

Policy and Procedures for Non-procurement Debarment and Suspension for Grants and Contracts

1. Purpose

The purpose of this policy and the implementing procedures is to meet the requirements of the Federal Government's regulations on debarment and suspension for non-procurement transactions. These regulations include the government common rule and the implementing regulations of the federal agencies. Therefore, the definitions and requirements set forth in these regulations will be accepted by and govern campus policies and procedures which may be changed from time to time to ensure compliance.

2. Administration

This policy and the accompanying procedures will be administered by Chico State Enterprises for all covered transactions within the purview of CSE. The Chico State Enterprises CEO may make decisions in the implementation of this policy, change policy and procedures as the need arises and provide advice and guidance to others regarding this policy and its procedures.

3. Policy

The policy of the campus is to act in compliance with the 2003 common rule regulations, and any subsequent changes, and the implementing regulations of federal agencies that award funding to the campus. The procedures that follow are intended to accomplish that purpose. If the Federal Acquisition Regulations are the appropriate requirements in a transaction, then the regulations to be followed will be those found in FAR.

4. Procedures

- A. For prime and subawards involving federal funds, CSE will certify as required by the sponsoring agency as to our status under the regulations of the common rule and any agency implementing regulations. In addition, CSE will require principal and co-principal investigators to certify to their status prior to the acceptance of a federal or federal pass-through award.
- B. When making a subaward to any lower tier(s) involving federal funds, CSE will include a clause that requires the subawardee to certify as to their status as required by the common rule and any implementing agency regulations. This certification will include the entity and any of its principals. Generally, CSE will accept the subawardee's certification, by signature on a contract document or by providing the goods or services under a Purchase Order, as indication that the subawardee is in good standing as are any of its covered principals.
- C. Subaward documents will also include a clause requiring the subawardee to pass appropriate non-procurement debarment and suspension regulations down to any lower tier(s).