior to the personnel’s first

day onsite and every week thereafter. The Contractor's SSR shall provide daily compliance checking at the jobsite.

Contractor shall provide on-site rapid antigen testing for transitory personnel who have not been vaccinated and could not schedule a test ahead of time and who will be on site for fewer than three days. In the case of FM&O or general services contractors working directly with District construction crews, transitory personnel are not permitted, since on-site testing is likely not feasible.

Rapid Antigen Testing:

- 1) Abbott Diagnostics Scarborough, Inc. – BinaxNOW COVID-19 Antigen SelfTest
- 2) Abbott Diagnostics Scarborough, Inc. – BinaxNOW COVID-19 Ag Card 2 Home Test
- 3) Access Bio, Inc. – CareStart COVID-19 Antigen Home Test
- 4) OraSure Technologies, Inc. – InteliSwab COVID-19 Rapid Test
- 5) Quidel Corporation – QuickVue At-Home OTC COVID-19 Test
- 6) Or other FDA approved equal test

Testing Status Tracking: Contractor (all tiers of subcontractors) shall implement a process to confirm, track, and certify (if requested) its employees' testing status. Contractor's SSR shall certify that all personnel on site that are not fully vaccinated are COVID-negative. SSR shall also ensure that Contractor personnel complete daily symptom checks.

For projects performed by District construction or maintenance groups, Contractor's SSR shall ensure compliance with this Appendix and provide proof of compliance with testing requirement as requested by the District.

SIGNAGE AT PROJECT SITES

At District jobsites with a defined entry point for a single project, signage shall be posted by the Contractor with information about vaccination proof and testing requirements. At jobsites with a single-entry point for multiple projects, such as a treatment plant, or with no defined entry point, such as projects in public right-of-ways, signage shall be posted at the Contractor's trailer or a similar daily gathering location.

Contractor shall provide signage with 1-inch-high letters at each District jobsite entry point listing the Contractor's SSR and their phone number. Signage shall state the following:

“All contractor, consultant, vendor, and subcontractor personnel shall provide (1) proof of

COVID-19 vaccination, or (2) a negative COVID-19 test taken within three days of the first day onsite and a negative COVID-19 test result every week after the first day onsite, or a same-day rapid test negative result. Personnel who do not meet these requirements shall be turned away, or asked to leave the jobsite. Contact {Contractor SSR, phone number} prior to starting work.”

Contractors, specifically professional services consultants, performing work at a District jobsite without a physical trailer or daily gathering location are exempt from signage posting as their professional services agreement contains information about vaccination proof and testing requirements.