



SECTION 00489
BACKGROUND CHECK POLICY AND PROCEDURES
AFFIDAVIT OF PRIME BIDDER

STATE OF _____ COUNTY OF _____

Comes the affiant after having first been duly sworn and testifies as follows:

1. My name is _____ . I hold the principal office of
_____ for _____
(Name of Principal Office) (Name of Bidding Entity)

2. _____ has submitted a bid to KUB for the
(Name of Bidding Entity)
construction of the Work entitled _____ (Project Name)

KUB Control Number: _____ .

3. _____ verifies that company information
(Name of Bidding Entity)
stated on the Bid or Proposal Cover Sheet is correct and current and Bidder's Company
is fully qualified, trained and experienced to provide _____ (Project Name)
_____ and shall perform all work only with personally and professionally
qualified personnel and;

4. _____ verifies that it shall fully comply with all
(Name of Bidding Entity)
background check related requirements and terms and conditions as stated in **KUB
Specification 00489** attached hereto and;

_____ acknowledges that any deviations
(Name of Bidding Entity)
whatsoever from the requirements stated in **KUB Specification 00489** shall be just cause
for removal of contractor from worksite and termination of Agreement with cause
according to the terms and conditions of the contract documents.



5. This affidavit is made on personal knowledge.

Further the affiant saith not this _____ day of _____, 201__.

(signature)

(print name)

Title: _____

NOTARY:

Witnessed before me this _____ day of _____, 201__.

My Commission Expires: _____

STAMP



6. **Specification 00489 – Exhibit A**

Contractor's Background Check Program – Requirements, Terms and Conditions

Prior to the commencement of any work under agreement for subject project as identified in 00489 Article 2, Contractor shall comply with and adhere to each of the following background check and related requirements. Contractor shall continue to comply with all of the following background check requirements in a consistent and uninterrupted manner throughout the duration of the project. Contractor's failure to demonstrate compliance with the background check requirements or Contractor's failure to reasonably screen workforce selection assigned to this project using acquired background check information shall make Contractor subject to immediate removal from work, reimbursement of all KUB expenses associated with reassigning work, re-bidding work, and including but not limited to termination of contract with cause.

KUB Background Check requirements are project specific to the project named in Article 2 of this Affidavit. Background Check Requirements are not universal to all KUB projects. The KUB requirement for Contractor to comply with Background Check Specification 00489 and requirement for Contractor to execute 00489 Affidavit is solely determined by KUB.

Background Check Requirements:

1. **Persons Requiring their Background to be Checked:** The following persons are required to have their background verified by Contractor prior to the assignment of any work on the subject project identified in Article 2. Above including:
 - a. Contractor's employees performing work under the Agreement.
 - b. Subcontractor employees performing work under the agreement.
 - c. Contractor's Staff or any other individuals that may receive KUB classified or sensitive information distributed by Contractor or Contractor's agent (subcontractor or third party directed by Contractor).
2. **Background Check Parameters:** The following background check parameters must include but not be limited to:
 - a. Social Security and Address Verification
 - b. County Criminal Records
 - c. Statewide Criminal Records
 - d. Federal Criminal Records
 - e. Sex Offender Records
 - f. Employment Verification (minimum of past 10 years or all post HS graduate if less than 10 years)
 - g. Professional Reference Verification (excludes family members and KUB employees)
 - h. Education Verification
 - i. Driving Records
 - j. Credit Verification (if position involves fiduciary responsibilities)

Contractor shall perform checks for all historical address locations on file and no timeline gaps may exist.

3. Frequency of Background Checking:

- a. Immediate: Prior to Start of Work on KUB Project
 - i. Persons listed in 1.a. – 1.c that have not previously worked a KUB project requiring a background check within the past year.
 - ii. Persons listed in 1.a. – 1.c that are New Hires assigned to the KUB project.
- b. Ongoing - Background Check Update Required within One Year.
 - i. Persons listed in 1.a. – 1.c. that have had their backgrounds checked within the past year and have not worked on a prior KUB project.
- c. Ongoing – Background Check Update Required every Two Years.
Persons listed in 1.a. – 1.c. that have had their backgrounds checked within the past year and have been working on KUB projects.

4. Contractors responsibility to assign only qualified personnel to KUB work:

- a. Contractor shall be responsible for professionally and personally qualifying all personnel listed in 1.a. – 1.c assigned to KUB work.
- b. Contractor shall use their own means and methods to interpret acquired background data and make initial decisions as to whether any particular individual employed or subcontracted by Contractor is suited to perform work on the KUB project.
- c. KUB shall not assist Contractor in any way regarding the initial evaluation of any particular individual.
- d. KUB shall have the sole and exclusive right to require Contractor to remove any specific designated individual from the work for any reason.

5. Record Retention: Contractor shall keep written records of all background information for each person's background check associated with the KUB project for a period of not less than 7 years after the KUB project has finished.

6. Right to Audit: Contractor shall, upon written request from KUB, allow KUB to examine all background information on file up to and including the date of the request, for any or all persons associated with the KUB project to KUB within 48 hours from receipt of request. KUB may make random or targeted written requests. The nature of the requests may be to audit contract compliance with the Background Check requirement as well as to examine background information on a specific individual. When making its request, KUB shall state the reason for the request. KUB may make request and Contractor shall comply with request any time up to but not exceeding the 7 year post contract Record Retention period.

END