

SCHEDULE 19

SECURITY CLEARANCE REQUIREMENTS

SECTION A DEFINITIONS

A1. Capitalized Terms

A1.1 Capitalized terms used in this Schedule 19 have the meanings set out in the Design Build Agreement, unless otherwise expressed in this Schedule 19.

A2. Definitions

A2.1 “**Designated Design Builder Employee**” means those persons identified as such in Section B1.1 and B1.2.

A2.2 “**Security Clearance Check**” means a criminal record search certificate including a vulnerable sector screening from the City of Winnipeg Police Service, the police service having jurisdiction at the place of residence of the Designated Design Builder Employee, from the organization BackCheck or another organization providing criminal record check services acceptable to the City.

A2.3 “**Security Clearance Check – Basic Form**” means a criminal record search certificate from the City of Winnipeg Police Service, the police service having jurisdiction at the place of residence of the Designated Design Builder Employee, from the organization BackCheck or another organization providing criminal record check services acceptable to the City.

SECTION B SECURITY CLEARANCE REQUIREMENTS

B1. Security Clearance

B1.1 Every person employed or engaged by Design Builder or a Design Builder Party who is:

- (a) carrying out work on private property and within an individual’s residence or a private business; or
- (b) communicating with members of the public in person within an individual’s residence or a private business, (each a “**Designated Design Builder Employee**”) shall be required to obtain, maintain and submit to the City a Security Clearance Check in accordance with this Schedule 19.

B1.2 Every person employed or engaged by Design Builder or a Design Builder Party who is:

- (a) carrying out work or communicating with members of the public in person on private property, but not within an individual’s residence or a private business, (each a “**Designated Design Builder Employee**”) shall be required to

obtain, maintain and submit to the City a Security Clearance Check - Basic Form in accordance with this Schedule 19.

- B1.3 All Designated Design Builder Employees must obtain:
- (a) a Security Clearance Check prior to performing any work specified in Section B1.1; or
 - (b) a Security Clearance Check – Basic Form prior to performing any work specified in Section B1.2.
- B1.4 Any individual for whom a Security Clearance Check or Security Clearance Check – Basic Form, as applicable, is not provided, or for whom a Security Clearance Check or Security Clearance Check – Basic Form, as applicable, indicates any convictions or pending charges related to property offences or crimes against another person will not be permitted to perform any work specified in Section B1.1 or Section B1.2, as applicable, without the City's prior consent.
- B1.5 At any time during the Project Term, the City may, at its sole discretion and acting reasonably, require an updated Security Clearance Check or Security Clearance Check – Basic Form, as applicable. Any individual who fails to provide a satisfactory Security Clearance Check or Security Clearance Check – Basic Form, as applicable, as a result of a repeated criminal records search will not be permitted to continue to perform any work specified in Section B1.1 or Section B1.2, as applicable.
- B1.6 The cost of obtaining Security Clearance Checks or Security Clearance Check – Basic Form, as applicable, for all Designated Design Builder Employees shall be borne by Design Builder.