



**Contractor and Subcontractor Criminal
Screening Requirements
for HOC Contractors**

HOC Contractor and Subcontractor Screening– Introduction

- Purpose:
 - Protect the safety and welfare of residents, staff, and HOC property.
- Applicable Provisions:
 - Title VII of the Civil Rights Act of 1964;
 - Maryland State and Montgomery County Human Rights and Consumer Protection Laws;
 - HUD Equal Opportunity Regulations.

HOC Contractor Screening– Vendor Applicability

- Any contractor or subcontractor awarded an HOC contract is required to conduct background screening on their personnel prior to assignment to HOC premises, job sites, projects, or property owned, leased, operated, or otherwise under the control of HOC.
 - Includes personnel that may be required to perform work at an HOC location, regardless of whether the HOC site is occupied by residents or not.
- Requirements will not apply if all work is performed remotely or no personnel will be required to perform work at a physical HOC location.

HOC Contractor Screening– Screening Requirements

- All applicable persons must be screened within 90 days of the contract.
- Elements of the Background Screening: Construction/General Worker Position
 - Criminal Conviction History (County Search);
 - Nationwide state and federal results for felony or misdemeanor records;
 - Nationwide Sex offender search;
 - Verification of Social Security Number; and
 - Verification of Immigration Status.
 - Note: HOC prohibits any contractor subcontractor from employing any person on HOC premises who does not have valid authorization to work in the United States.
 - Driver History: Where permitted by law and if personnel is required to operate a motor vehicle on HOC premises.

HOC Contractor Screening– Ineligibility to Work

- Ineligible Personnel:
 - Persons convicted of a crime against or otherwise involving a minor at any time.
 - Persons convicted of a crime of violence or other serious crime against a person.
 - Persons convicted of a felony in the past 10 years.
 - Persons convicted of sex offenses.
 - Persons convicted of a theft related crime or fraud within 10 years.
- Any person who could reasonably be believed to present a risk of dishonest, dangerous or violent behavior, or who is otherwise unqualified to participate.
- Contractor or subcontractor must notify HOC of any supplemental criminal background information (police reports, arrest information, etc.).

HOC Contractor Screening– Liability

- A contractor/subcontractor may be held liable to HOC or residents of HOC properties for any damage suffered by HOC or residents of HOC properties resulting from any contractor/subcontractor employee that engages in criminal activity on any HOC premises, job sites, projects, or property owned, leased, operated, or otherwise under the control of HOC.
- HOC reserves the right to seek indemnity from any contractor/subcontractor for any liability or potential liability that may result from criminal acts of contractor/subcontractor employees, or as the result of any violation of this requirement.

HOC Contractor Screening– Non-Compliance/Oversight

- Non-Compliance:
 - HOC may terminate any contract with a contractor for violation of this requirement.
 - Contractors are required to terminate any contract with subcontractors if the terms of the requirements are breached.
- HOC Oversight:
 - HOC Compliance conducts Quality Control reviews of contractors/subcontractors to monitor compliance with the Contractor and Subcontractor Screening Requirements.
 - Contractors must provide:
 - Pass/fail results for site/project personnel directly from the screening source.
 - Background screening criteria to ensure it meets HOC standards.

Questions?

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