

**Division of Administration and Finance**  
**Planning + Design + Construction**

Desktop Procedure for Compliance with the Drug-Free Workplace Program  
**Subcontractors and Material Suppliers Declaration Form**  
March 2008

- 1) The Drug-Free Workplace Program, required by RC 153.03, is not retroactive. DFWP Requirements for construction contracts prior to 03/30/07 are defined in the projects' "Standard Conditions of Contracts for Construction" (i.e. front-end).
  
- 2) The Drug-Free Workplace Program requirements of after the effective date of 03/30/07 are:
  - A) Approval of Contractor's "Subcontractors and Material Suppliers Declaration" form:
    - The University shall verify, before awarding a Contract, that the Contractor is enrolled in the State (or other "OBWC" approved) DFWP program.
    - The University shall include in the contract terms, compliance with the requirements of the OBWC (or other "OBWC" approved) DFWP program.
    - The University is **not required** to monitor the Contractor's continued compliance during the course of the Work.
    - The University Project Manager shall forward a copy of the approved "Subcontractors and Material Suppliers Declarations" form to UC's Prevailing Wage Coordinator and UC's Construction Safety representative.
  
  - B) Approval of Subcontractors and lower-tier Subcontractors:
    - Subcontractors and lower-tier Subcontractors must be enrolled and be in good standing in the OBWC DFWP (or other approved OBWC DFWP) program **prior** to providing labor at the Site. The University's Project Manager shall verify enrollment.
    - With any amendments (changes, additions or deletions) to the Contractor's "Subcontractor and Material Suppliers Declaration" form during the contract period, the Contractor should submit only those amendments and simply reference the prior approved form. The University shall verify if amended Subcontractor(s) or lower-tier Subcontractor(s) is (are) enrolled in the State's DFWP program.
    - Copies of approved amendments to the "Subcontractor and Material Suppliers Declaration" form shall be forwarded to UC's Prevailing Wage Coordinator and UC's Construction Safety representative by the University's Project Manager.
    - The University is **not required** to monitor the Subcontractor's or lower-tier Subcontractor's continued compliance during the course of the Work.
    - If the Contractor fails to enforce Subcontractor and lower-tier Subcontractor compliance with the DFWP, and if the failure is brought to the attention of the University, the University will take such action to have the noncompliance corrected. Such failure to enforce compliance will be considered in subsequent bidder responsibility reviews.
  
- 3) The University of Cincinnati's COATS substance abuse and drug testing program is considered comparable and fulfills the requirements of OBWC. Although enrolled in the University of Cincinnati's COATS program, **a Contractor is still required to file an application for the OBWC Drug Free Workplace Program**. The application can be filed by mail or online at <http://www.ohiobwc.com/employer/forms/dfwp/default.asp>
  
- 4) The website to verify enrollment in the Ohio DFWP is:  
<https://www.ohiobwc.com/employer/services/StateContract/nlbwc/StateContract1.asp>

End of Desktop Procedure