September 13, 2021

TO: Interested Parties

FROM: Rick T. Sogawa
Procurement Officer

SUBJECT: Request for Proposals No. FMO-2021-23, Addendum No. 3
Online Tenant Payment Services

This Addendum No. 3 hereby amends Request for Proposals No. FMO-2021-23 to add a new subparagraph 7 to Paragraph IV.B. Administrative Requirements & Qualifications on page 25 of the RFP as follows:

“7. COVID-19 Vaccination and Testing Procedures for Contractors and Visitors

Successful offeror shall adhere to the Hawaii Public Housing Authority COVID-19 Vaccination and Testing Procedures as provided herein. See Attachment 16.”

All other terms and conditions of the RFP, as previously amended, shall remain the same. Please contact Ms. Tammie Wong, RFP Coordinator, at (808) 832-6071 should you have any questions. Thank you.
HAWAII PUBLIC HOUSING AUTHORITY
COVID-19 VACCINATION AND TESTING PROCEDURES
FOR CONTRACTORS AND VISITORS

I. BACKGROUND

On September 8, 2021, Governor Ige issued Executive Order No 21-07 (Access to State Property) requiring all contractors and visitors to attest to their vaccination status against COVID-19 or be subject to a testing program beginning Monday, September 13, 2021. To comply with the Governor’s mandate, the Hawaii Public Housing Authority (HPHA) is implementing the following policy and procedures. These requirements shall apply to all properties and facilities owned, operated, and/or managed by the HPHA, excluding properties owned by the HPHA that are leased to another entity.

These requirements and procedures shall also apply to subcontractors, part time workers and volunteers (non-employees) of the Contractor.

II. DEFINITIONS

“Attestation” means each contractor and their employees entering, working, or providing service in any HPHA facility shall be required to submit an attestation of their vaccination status and for those who are unvaccinated or partially vaccinated, a weekly testing result to the HPHA (i.e., the agency it is under contract with).

“Contractor” or “Contractor’s Employee” means any:
A. Contractor, volunteer, or vendor providing goods, equipment, construction, consulting, or any other materials or services to the HPHA whether paid or unpaid;
B. Concessionaire, permittee, or commercial operator in any HPHA facility; or
C. Anyone employed by the contractor or providing service for or on behalf of the contractor or company owner who enters, works, or provides services in any HPHA facility under any type of subcontract or other agreement.

“COVID-19 test” is a diagnostic or screening test for SARS Cov-2 administered or observed by a laboratory, testing site, or healthcare provider or facility or authorized agent of the laboratory, testing site, or healthcare provider or facility of a sample taken not more than seventy-two (72) hours prior to entry of any facility.

“Facility” or “Facilities” mean any facility, building, or other property controlled and used by the HPHA to conduct government business, or any other property that is the site of a government project.
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“Fully vaccinated” or “vaccinated” means two weeks have passed since the individual’s second dose in a two-dose series or two weeks have passed since a single-dose vaccine was completed.

“Visitor” means any person entering a State Facility who is not a State employee, volunteer, vendor, contractor, or employee of a contractor, but shall not include: visitors on beaches, beach parks, and other outdoor State government properties; persons under the age of twelve (12); residents while present in State housing projects; or individuals making deliveries or drop off (e.g., taxi or bus driver and passengers who are not exiting the vehicle) to a State Facility and who leave within ten (10) minutes of entry. The definition of “visitor” includes: (1) any HPHA public housing resident, who enters an enclosed HPHA facility used for HPHA operations (e.g., office, maintenance area) which is considered an area designated and/or normally used by the HPHA property management staff or employees; and (2) any HPHA public housing resident, who is at a public housing project where the resident does not reside. (HPHA Public Housing residents who are employees of the HPHA remain subject to COVID-19 testing requirements under the Governor’s Emergency Proclamation, dated August 5, 2021, which outlines vaccination and testing requirements for State and County Employees.)

