

Savvis Contractor Background Check and Drug Testing Requirements

These Background Check and Drug Testing Requirements (the “Requirements”) apply to any contingent worker, temporary agency worker, consultant or independent contractor (collectively, “Contractor Personnel”) who will be performing Services for Savvis. In addition to the obligations set forth below, Contractor shall perform thorough screening and selection of all Contractor Personnel who will be performing Services for Savvis, including reasonable background checks as set out in these Requirements. Contractor will confirm the legal status of Contractor Personnel to work in the jurisdiction in which they will be performing services.

Required Checks for United States Personnel

Contractor shall: 1. meet the requirements of the Fair Credit Reporting Act, any regulations issued thereunder, and any other applicable federal, state or local laws or regulations, and 2. perform background checks which shall include, at a minimum:

- (1) identity verification / Social Security Number trace;
- (2) a criminal history check consisting of an inquiry of official government record repositories for any federal, state, and local felony or misdemeanor adjudication (e.g., conviction, deferred judgment, nolo contendere or finding of criminal liability by a court of competent jurisdiction) and/or pending dispositions for all areas of residence / employment over the last seven (7) years;
- (3) education verification (highest level obtained);
- (4) employment history (last 10 years);
- (5) reference check;
- (6) a five (5) or ten (10) panel drug screen;
- (7) a credit check, if requested by Savvis;
- (8) screening to confirm that the Contractor Personnel is not included in the U.S. Department of Treasury’s Office of Foreign Assets Control list of Specially Designated Nationals and Blocked Persons.

Adjudication

Contractor will consider all of the information provided from a background check when determining if the Contractor Personnel will provide services for Savvis. Contractor will not utilize, or promptly remove from providing Services, any Contractor Personnel who:

- (a) has had a positive or positive dilute drug test result within the last twelve (12) months;
- (b) is not authorized to work in the jurisdiction in which they will be performing services;
- (c) has falsified, misrepresented or omitted information required to be disclosed or provided any misleading statement in the application or resume;
- (d) has been convicted (felony or misdemeanor) of fraud, theft, dishonesty, a crime otherwise related to assignment duties, or a crime wherein placement, in light of the conviction, would risk Company’s property or the safety of Company employees or the general public, such as a conviction for a violent crime, within the past 7 years ;

(e) is subject to any pending criminal offense that would disqualify a candidate using the guidelines according to subsection (d) above, or has an outstanding arrest warrant;

(f) has a material history of adverse credit, if applicable;

(g) is included in the U.S. Department of Treasury's Office of Foreign Assets Control list of Specially Designated Nationals and Blocked Persons; or

(h) for whom the Contractor has any information which suggests that such person is unqualified, dishonest, untrustworthy, unreliable, or has any history of violence.

International Personnel

If Contractor Personnel are based outside of the U.S. and any of the checks described above are not available or applicable within the Contractor's country of operation, Contractor will notify Savvis of this fact and make every effort to utilize Contractor Personnel who could reasonably meet these standards and provide Savvis reasonable documentation of such efforts. These efforts shall include, by way of example, alternative screening to include verification of references, previous employment, education, identity, and/or residence. Contractor shall comply with all applicable laws of the country in which Contractor Personnel are located and all applicable laws of the country in which Contractor Personnel shall provide services.

Compliance

At Savvis' request, Contractor will audit its compliance with all of the above requirements, and will, within 5 business days of Savvis' request, deliver a written certification to Savvis confirming that Contractor has been and is in compliance with these requirements. Contractor must maintain security/criminal investigation results for review by Savvis upon request. Details of actual results will remain confidential. At Savvis' request, Contractor will furnish documentation supporting compliance, including the U.S. Citizenship and Immigration Services Form I-9 (Employment Eligibility Verification form) for any Contractor Personnel. Savvis reserves the right to modify these Requirements at any time in its sole discretion. Upon request from Savvis, Contractor shall reperform the background checks required under these Requirements.

Removal of Personnel

Contractor will remove any Contractor Personnel promptly from providing Services to Savvis if Savvis requests Contractor to reperform the background checks required under these Requirements and Contractor Personnel does not meet these Requirements. Savvis is not obligated to pay for Services provided by the Contractor Personnel following Savvis' request for his or her removal. Savvis is not obligated to pay for any costs associated with replacing Contractor Personnel.