

# Burns & McDonnell Supplier Code of Conduct

## PREAMBLE

At Burns & McDonnell we have built our reputation, and our business, on being known for integrity and the close adherence to strong ethical principles. That was true more than a century ago, and it's just as true today. No matter how successful we become, we can never lose sight of that principle. Burns & McDonnell has a Business Conduct Guide that contains specific corporate policies and establishes a common set of ethical standards and legal principles that are binding for all Employees of Burns & McDonnell and its Subsidiaries worldwide.

The purpose of this Supplier Code of Conduct is to define Burns & McDonnell's expectations of Suppliers in relation to its work with Burns & McDonnell, including compliance with any local and national laws and regulations. Any breach of this policy will be considered a breach of proper conduct.

Burns & McDonnell expects all Suppliers to subscribe to the same ethical standards and will not condone any illegal or unethical actions on the part of any Suppliers.

Burns & McDonnell will only work with qualified Suppliers who are committed to safely and responsibly delivering quality goods and service on time and within budget. Although quality, cost, and timeliness are important, we will not solicit and award purchase orders and subcontracts to Suppliers that do not meet our standards for safety, ethics, conduct, and protection of human rights. Burns & McDonnell is committed to safety, ethical behavior, and respect for human rights and we expect the same dedication from our Suppliers.

Our Suppliers must comply with all terms of the purchase order and/or subcontract and will immediately notify Burns & McDonnell of any actual or potential violations. To the extent that the purchase order or subcontract does not contain specific requirements that append or modify the below, we expect our Suppliers to commit to the following:

## DEFINITIONS

**Close Family Member:** means the individual's spouse; the individual's and the spouse's grandparents, parents, siblings, children, nieces, nephews, aunts, uncles and first cousins; the spouse of any of these people; and any other individuals who share the same household with the Government Official.

**Government Official:** means any officer or employee of any government or any department, agency or instrumentality thereof, or of any government-owned or government-controlled corporation or any public international organization, or any person acting in an official capacity for or on behalf of any such government or department, agency, instrumentality, corporation or public international organization

**Laws:** mean all applicable national, federal, state, and local laws, ordinances, judicial decrees and decisions and regulations of the United States of America or, as applicable, any other national or international laws with jurisdiction that have jurisdiction over the work.

**Supplier:** means any supplier, subcontractor, or consultant including their employees, sub-suppliers, lower tier subcontractors, subsidiaries, affiliates and agents.

## **SAFETY**

Burns & McDonnell has a safety and health plan at its facilities and construction sites. Our Suppliers must comply with the site safety requirements of each Burns & McDonnell jobsite. At Suppliers' facilities, Suppliers should always operate facilities in a safe manner and must protect Burns & McDonnell personnel, its agents, and their employees. In all locations, Suppliers must provide a safe environment in accordance with all Laws and applicable standards concerning protection of health and safety of its employees in the workplace and other persons affected by its business activities. Suppliers must comply all Laws and applicable standards related to the prevention of environmental pollution. Suppliers must have a safety policy and system in place to manage, track and report occupational injury and illness, that all employees will be trained on a regular basis and have a commitment to safety as a core value.

## **ETHICS**

Burns & McDonnell is committed to high standards of ethical conduct and seeks to do business only with Suppliers who share these values. Suppliers must observe high standards of personal and business ethics. We do business fairly, properly, and impartially and expect the same from our Suppliers. Any conduct that fails to meet these standards of ethics, integrity, and responsible conduct may, at Burns & McDonnell's discretion, be the basis for denying potential suppliers and subcontractors the opportunity to participate in a solicitation.

## **COMPLIANCE WITH LAWS**

Suppliers must, at all times, observe and abide by all Laws. Burns & McDonnell requires foreign Suppliers, whether a project is inside and outside the U.S., to comply with the requirements of certain U.S. laws. If there is a conflict between applicable local law and applicable U.S. law, Supplier shall seek the guidance of Burns & McDonnell's Legal Department to resolve the conflict.

Suppliers must ensure that their Suppliers agree to these terms in their subcontracts and purchase orders for any portion of the work.

## **ANTI CORRUPTION**

Suppliers shall comply with all laws in regard to the bribery of public officials and private sector employees, including without limitation, all provisions of the United States Foreign Corrupt Practices Act, and U.K. Bribery Act of 2010, and any amendments thereto.