III. CONTRACTOR REQUIREMENTS

1. Vaccination Attestation and Documentation from Contractors

   A. By no later than September 13, 2021, or as soon as possible thereafter, every contractor shall identify all employees accessing the HPHA’s facilities, verify vaccination status, and submit the COVID-19 Vaccination Status Attestation form (Attachment A) by hard copy or through encrypted electronic submission to the HPHA’s designated representative.

   Each individual accessing the HPHA’s facilities must indicate whether they are:
   (1) Full vaccinated for COVID-19 (meaning two weeks have passed since the employee’s second dose in a two-dose series or two weeks have passed since a single-dose vaccine);
   (2) Partially vaccinated for COVID-19 (including receipt of one dose of a two-dose course of vaccination); or
   (3) Not vaccinated for COVID-19.

   This requirement does not apply to Contractor employees who do not access the HPHA’s facilities. If conditions or services change which require a change in a contractor employee’s status (e.g., employee is required to conduct a
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construction inspection), this Policy shall be applied to that employee and vaccination information shall be required.

B. Fully and partially vaccinated contractor employees shall provide a photocopy of their valid vaccination card indicating the date(s) of vaccination. The photocopy of the card shall be maintained by the Contractor and shall only be submitted to the HPHA upon request.

C. Individuals who have lost or misplaced their vaccination card have until Monday, September 20, 2021 to secure and submit a replacement card to avoid testing requirements. Alternatively, a contractor employee may provide a doctor’s verification of COVID vaccination in lieu of the original COVID card issued to their employer.

If a contractor employee’s doctor is unable to verify the COVID vaccination, an employee can provide their employer a copy of the email confirmation of the second dose of COVID vaccination. A contractor employee who can provide email confirmation of the second dose can apply a one-week grace period to obtain a replacement card. Failure to obtain a replacement card within the one-week grace period will automatically trigger the testing requirements.

D. Contractor employees who submit a Vaccination Attestation form without indicting one of the three options referenced above shall be considered as “Not vaccinated for COVID-19” and shall be subject to weekly testing, until the attestation form is revised to reflect the correct vaccination status.

E. Contractor employees on leaves of absence must comply with the vaccination and testing program before being permitted to return to duty at any of the HPHA’s facilities. Contractors are responsible to advise their employees of these requirements.

F. Contractors shall provide their attestation forms to the HPHA’s Designated Representative as instructed.

2. Fully Vaccinated Contractor Employees

A. Once a contractor employee provides a Vaccination Attestation and a copy of their CDC COVID-19 Vaccination Record card indicating they are fully vaccinated (meaning two weeks have passed since the employee’s second dose in a two-dose series or two weeks have passed since a single-dose vaccine), they shall not be subject to weekly COVID-19 testing.
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B. Fully vaccinated contractor employees are still required to wear a mask the entire time they are present at any HPHA property or facility (indoors and outdoors) and must physically distance themselves from others. Masks may not be single ply (e.g., gaiter masks), but must consist of two or more layers of protection. Masks must completely cover the individual’s mouth and nose and fit snugly against the sides of the face with no gaps.

C. Related to Private Property Management Agents of HPHA’s Public Housing: Contractor employees who are fully vaccinated and who work in enclosed offices may remove their face masks when working alone, at a distance of at least six feet from other individuals, and not interacting with others. Contractor employees working in common areas (e.g., cubicles, maintenance yard) are required to wear face coverings.

3. Partially Vaccinated Contractor Employees

A. Partially vaccinated contractor employees are those who attest to and provide a copy of their CDC COVID-19 Vaccination Record card indicating they: (1) received the first dose of the Moderna or Pfizer vaccine and have a scheduled appointment for the second vaccine; or (2) received the second dose of the Moderna or Pfizer vaccine less than two weeks ago; or (3) received the single dose of the one-dose vaccine (e.g., Johnson & Johnson/Janssen) less than two weeks ago.

