March 22, 2022

RE: Contractor Compliance for Proclamation 21-14, et seq. at WSU

According to the Governor’s COVID-19 Proclamation, any outside Contractors that are going to be physically coming on to a WSU location must be vaccinated, and must document this vaccination status for all of their employees that will be at a WSU location, prior to coming onsite. This applies to WSU Contracts (both existing and new), Purchase Orders (both existing and new), and P-Card Purchases. This information does not apply to any order that does not include having a Contractor performing work on site.

To stay within compliance, review the Vaccine Declaration Matrix below to determine what is needed (the policy does not apply to people such as delivery people who are on site for an extremely short time). If you believe that the Contractor/Contract will need to comply (which will be most who come to a WSU location) they will need to meet the requirements, or the order/contract will need to be put on pause until they do, or the order/contract canceled. Departments are responsible for ensuring and documenting compliance for their contracts. Compliance and Risk Management, Purchasing and REBO do not maintain a master list of those vendors who have met the compliance requirements on other contracts.

1. **New Contracts**, it must be made clear, to the contract specialist that will be processing the contract request, that the Contractor will be coming on site. Purchasing or REBO can assist with examples and templates on how to incorporate the declaration requirement into the contract. When the vendor signs the contract, it will have been determined that they have agreed to these additional terms. If they reject these terms, let your supervisor know so that escalated reviews, including service modifications with the review and approval of Financial Services and/or Compliance & Risk can be done. If WSU and the contractor fail to reach agreement on a modified plan that results in the services complying with the proclamation, the contract cannot be awarded and alternative service providers must be considered.

2. **New Purchase Orders**, add Exhibit A as a component of your PO as an addition to the terms and conditions associated with the order; if the PO is accepted it will have been determined that they have agreed to these additional terms. If they reject these terms, let your supervisor know so that escalated reviews, including service modifications with the review and approval of Financial Services and/or Compliance & Risk can be done. If WSU and the contractor fail to reach agreement on a modified plan that results in the services complying with the proclamation, the contract cannot be awarded and alternative service providers must be considered.

   **Suggested PO NOTE:** The attached Exhibit A COVID-19 Contractor Vaccination Verification Plan is hereby incorporated by reference into this purchase order. By accepting this PO, the contractor is agreeing to all Terms & Conditions referenced herein.

3. **P-Card Purchases or invoice voucher work**, for on-site work, the Contractor must submit a declaration prior to the scheduled work, and you must receive the completed declaration back prior to allowing the Contractor to do the requested work; if they do not return a declaration when one has been determined to be required, they cannot be allowed to
provide the service(s). An Online submission of the declaration can be made by going to the following website: go.wsu.edu/declare — and when submitting the declaration online you and the contractor will receive a copy

4. **Guidance when contractors/service providers come to a WSU location:** WSU Employees and Departments can confirm declaration status with their Fiscal units. However, they should not be verifying vaccination status of contractors. In rare circumstances this may be required and the department will receive additional guidance specific to the situation. The online form linked above and the PDF updated 11.4.2021 are the only approved declarations for contractors to submit and need to be completed and documented prior the contractor coming to a WSU location.

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**Links:**

Online Declaration (includes link to PDF version): [go.wsu.edu/declare](go.wsu.edu/declare)

Contact Purchasing at: [purchasing@wsu.edu](mailto:purchasing@wsu.edu)
Contact REBO at: [rebo.intake@wsu.edu](mailto:rebo.intake@wsu.edu)

**Attached:** Exhibit A

**Vaccine Declaration Matrix:**

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On site means the contractor is reasonably likely or obligated to work at a building, facility, jobsite, project site, unit, or other defined area owned, leased, occupied by, or controlled by WSU.

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Updated 11.4.2021
EXHIBIT A

COVID-19 CONTRACTOR VACCINATION VERIFICATION PLAN. Contractor represents and warrants that Contractor has a current COVID-19 Contractor Vaccination Verification Plan to ensure that Contractor’s personnel (including subcontractors) who perform under this Contract on-site at WSU premises, unless properly excepted or exempted by the Proclamation, are fully vaccinated for COVID-19 as of October 18, 2021 as set forth in the Governor’s Proclamation, Proclamation 21-14.1 – COVID-19 Vaccination Requirement (dated August 20, 2021), and as amended. Contractor further represents and warrants that Contractor:

1. Has reviewed and understands Contractor’s obligations as set forth in Proclamation 21-14.1 – COVID-19 Vaccination Requirement;
2. Has developed a COVID-19 Vaccination Verification Plan for Contractor’s personnel (including subcontractors) that complies with the above-referenced Proclamation;
3. Has obtained a copy or visually observed proof of full vaccination against COVID-19 for Contractor personnel (including subcontractors) who are subject to the vaccination requirement in the above-referenced Proclamation;
4. Complies with the requirements for granting disability and religious accommodations for Contractor personnel (including subcontractors) who are subject to the vaccination requirement in the above-referenced Proclamation;
5. Has operational procedures in place to ensure that any contract activities that occur on-site at WSU premises (other than only for a short period of time during a given day and where any moments of close proximity to others on-site will be fleeting – e.g., a few minutes for deliveries) that are performed by Contractor personnel (including subcontractors) will be performed by personnel who are fully vaccinated or properly excepted or exempted as required by the above-referenced Proclamation;
6. Has operational procedures in place to enable Contractor personnel (including subcontractors) who perform contract activities on-site and at WSU premises to provide compliance documentation that such personnel are in compliance with the above-referenced Proclamation.
7. Will provide to WSU, upon request, Contractor’s COVID-19 Vaccination Verification Plan and related records, except as prohibited by law, and will cooperate with any investigation or inquiry pertaining to the same.