Suppliers shall not offer, promise, authorize, solicit, pay or give any bribe, kickback or other improper payment of money or anything of value to an employee of Burns & McDonnell to gain any preferred treatment or improper advantage. During the bidding phase, Suppliers shall also refrain from giving, directly or indirectly, any gifts, hospitality, entertainment, or travel to Burns & McDonnell employees or anyone closely related to Burns & McDonnell employees that could give the appearance of impropriety or create a potential conflict of interest. Normal and customary business meals and entertainment or

the giving of business mementos of nominal value may be provided to Burns & McDonnell employees at other times provided such activities are reasonable in the circumstances in which they are given and do not violate the laws of the country in which they are given, the laws of the United States or other applicable anti-corruption laws.

Suppliers must confirm that no director, direct or indirect owner, employee, or other person who will be involved in providing goods or services to Burns & McDonnell is a Government Official, political party official or candidate, or a Close Family Member of such an official or candidate. Suppliers shall disclose in writing, to Burns & McDonnell within thirty (30) days any change in its ownership or management that affects the foregoing statement. For the purposes of this Supplier Code of Conduct:

#### **BOOKS AND RECORDS**

Supplier shall maintain accurate books and records and record all payments, in cash or in kind, made by Supplier on behalf of Burns & McDonnell or related to the contract or the work.

#### **IMPORT AND EXPORT CONTROL**

Suppliers must possess and maintain all necessary registrations, records and documents related to any shipments or exports related to the contract or work.

Suppliers shall comply with the import and export, re-export and sanctions laws and regulations of the United States of America, and of any other applicable jurisdiction or country (to the extent not in conflict with the laws of the United States of America). Suppliers shall not acquire any goods or services if any law, regulation, or other government action of the United States or any other applicable country would prohibit such a transaction. This includes, but is not limited to, a prohibition on the supply of goods or services that originate in a country that is subject to U.S. economic embargo, or that are that are supplied by a person that is a listed or blocked person or entity under any U.S., UN, EU, or other applicable embargo or sanctions program.

#### **POLITICAL CONTRIBUTIONS**

Suppliers shall follow applicable laws regarding political contributions.

#### **DISCLOSURE**

Suppliers shall comply with the laws of the U.S. and the regulations of the U.S. Securities and Exchange Commission and the New York Stock Exchange regarding the use and public disclosure of material nonpublic information, including those regarding insider trading. Supplier shall also refrain from disclosing Burns & McDonnell's confidential or proprietary information at any time to persons outside the Contracting Relationship without proper authorization.

#### **DISCRIMINATION AND HARASSMENT**

Burns & McDonnell expects all individuals to be treated with dignity and respect. Supplier must not engage in any kind of discrimination or harassment. Harassment includes sexual, racial, ethnic, and other forms of harassment, including harassment based upon disability. All people must be treated equally and Supplier must not discriminate on the grounds of race, color, sex, religion, ancestry, ethnic heritage, age, mental or physical disability or appearance or any other status protected by the laws or regulations in the locations of operation. Suppliers must treat their employees with respect and not use physical violence, harassment, threat of violence or any other form of physical coercion.

### **EQUAL OPPORTUNITY**

Burns & McDonnell is an equal opportunity employer and employment decisions are made without regard to race, color, gender, age, religion, national origin, ancestry, physical or mental disability, veteran status, sexual orientation, gender identity, caste, and other grounds for discrimination prohibited by applicable law. Suppliers must have employment policies and practices that prohibit illegal or improper employment related decisions.

For work performed in the United States, and to the extent a Supplier is not otherwise exempt, Suppliers must abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a), and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity, or national origin. Moreover, these regulations require that the covered parties take affirmative action to employ and advance individuals in employment, without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, protected veteran status, or disability.

### **CHILD LABOR / TRAFFICKING IN PERSONS**

Burns & McDonnell is committed to respecting all human rights everywhere we operate, consistent with Burns & McDonnell's Vision, Values and Covenants and the spirit and intent of the United Nations Guiding Principles on Business and Human Rights. Burns & McDonnell has a zero-tolerance policy towards child labor, forced labor and trafficking in persons. Burns & McDonnell will not tolerate any kind of forced labor or forced prison labor, child labor, slave labor or any kind of human trafficking. Supplier must not engage in the recruitment, transportation, transfer, harboring or receipt of persons by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person.