B. Contractor employee who submits an attestation with attached proof that they are partially vaccinated are still subject to testing requirements until the contractor employee can provide an updated attestation and proof that they received their second dose and/or are fully vaccinated. Contractor employees are responsible for providing proof of negative test results through the COVID-19 Testing Attestation form (Attachment B) and documentation of the negative test result to their supervisor or other designated representative prior to the beginning of their work shift on the reporting deadline.

C. Partially vaccinated contractor employees are required to wear a mask the entire time they are present at any HPHA property or facility (indoors and outdoors) and must physically distance themselves from others. Masks may not be single ply (e.g., gaiter masks), but must consist of two or more layers of protection. Masks must completely cover the individual’s mouth and nose and fit snugly against the sides of the face with no gaps.

4. Unvaccinated Contractor Employees
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A. Any contractor employee who submits an attestation indicating they are not fully vaccinated and do not intend to become fully vaccinated will be subject to weekly testing and responsible for providing proof of negative test results through the COVID-19 Testing Attestation form (Attachment B; hereafter Testing Attestation) and documentation of the negative test result to their supervisor or other designated representative prior to the beginning of their work shift on the reporting deadline.

B. Unvaccinated contractor employees may be subject to additional restrictions on interaction with HPHA employees and program participants.

C. Unvaccinated contractor employees are required to wear a mask the entire time they are present at any HPHA property or facility (indoors and outdoors) and must physically distance themselves from others. Masks may not be single ply (e.g., gaiter masks), but must consist of two or more layers of protection. Masks must completely cover the individual’s mouth and nose and fit snugly against the sides of the face (with no gaps).

5. Contractor Employees Who Work Remotely

The HPHA works with Contractors who perform services outside of HPHA’s properties and facilities. While not likely, there may be occasion for a Contractor who works remotely or is located out-of-state to visit the HPHA’s offices. Pending approval by the Governor or the Director of Emergency Management, the HPHA’s proposed policy for Contractors that work almost exclusively remotely, will be to treat those Contractor employees as visitors. This will avoid the requirement to submit and track weekly testing for unvaccinated individuals.

Contractors who are eligible for this exemption will be informed directly by the HPHA in writing, if/when approval from the Governor’s Office or the Director of Emergency Management is received.

IV. VISITORS TO HPHA’S PROPERTIES AND FACILITIES

A. Any HPHA public housing resident, who is at the property where they reside under a valid lease agreement, is not considered a visitor when in their housing unit, community facilities (e.g., laundry, trash room), elevators, gardens, lanais, walkways, parking lot, or any other common area normally accessed or used freely by residents of that property.
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Any HPHA public housing resident, who enters an enclosed HPHA facility used for HPHA operations (e.g., office, maintenance area) which is considered an area designated and/or normally used by the property staff, employees, or property management agent employees, shall be considered a visitor required to comply with vaccination or testing requirements. Such a resident who is not in compliance with the vaccination or testing requirement shall be denied entry to the HPHA facility.

Any HPHA public housing resident, who is at a public housing property where they do not reside, shall be considered a visitor required to comply with vaccination or testing requirements. Such a resident who is not in compliance with the vaccination or testing requirement shall be denied entry to, and not allowed to remain at that public housing property.

B. All visitors to the HPHA’s facilities where contact with HPHA employees or private property management agent employees is possible shall comply with the following:

i. Each visitor shall provide verification of being fully vaccinated or, if not fully vaccinated, shall produce a negative test result of a COVID-19 test as a condition to being allowed to enter or remain in any State facility; and

ii. Visitors will be allowed to provide verification of being fully vaccinated or, if not fully vaccinated, their negative test result by:
   - Showing official documentation evidencing their vaccination status or negative test result of a COVID-19 test;
   - The use of various publicly available health status applications provided by the State of Hawai‘i Smart Health Card, CommonPass applications, CLEAR Health Pass, Azova, IBM Digital Health Pass, and other similar products available to the public. Nothing contained herein shall be construed as an endorsement of any of these products, which are listed for illustrative purposes only.

