

## 26.505 Suspension of payments, termination of contract, and debarment and suspension actions.

(a) After determining *in writing* that *adequate evidence* to suspect any of the causes at paragraph (d) of this section exists, the *contracting officer* may suspend contract payments in accordance with the procedures at [32.503-6\(a\)\(1\)](#).

(b) After determining *in writing* that any of the causes at paragraph (d) of this section exist, the *contracting officer* may terminate the contract for default.

(c) Upon initiating action under paragraph (a) or (b) of this section, the *contracting officer* shall refer the case to the agency *suspending and debarring official*, in accordance with agency procedures, pursuant to [subpart 9.4](#).

(d) The specific causes for *suspension* of contract payments, termination of a contract for default, or *suspension* and *debarment* are-

(1) The contractor has failed to comply with the requirements of the clause at [52.226-7](#), *Drug-Free Workplace*; or

(2) The number of contractor employees convicted of violations of criminal drug statutes occurring in the workplace indicates that the contractor has failed to make a good faith effort to provide a *drug-free workplace*.

(e) A determination under this section to suspend contract payments, terminate a contract for default, or debar or suspend a contractor *may* be waived by the *agency head* for a particular contract, in accordance with agency procedures, only if such waiver is necessary to prevent a severe disruption of the agency operation to the detriment of the Federal Government or the general public (see [subpart 9.4](#)). The waiver authority of the *agency head* cannot be delegated.

**Parent topic:** [Subpart 26.5 - Drug-Free Workplace](#)