Suppliers must obey the laws that require them to treat workers fairly and provide a safe and healthy work environment. Suppliers must adhere to these standards and hold their own Suppliers to the same standards. In addition, Suppliers must:

- Employ workers at or above the applicable minimum age requirement.
- Maintain a workplace free from threats of violence, physical abuse, or other conduct that fails to respect the safety and dignity of a worker.

- Comply with applicable wage laws and, upon end of employment, pay for return transportation costs for workers recruited from outside the country.
- Not charge workers recruitment fees or utilize firms charging workers such fees, and not utilize fraudulent or misleading recruitment practices.
- Not withhold a worker's passport or immigration documents.
- Provide workers a process for escalating and reporting concerns without retaliation.

Suppliers must ensure that each Supplier they engage in connection with a Burns & McDonnell contract agrees to these obligations in any subcontracts or purchase orders related to the contract or work.

### **WORKING TIME / REMUNERATION / FREEDOM OF ASSOCIATION**

Suppliers must fully comply with the Laws concerning the working time including overtime and minimum wage legislation. To the full extent of the Laws, Supplier must respect the freedom of association, collective bargaining, and the right of the employees to form a working council.

### **COMPLIANCE WITH THE BURNS & MCDONNELL SUPPLIER CODE OF CONDUCT**

Suppliers agree that Burns & McDonnell may review documentation demonstrating Suppliers' compliance with the Supplier Code of Conduct and Suppliers must make such records and documentation available to Burns & McDonnell upon request and at no cost to Burns & McDonnell. Any violation of the principles and requirements set out in this Burns & McDonnell Supplier Code of Conduct will be regarded as a serious violation and Burns & McDonnell reserves the right to request from the Supplier that all relevant information be disclosed to demonstrate compliance.

### **SUPPLY CHAIN DIVERSITY**

Burns & McDonnell is committed to a diverse workforce and a diverse supply chain with strong qualifications capable of fulfilling their contract obligations and performing quality work. Within the United States, our Suppliers must comply with 48 CFR 52.219-9 (subcontracting plan regarding small business concerns) and they must assist Small, Disadvantaged, Women-Owned, Veteran-Owned, Service-Disabled Veteran-Owned, and HUB Zone Business concerns to obtain business opportunities. In addition, Supplier should encourage other companies to assist such disadvantaged businesses to the greatest extent possible as well. For all work regardless of locations, Suppliers must strive to identify, source, develop, and otherwise assist local suppliers and subcontractors in performance of the work.

### **SUSTAINABILITY**

We strive to lead the engineering and construction industry in designing and constructing facilities that are environmentally sound, are socially responsible, and leave a sustainable and positive impact on the local communities. We expect our Suppliers to develop work practices to adhere to safe work practices, mitigate adverse impact to the environment, develop local suppliers and subcontractors, and advance the economics of the local community.

### **CONFLICT MINERALS**

Although Burns & McDonnell is not a manufacturer and is a privately held company, we expect our Suppliers to adhere to Section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, which aims to prohibit the use of conflict minerals (gold, tungsten, tantalum, and tin) from the Democratic Republic of the Congo or adjoining countries. Suppliers must conduct due diligence to preclude the sales or installation of any materials or equipment that contain conflict minerals.

#### **RESTRICTED PARTIES**

All Suppliers must acknowledge that the U.S. Government, other country governments, and international organizations publish Restricted Parties Lists (“Lists”) that identify parties (such as known or suspected terrorists, money launderers, and drug traffickers) restricted from certain or all types of transactions. Our Suppliers must review such Lists prior to engaging any person or company that may assist them in connection with a Burns & McDonnell contract, including financial institutions, for all or any portion of the goods or services to ensure such person, company and any relevant owners are not identified on any applicable Lists.

#### **SUB-SUPPLIERS**

In addition to the above commitment, Suppliers must secure the commitment to comply with this policy from their Suppliers. The above requirements are mandatory and reflect, in part, Burns & McDonnell’s corporate values/ethos and social responsibility on such issues.

#### **Burns & McDonnell Integrity Helpline:**

Telephone: 855-446-0505 (toll-free inside the U.S., Guam, Puerto Rico, and Canada)

Website: [www.burnsmcd.ethicspoint.com](http://www.burnsmcd.ethicspoint.com)

Email: [Integrity@burnsmcd.com](mailto:Integrity@burnsmcd.com)