C. If not otherwise required by State or county orders, all visitors, whether fully vaccinated, unvaccinated, or partially vaccinated, shall wear a mask the entire time they are present at any HPHA property or any HPHA facility and physically distance themselves from others. Masks may not be single ply (e.g., gaiter masks), but must consist of two or more layers of protection. Masks must completely cover the individual’s mouth and nose and fit snugly against the sides of the face (with no gaps).
D. Visitors shall not be allowed to remain in any HPHA facility unless they are in compliance with these policies, including requirements to wear a face mask.

E. Any unvaccinated or partially vaccinated visitor not in compliance with this Order or found to have submitted falsified information pursuant to this Order shall be precluded from entry to any HPHA facility.

F. Nothing in this policy is meant to allow guests at HPHA public housing properties in conflict with HPHA’s Emergency Rules Relating to COVID-19 Emergency, which detail restrictions on visitors and gatherings at public housing properties, except in certain situations. Emergency Rules can be found on the HPHA’s website at:
http://www.hpha.hawaii.gov/referenceinformation/admin_rule.htm

G. Individuals who are making deliveries to an HPHA property or facility and who leave within 10 minutes of entry (e.g., Office Depot or FedEx) are not subject to vaccination and testing requirements for visitors described herein. Individuals who are making deliveries which exceed 10 minutes, may be required to provide proof of vaccination status or COVID-19 negative test result. Individuals who are making deliveries must still wear a mask the entire time they are present at any HPHA property or any HPHA facility and physically distance themselves from others. Masks may not be single ply (e.g., gaiter masks), but must consist of two or more layers of protection. Masks must completely cover the individual’s mouth and nose and fit snugly against the sides of the face (with no gaps).

H. In order to ensure continuity of services, the HPHA may provide a disposable face masks to visitor(s) upon request, when available.

V. TESTING REQUIREMENTS FOR CONTRACTORS

1. Testing requirements shall apply to all contractors, volunteer, or vendor providing goods, equipment, construction, consulting, or any other materials or services to the State whether paid or unpaid; concessionaire, permittee, or commercial operator in any HPHA facility; or anyone employed by the contractor or providing service for or on behalf of the contractor who enters, works, or provides services in any State facility under any type of subcontract or other agreement. Any contractor who provides services exclusively on a remote/electronic basis may request an exemption from vaccination and testing requirements.
2. Reporting Deadlines: The first Testing Attestation and negative test result is due to the HPHA prior to the start of any Contractor employee’s work shift on **Monday, September 13, 2021, or as soon as possible thereafter.** Thereafter, weekly testing attestations and test results shall be due to the HPHA no later than 12:00 noon each Monday. If an employee is on leave or if the above dates are a scheduled day off, the testing attestation and negative test result shall be submitted prior to the employee’s next scheduled work shift.

3. Contractor employees subject to testing are to submit their Test Attestation forms and test results to their employer prior to the deadline and not directly to the HPHA.

4. The HPHA will only accept FDA approved, Emergency Use Authorization antigen or nucleic acid amplification testing results from a certified lab. Self-testing and at-home testing results will not be accepted.

5. Contractors may request to submit weekly testing results on any business day as long as the day of the week remains consistent on a weekly basis. Consistent with the Governor’s Emergency Proclamation, any employee who does not have their testing done at a free site will generally be responsible for paying for their tests.

6. Only negative test results received up to 72 hours prior to the above reporting deadlines will be accepted. Test results that are older than 72 hours will not be accepted. The Contractor is responsible to make a determination of whether a test is within the 72 hours based on the date and time of the testing.

7. Contractors will be responsible for all delays in testing, receiving test results, and reporting. No extension of the reporting deadlines will be granted. Any contractor employee who fails to submit a negative COVID-19 test result on a timely basis shall not be allowed on the HPHA’s property, until a test result is received and reported to the HPHA.

