SEATTLE UNIVERSITY POLICY

Debarment and Suspension Policy

Purpose

Federal regulations require Seattle University to conduct business with vendors, subcontractors and subawardees that are in good standing with the federal government and comply with regulations associated with debarment and suspension. Failure to comply with this policy may result in severe penalties for the University, including loss of federal funding.

Definitions

Approved Vendors List - List of all approved entities doing business with the University. These entities have been verified in EPLS and determined to be neither debarred nor suspended. The Office of Research Services and Sponsored Projects will maintain the Approved Vendors List.

Check Requisition Form (CRF)- University internal form used to request a check or reimbursement for any purchase made using personal funds for the purpose of acquiring goods or services on behalf of the University.

Covered transaction - a monetary or non-monetary exchange for goods and/or services that is subject to federal government regulations. The transaction may be between the University and the federal government or between the University and a subawardee and/or vendor.

Debarment - an exclusion from government contracting and subcontracting for a reasonable, specified period of time because an individual or vendor failed to perform or their performance was inadequate. Debarment is imposed by the federal government and the debarred individual/entity is then entered into the EPLS.

Excluded Parties List System (EPLS) - Web-based government system that identifies individuals and entities debarred, suspended, or otherwise declared ineligible from receiving federal contracts, subcontracts, and federal assistance and benefits.

Purchase Requisition Form (PRF) –University internal form stating what is being purchased, for what cost, by whom, for which project/department, and from which vendor.
Subaward/Subcontract – a contract to perform part of a prime contract and/or award. For grants, subcontracting typically carries on for the life of the award and the subcontractor or subawardee plays a significant role in the program or project receiving the prime award.
Suspension - prohibition against an individual or entity from receiving federal funds, either directly or indirectly, through contracts, grants, subawards or subcontracts. Suspension is imposed by the federal government and the suspended individual/entity is then entered into the EPLS.
Vendor – an individual or entity that provides a good or service.

Policy

1. The University will comply with federal regulations related to debarment and suspension (OMB Circular A-110, 2 CFR 215, 2 CFR 74).
2. The University will not conduct business with any vendor listed on EPLS as either debarred or suspended.
3. The University will restrict subawards and subcontracts to exclude parties that are debarred, suspended or otherwise excluded from or ineligible for participation in federal assistance programs or activities.
4. The University will verify all vendors related to sponsored research agreements against the EPLS prior to doing business with the entity.
5. All vendors that have been verified and approved will be included on the University's Approved Vendors List.

Procedure

1. The Office of Research Services and Sponsored Projects (ORSSP) will verify whether a vendor is debarred or suspended by checking the EPLS.
2. ORSSP will obtain the following assurances:
    a. All vendors, subawardees, and/or subcontractors must certify that they:

i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;

ii. Have not, within a three-year period preceding this certification, been convicted of or had a civil judgment rendered against them for commission of a fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

iii. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (ii) above; and

iv. Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

v. To the best of their knowledge and belief, abide by all applicable federal, state and local laws and regulations.

3. The Principal Investigator (PI) will follow the following procedures:
   a. PI will obtain all applicable departmental signatures on the PRF or CRF.
   b. PI will check the Approved Vendors List.
      i. If the vendor is <u>listed</u> on the Approved Vendors List:
         1. The vendor has already been reviewed and approved by the University.
         2. The PI will check the appropriate box on the PRF or CRF regarding the vendor's status, initial, and submit the form along with applicable invoice(s)/receipt(s) to ORSSP for review.
      ii. If the vendor is <u>not listed</u> on the Approved Vendors List, or the name and address of the vendor do not match the information on the list, the PI must:

1. Contact the vendor and request its current W-9.
2. Submit the vendor's W-9, the completed PRF or CRF and any applicable invoice(s)/receipt(s) to ORSSP.

c. ORSSP will review the vendor's W-9 and verify the vendor against the EPLS.

d. After determining that a vendor is not an excluded party, ORSSP will review the PRF or CRF and applicable invoice(s)/receipt(s).

e. ORSSP will forward the approved PRF or CRF and applicable invoice(s)/receipts(s) to Facilities Administration-Purchasing for Purchase Order creation or to the Controller's Officer- Payables for process and payment.

Units Affected

- Departments
- Colleges
- Office of the Controller
- Office of Research Services and Sponsored Projects
- Purchasing Department

Reviewed and approved by University Counsel on 9/28/2010

Approved By:_____ _____

Isiaah Crawford, Provost Date **Ron Smith, VP Finance and Business Affairs Date**

Effective Date: October 1, 2010