

WORKPLACE SUBSTANCE ABUSE PROGRAMS AT DOE SITES (July 2006)

(a) The Seller shall, consistent with 10 CFR part 707, Workplace Substance Abuse Programs at DOE Sites, incorporated herein by reference with full force and effect, develop, implement, and maintain a workplace substance abuse program. Within 30 days after notification of selection for award of an Agreement, or the award of an Agreement, whichever time is requested by the Company, the Seller's program shall be submitted to the Company for review and approval.

(b) In addition to any other remedies available to the Company and Government, the Seller's failure to comply with the requirements of 10 CFR 707 or to perform in a manner consistent with its approved program may render the Seller subject to: the suspension of subcontract payments, or, where applicable, a reduction in fee; termination for default, and suspension or debarment.

(c)(1) The Seller agrees to notify the Company reasonably in advance of, but not later than 30 days prior to, the award of any subcontract the Seller believes may be subject to the requirements of 10 CFR part 707.

(2) The Seller shall require all subcontracts subject to the provisions of 10 CFR part 707 to agree to develop and implement a workplace substance abuse program that complies with the requirements of 10 CFR part 707, Workplace Substance Abuse Programs at DOE Sites, as a condition for award of the subcontract. The Seller shall submit each subcontractor's program to the Company for review and approval, and shall periodically monitor each subcontractor's implementation of the program for effectiveness and compliance with 10 CFR part 707.

(3) The Seller agrees to include, and require the inclusion of, the requirements of this clause in all subcontracts, at any tier, that are subject to the provisions of 10 CFR part 707.