8. Contractor employees who test positive for COVID-19 are not allowed at the HPHA’s properties or facilities, and shall quarantine and isolate as required. (Contractor is responsible for conducting contact tracing to ensure that none of their employees on the HPHA’s property had prolonged exposure to a COVID-19 positive employee.)

9. A Contractor who knowingly allows its employees to remain at the work site without submission of a valid negative COVID test result or who knowingly
allows a COVID-19 positive employee to remain at the work site shall be subject to contractual remedies or other remedies as allowed under the law.

VI. NON-COMPLIANCE WITH TESTING OR REPORTING REQUIREMENTS

1. Any contractor employee who fails to comply with the vaccine attestation, testing, or reporting requirements shall be immediately removed from the HPHA’s property or facility.

2. Contractor employees subject to weekly testing may be permitted to return to the worksite when they provide the testing attestation form and a negative test result.

VII. CONTRACTOR EMPLOYEES WHO RECENTLY TESTED POSITIVE FOR COVID-19

1. According to medical experts, individuals who have contracted COVID-19 and recovered are likely to continue testing positive, even though they are no longer contagious, for up to 90 days. Therefore, unvaccinated employees who recently tested positive for COVID-19 and have been cleared by their physician to return to work shall be given a 90-day grace period from the time they tested positive before being required to undergo weekly testing protocols. These employees must provide documentation of their positive test result to their employer (e.g., a note from their physician or lab report) to qualify for the 90-day grace period.

2. Employees who do not provide a copy of their positive test result (which will establish the start date for the 90-day grace period) AND clearance by their physician to return to work, shall not be allowed to return to work at the HPHA’s properties and facilities.

VIII. PRIVACY REQUIREMENTS

All information and documents indicating the vaccination statuses and test results of employees are considered confidential medical information and Contractors are reminded to treat and handle the information as such.

For example, copies of COVID-19 test results or attestation forms should be kept in a secure file. Medical information should not be included in an employee’s official personnel file. Additionally, any office that is submitting information electronically must submit documentation in a secure email and must immediately remove any scanned documents from the public directory where the scanned documents are stored. To send an encrypted email, type *SECURE* in the subject line.
IX. POLICY CHANGES

This policy was established based on all current and known information as distributed by the Governor’s Office. Future policy changes or updates will be issued in writing.

Please note that the HPHA will monitor active COVID case count at the public housing properties and may require testing twice a week if necessary to prevent community spread.

X. ATTACHMENTS

A. COVID-19 Vaccination Status Attestation
B. COVID-19 Testing Attestation
State of Hawaii
Hawaii Public Housing Authority

Contractor Attestation and Certification of Compliance with the Governor's Executive Order 21-07 for Access to State Properties

Contractor Name:

Contractor Street Address:  Contractor Mailing Address:

Business Phone with Area Code:

Days and Hours of Operation:

Primary Point of Contact:  Title:

Point of Contact Telephone:

Point of Contact Email:

Number of Full Time Employees Subject to Executive Order No. 21-07:

Number of Part Time Employees Subject to Executive Order No. 21-07:

Number of Volunteers Subject to Executive Order No. 21-07:

Number of Subcontractors Working Under This Contractor:

Number of Subcontractor Employees Subject to Executive Order No. 21-07:

Number of Other individuals representing Contractor Subject to Executive Order No. 21-07:

Describe Scope of Contract (e.g., Contract No., Location, Scope of Work):

9/12/21
By completing and submitting this Contractor’s Vaccination Attestation and Certification Form pursuant to the Governor’s Executive Order 2021-07, I acknowledge, agree and certify the following:

1. I am the owner of and/or authorized agent for the business listed above.

2. I have read, understood, and agree to the requirements of the Governor’s Executive Order 21-07 and the Hawaii Public Housing Authority’s Policy on COVID-19 Vaccination and Testing Procedures for Contractors and Visitors and that the business as a vendor or contractor with the HPHA attests and certifies that all of its employees who are physically present/located, at any HPHA property or facility, are fully vaccinated with the COVID-19 vaccination consistent with all applicable state and federal laws.

