



# City of Seattle

Mayor Jenny A. Durkan

## Office of the Mayor

### City of Seattle

Jenny A. Durkan, Mayor

#### **Executive Order 2021-08: COVID-19 Vaccination Requirements for City Contractors**

*An Executive Order requiring City of Seattle contractors and volunteers be fully vaccinated from COVID-19 if their work involves being on-site or requires interaction with the general public.*

WHEREAS, in my capacity as Mayor, I proclaimed that a civil emergency exists in the City of Seattle in the Mayoral Proclamation of Civil Emergency dated March 3, 2020 by RCW Chapter 38.52, the Charter of the City of Seattle, Article V, Section 2, and Seattle Municipal Code Chapter 10.02; and

WHEREAS, the City of Seattle performs essential government services, often in-person, including but not limited to those that protect life, health and safety; and

WHEREAS, the City of Seattle does business with thousands of contractors, vendors, consultants, suppliers and other firms to provide critical goods and services, consulting services and public works/construction services; and

WHEREAS, the City of Seattle has hundreds of volunteers each year in capacities ranging from the Seattle Animal Shelter to Seattle Parks and Recreation providing essential public services; and

WHEREAS, many of these vendors, consultants, contractors and volunteers come into in-person or on-site contact with the public and with City of Seattle employees as part of their scope of work; and

WHEREAS, over 20% of City procurement dollars are spent with women- and minority-owned businesses (WMBEs) and both supporting contracting equity and prioritizing the health and safety of BIPOC communities are key City values; and

WHEREAS, COVID-19 cases have been rising nationwide and are still a risk in the City of Seattle, with the overwhelming majority of cases and hospitalizations being among the unvaccinated; and

WHEREAS, vaccination is the best tool to reduce hospitalization and death from COVID-19 and safeguards the health and well-being of our communities and mitigates the spread of COVID-19 at our worksites and in our community; and

WHEREAS, thanks to the quick and effective response to COVID-19, including City of Seattle-led drive-through testing sites, community vaccination sites and the vaccination site at Lumen Field, the City of Seattle has among the highest vaccination rates and lowest hospitalization and deaths of any major City; and

WHEREAS, the City of Seattle administered over 260,000 vaccines to 134,000 individuals, with 45% of those people from communities of color; and

WHEREAS, vaccinations are readily free and available through the City of Seattle; and

WHEREAS, on Aug. 8, 2021, coinciding with Governor Inslee and King County Executive Constantine, I issued a Mayoral Directive requiring City employees to be fully vaccinated by Oct. 18, 2021; and

WHEREAS, on Aug. 20, 2021, Governor Inslee issued [Amendment 21-14.1](#) to Proclamation 20.05 issuing a COVID-19 vaccination requirement for state employees, contractors and vendors; and

WHEREAS, on Sept. 9, 2021, President Biden signed an [Executive Order](#) issuing a COVID-19 vaccination requirement for contractors doing business with the federal government; and

WHEREAS, on Sept. 22, 2021 King County Executive Constantine signed [ACO-8-28-EO](#) issuing a COVID-19 vaccination requirement for King County contractors and volunteers; and

WHEREAS, the City recognizes the need to balance speed of roll-out with time to allow smaller firms, many of which are WMBEs, to develop procedures to track vaccination requirement compliance;

NOW THEREFORE, I, Jenny A. Durkan, Mayors of Seattle, hereby direct City departments to carry out the following orders to help combat the COVID-19 pandemic in our community and promote the health and well-being of the people of Seattle:

**A. COVID-19 Vaccination Requirement**

All City of Seattle contractors and volunteers working with executive offices and departments (“departments”) shall be fully vaccinated if the work is required to be performed in-person and on-site.

- In-person includes any situation where a contractor or volunteer interacts face-to-face with the public or other City staff, contractors or volunteers, regardless of how many other people are present.
- On-site includes, but is not limited to City property, City facilities, City rights-of-way and/or locations that require interaction with the general public. This requirement is valid whether or not other workers are present.
- The requirement applies to both indoor and outdoor worksites.
- The requirement shall apply regardless of length or frequency of work with the City, except as noted in “B. COVID-19 Vaccine Requirement Exceptions.”

“Contractor” includes:

- Providers of goods and services (vendors);
- Providers of public works/construction services;
- Consultants;

- Subcontractors and subconsultants;
- Any other individuals or entities that provide goods, services, consulting services or public works to the City of Seattle either directly or through a subcontract; and
- A person engaged to work as an employee, temporary employee or other working arrangement with any group listed above.

“Volunteer” includes:

- Any individual donating time or service to a department of the City of Seattle.

## **B. COVID-19 Vaccine Requirement Exceptions**

1. This Executive Order does not include:

- Contractors and volunteers who have a fleeting physical presence on site; aka contractors and volunteers who are present at a site for only a short period of time.
  - Examples include, but are not limited to, contractors delivering supplies by truck to a construction site where they remain physically distanced from others on the site; refuse pickup; or a driver for a contracted shipping and delivery service briefly entering a site to pick up parcels for shipping.
- Contractors or volunteers where work is always performed at a different physical location.
  - Examples include consultants who solely interact with City employees and the public through email or video calls.
- Contractors or volunteers who do not work on City projects either in-person or on-site.
  - An example: If a contractor has 100 employees, but only 10 of them work on a City project in-person or on-site, only those 10 employees must fulfill the vaccine requirement.

