

Oak Ridge Institute for Science and Education (ORISE)
Supplemental Terms & Conditions
(Contract #: DE-AC05-06OR23100)



1. Definitions

The following terms shall have the meanings below:

- (a) Government means the United States America and includes the U.S. Department of Energy (DOE) or any duty authorized representative thereof.
- (b) Company means Oak Ridge Associate Universities, Inc. (ORAU), acting under Contract No. DE-AC05-06OR23100.
- (c) Subcontractor means the person or organization that has entered into this Agreement.
- (d) Agreement means Purchase Order, Subcontract, Blanket Agreement, Modification, or Release thereof.
- (e) Contract Specialist means Company's cognizant Procurement Representative.
- (f) Educational Institution means an entity identified in the Office of Management and Budget Circular No. A-21.

2. Introduction

The Oak Ridge Institute for Science and Education (ORISE) is a U.S. Department of Energy institute focusing on scientific initiatives to research health risks from occupational hazards, assess environmental cleanup, respond to radiation medical emergencies, support national security and emergency preparedness, and educate the next generation of scientists. ORISE is managed by Oak Ridge Associated Universities (ORAU).

2. Employee Concerns Program

- (a) DOE has established an Employee Concerns Program (ECP) in DOE Order 442.1A available at <http://www.directives.doe.gov/directives>. The ECP applies to any person working for DOE or a contractor or subcontractor on a DOE project. The ECP provides a means for employees to raise good-faith concerns that a policy or practice of DOE or one of its Contractors or Subcontractors should be improved, modified, or terminated. Concerns can address health, safety, the environment, management practices, fraud, waste, or reprisal for raising a concern.
- (b) DOE Order 442.2 "Differing Professional Opinions for Technical Issues Involving Environment, Safety and Health Technical Concerns," that covers resolution of differing professional opinions from employees on technical issues relating to ES&H. Employees for purposes of the Policy are any persons working for DOE, including the NNSA or a DOE Contractor or Subcontractor on a DOE project.
- (c) In addition, ORAU has an ECP. Subcontractor employees may raise concerns about actions of ORAU and/or its employees directly with ORAU.
- (d) The Subcontractor must notify its employees that:
 - (1) DOE and ORAU have ECPs;
 - (2) Employees are encouraged to first seek resolution with first-line supervisors or through existing complaint or dispute resolution systems, but that they have the right to report concerns through the DOE ECP;
 - (3) If a concern is not resolved by supervisors, or if the employee elects not to raise the concern with supervisory personnel, the concern may be reported to the DOE Oak Ridge Operations Office (ORO) by calling the ORO Telephone Hotline, (865) 241-3267. Concerns related to actions by

Oak Ridge Institute for Science and Education (ORISE)
Supplemental Terms & Conditions
(Contract #: DE-AC05-06OR23100)



ORAU employees may be reported to ORAU by calling (865) 576-3054; and

- (e) ORAU will not tolerate reprisals against or intimidation of employees who have reported concerns.
- (f) Upon request, the Subcontractor must assist DOE and ORAU in resolution of employee concerns.
- (g) Subcontractor shall include this clause in all Agreements hereunder.

3. Incorporation by Reference

This Agreement incorporates certain provisions by reference. These articles and clauses apply as if they were incorporated in their entirety. For FAR and DEAR provisions incorporated by reference, “Contractor” means “Subcontractor” and “Contracting Officer” means “Contract Specialist/Buyer.” ORO clauses incorporated by reference are available on the ORAU Procurement website at: <http://www.ornl.gov/working-with-ornl/procurement/proc-terms-conditions.aspx>. FAR and DEAR clauses may be obtained from the following Government websites:

FAR: <http://acquisition.gov>

DEAR: <http://energy.gov/sites/prod/files/2013/07/f2/EDEAR%20July%202%202013%20final.pdf>

The following clauses are incorporated by reference:

FAR 52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (JAN 1997)
FAR 52.203-10	Price or Fee Adjustment for Illegal or Improper Activity (JAN 1997)
FAR 52.204-4	Printed or Copied Double-Sided on Postconsumer Fiber Content Paper (MAY 2011)
FAR 52.204-7	Central Contractor Registration (APR 2008)
FAR 52.209-10	Prohibition on Contracting with Inverted Domestic Corporations (MAY 2011)
FAR 52.222-3	Convict Labor (JUN 2003)
FAR 52.222-21	Prohibition of Segregated Facilities (FEB 1999)
FAR 52.222-26	Equal Opportunity (MAR 2007)
FAR 52.222-50	Combating Trafficking in Persons (FEB 2009)
FAR 52.222-54	Employment Eligibility Verification (JULY 2012)
FAR 52.223-2	Affirmative Procurement of Biobased Products Under Service and Construction Contracts (JUL 2012)
FAR 52.223-10	Waste Reduction Program (MAY 2011)
FAR 52.223-17	Affirmative Procurement of EPA-Designated Items in Service and Construction Contracts (MAY 2008)
FAR 52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving (AUG 2011)
FAR 52.223-19	Compliance with Environmental Management Systems (MAY 2011)
FAR 52.225-13	Restrictions on Certain Foreign Purchases (JUN 2008)
FAR 52.232-23	Assignment of Claims (JAN 1986)
FAR 52.242-15	Stop Work Order (AUG 1989) Alternate I (APR 1984)
FAR 52.244-6	Subcontracts for Commercial Items (JUN 2008)
DEAR 952.208-70	Printing (APR 1984)
DEAR 952.209-72	Organizational Conflicts of Interest (AUG 2009)
DEAR 952.223-76	Conditional Payment of Fee or Profit – Safeguarding Restricted Data and Other Classified Information and Protection of Worker Safety and Health (DEC 2010)
DEAR 970.5204-2	Laws, Regulations, and DOE Directives (DEC 2000)
ORO H.6	Quality Assurance System Alternate I (JULY 2004)

Oak Ridge Institute for Science and Education (ORISE)
Supplemental Terms & Conditions
(Contract #: DE-AC05-06OR23100)



ORO H.7	Confidentiality of Information (MAY 1997)
ORO H.23	Access to and Ownership of Records (NOV 2004)
ORO H.29	Compliance with Federal Information Processing Standard Publication 201 (FIPS Pub 201) (SEP 2005)
ORO H.44	Implementation of FAR Subpart 39.1

Applicable to all Agreements in excess of \$100,000

FAR 52.222-35	Equal Opportunity for Veterans (SEP 2010)
FAR 52.222-37	Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (SEP 2006)
DEAR 970.5227-4	Authorization and Consent (AUG 2002)
DEAR 970.5227-5	Notice and Assistance Regarding Patent and Copyright Infringement (AUG 2002)

Applicable to all Agreements in excess of \$150,000

FAR 52.203-6	Restrictions on Subcontractor Sales to the Government (SEP 2006)
FAR 52.203-17	Contractor Employee Whistleblower Rights and Requirement To Inform Employees of Whistleblower Rights (APR 2014)
FAR 52.215-2	Audit and Records – Negotiation (OCT 2010) <i>Alternate II (APR 1998)</i>
FAR 52.219-8	Utilization of Small Business Concerns (JAN 2011)
FAR 52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement (DEC 2007)
DEAR 970.5232-3	Accounts, Records, and Inspection (DEC 2010)