3. I understand and agree that all of our employees, who are partially vaccinated or non-vaccinated, are subject to regular weekly testing for COVID-19; and that as their employer I attest to and certify that the testing was performed, administered or observed by a laboratory, testing site, or healthcare provider or facility or authorized agent of the laboratory, testing site, or healthcare provider or facility of a sample taken not more than 72-hours prior to the start of the work week.

4. I agree that any employee, subcontractor employee, or volunteer shall be immediately removed from the HPHA’s property, facility or work site, if any of the conditions exist:
   a. Employee fails to provide testing results within 72 hours;
   b. Employee tests positive for COVID-19;
   c. Employee reports that they have had prolonged exposure to a COVID-19 positive individual and have not been cleared by their doctor to return to work or does not have a negative COVID-19 test to return to work;
   d. Employee reports that they have COVID-19 symptoms; or
   e. Employee has falsified or submitted a fraudulent COVID-19 vaccination card.

5. I have attached a list of all employees, subcontractor employees, volunteers, or other designated representatives who will access the HPHA’s properties or facilities and certify that I have verified their vaccination status and will submit weekly testing verification, if requested. I agree and understand that any changes in staff require immediate reporting to the HPHA.

6. I understand and agree that my business may be randomly audited by HPHA or other State authorized personnel for purposes of monitoring compliance with Executive Order 2021-07, and that I and/or the business or owners, managing member(s), partner(s) are subject to all penalties for violation of the Order.

I certify under penalty of perjury that the foregoing certification is true and correct, as executed by my signature on the date set forth below.

Print Full Name: ________________________________
Signature: ___________________________ Date: ___________________________

*Attachment Required: Contractor Employees

9/12/21
Contractor or Subcontractor Employees

Please list the names and titles of all employees who will access the HPHA’s properties or facilities. (Attach additional pages as necessary.)

| Contractor: |

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I certify under penalty of perjury that the information provided herein is true and correct, as executed by my signature on the date set forth below.

Print Full Name: ____________________________

Signature: ____________________________ Date: ____________________________

9/12/21
COVID-19 Testing Attestation

As required in accordance with Governor Ige’s Executive Order 21-07 of September 9, 2021, as of Monday, September 13, 2021, all contractors and their employees entering State facilities and properties must provide proof that (i) they are fully vaccinated for COVID-19; or (ii) if partially vaccinated for COVID-19 (which includes receipt of one dose of a two-dose course of vaccination, completion of a single-dose vaccine less than two weeks ago, or completion of a single-dose vaccination less than two weeks ago) or unvaccinated, they received a negative test result of a COVID-19 test. An employee who is not fully vaccinated must provide this attestation of a negative COVID-19 test prior to the commencement of work.

The information provided must be accurate and complete to the best of the employee’s knowledge.

* * * * *

I understand that knowingly making a false statement on this form is a crime and can be punished by fine or imprisonment or both (HRS § 710-1063).

I understand and acknowledge my obligation to obtain and submit this attestation of a negative test result for COVID-19 from an FDA emergency use authorization antigen or nucleic acid amplification test completed by a CLIA certified laboratory or testing site prior to the commencement of work on HPHA property or facility.

I understand and acknowledge that my company and individual test results may be audited by the HPHA or other designated State representative at any time.

☐ I have received a negative test result for COVID-19 based on a test sample taken from me not more than 72 hours prior to my entry to the HPHA property or facility and have provided or produced a copy of the test results to my employer.

☐ I am partially vaccinated and intend to become fully vaccinated. I understand that I am subject to weekly testing and must submit a weekly testing attestation until two weeks after I become fully vaccinated.

Type of initial shot: Pfizer, Moderna, or Johnson & Johnson. (Circle One)

Date of initial shot: 

__________________________

Company Name of Contractor

__________________________  ______________
Print Contractor Employee’s Full Name ___________________ Date

__________________________
Contractor Employee’s Signature