2. Unless approved by the City due to business necessity, contractors or volunteers who have not been fully vaccinated may not perform work for the City in-person and/or on-site.

## **C. Evidence of Vaccination**

1. To be considered fully vaccinated, a contractor/volunteer must receive a vaccination recommended by the Centers for Disease Control and Prevention (CDC) and must be 14 days past the last shot required in the vaccination series. If the CDC updates guidelines the City shall accept the updated CDC definition of fully vaccinated.

2. Contractors/volunteers must provide proof of full vaccination against COVID-19 by providing one of the following:

- i. CDC COVID-19 Vaccination Record Card, photo or photocopy photo of the card;
- ii. Documentation of vaccination from a health care provider or electronic health record;
- iii. Immunization information system record from an official state system for any state in the United States; or
- iv. For an individual who was vaccinated outside of the United States, a reasonable equivalent of any of the above.

3. A contractor may not verify individual vaccinations by obtaining only a personal attestation rather than verification of COVID-19 vaccination records as described above.

4. A City department may not verify individual vaccinations of volunteers by obtaining only a personal attestation of COVID-19 vaccination records as described above.

#### **D. Attestation and Timeline**

1. All City departments shall require contractors who are subject to this Executive Order to assume responsibility for the evidence of vaccination for every individual who meets the criteria outlined in Section A.

2. City departments must validate contractors have verified evidence of vaccination by obtaining an attestation declaration in a form prescribed by the City from contractors that declares they have verified proof of full vaccination from every individual who meets the criteria outlined in Section A.

3. City departments must obtain a copy of or visually observe proof of full COVID-19 vaccination for every person who volunteers for their department.

4. After Dec. 5, 2021, contractors are prohibited from engaging in work for a department unless the following requirements are met:

- i. By Dec. 5, 2021, the contractor must obtain a copy of or visually observe proof of full COVID-19 vaccination against COVID-19 for every current employee who is subject to the vaccination requirement in this Executive Order;
- ii. The contractor must obtain a copy of or visually observe proof of full vaccination against COVID-19 for every employee hired after Dec. 5, 2021 who is subject to the vaccination requirement in this Executive Order and submit an attestation declaration declaring the contractor has done so;
- iii. By Dec. 5, 2021, contractors subject to this Executive Order must submit to the department an attestation declaration declaring that the contractor has met the above requirements.

5. After Dec. 5, 2021, volunteers are prohibited from engaging in work for a department unless the following requirements are met:

- i. By Dec. 5, 2021, the department must obtain a copy of or visually observe proof of full COVID-19 vaccination against COVID-19 for every current volunteer who is subject to the vaccination requirement in this Executive Order;
- ii. The department must obtain a copy of or visually observe proof of full vaccination against COVID-19 for everyone who volunteers after Dec. 5, 2021 who is subject to the vaccination requirement in this Executive Order.

6. The contractor may request a limited time extension to come into full compliance. City departments may determine if this extension is possible and necessary.

7. The contractor must submit additional attestation declarations upon the request of and by the date designated by the City Department.

8. The contractor must cooperate with any investigation or inquiry the City Department makes into the contractor's compliance with these requirements, including by providing information and records upon request, except any information or records that the contractor is prohibited by law from disclosing.

9. Contractors are prohibited from providing attestations of vaccination that contain insufficient information or that they know, or should know, are based on false, misleading or dishonest grounds or information.

#### **E. Restrictions by another Governmental Agency**

1. Nothing in this order exempts a contractor or volunteer from complying with more restrictive requirements from the State of Washington, King County, or the federal government, or any other applicable governmental agency.

2. Contractors and volunteers must comply with the measures in this Executive Order, even if more restrictive than requirements from another governmental agency.

#### **F. Failure to Comply**

1. Failure by a contractor to comply with this Executive Order may result in the termination of a contract for cause, including debarment from future contracts with the City.

2. Failure of a volunteer to comply with this Executive Order may result in barring onsite work or dismissal from their role at the City.

#### **G. Implementation**

1. By Nov. 1, 2021, the City shall establish all procedures, guidelines, forms and policies necessary to begin implementation of this Executive Order. These procedures shall include assigning what department is responsible for working with what contract type.

2. The City shall update procedures, guidelines, forms and policies as appropriate.

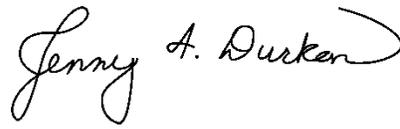
3. All procedures, guidelines, forms and policies shall keep values of contracting equity and race and social justice by offering technical assistance and outreach as appropriate.

#### **H. Termination**

1. This Executive Order shall continue indefinitely.

2. The City shall monitor future guidance and directives from Public Health - Seattle & King County, as well as the county, state and federal government to determine if termination is necessary.

Dated this 28<sup>th</sup> day of September, 2021.

A handwritten signature in black ink that reads "Jenny A. Durkan". The signature is written in a cursive, flowing style.

Jenny A. Durkan  
Mayor of Seattle