

being deemed not responsive in accordance with Section 21.40 of the Broward County Administrative Code.

(2) Exceptions. The requirements under Section 26-125(d) are not applicable if:

a. The vendor is required by applicable federal, state, or local law to conduct A criminal history background check is required by state or federal law in connection with potential employment at a time or in a matter that would otherwise be prohibited by this section;

b. The applicable contract is not a competitive solicitation or is exempt from Chapter 21 of the Broward County Administrative Code;

c. The vendor is a governmental agency; or

d. The Broward County Board of County Commissioners determines that it is in the best interests of Broward County to waive the requirements of Section 26-125(d) for the applicable contract or vendor.

(3) Contracts. Every contract between a vendor and Broward County for goods or services in the amount of \$100,000 or more shall obligate the vendor to comply with the applicable provisions of this section for the duration of the contract. Each such contract shall include provisions in substantially the following form and content:

a. The vendor certifies and represents that it will comply with Section 26-125(d) during the entire term of the contract; and

b. The failure of the vendor to comply with Section 26-125(d) at any time during the contract term shall constitute a material breach of the