

Federal Debarment and Suspension

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Scope

The Federal Office of Management and Budget (OMB) 2CFR 215.13, Uniform Guidance for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit includes Debarment and Suspension requirements.

Section 13 provides Federal awarding agencies and recipients shall comply with the nonprocurement debarment and suspension common rule implementing Executive Orders 12549 and 12689, "Debarment and Suspension." This common rule restricts sub-awards and contracts with certain parties that are debarred, suspended or otherwise excluded from or ineligible for participation in Federal Assistance programs or activities.

Appendix A, Section 8 prohibits contracts made to parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs. Contractors with awards that exceed the small purchase threshold shall provide the required certification regarding its exclusion status and that of its principal employees.

The foregoing provisions of 2CFR 215.13 prevent direct or pass-through recipients of Federal Funds from doing business with an entity or individual included on the debarment list, including contract purchases and sub-recipient awards.

The University of Nebraska policy is to not procure goods or services or make contract purchases from an entity or individual included on the debarment or to make a subrecipient award to an entity or individual included on the debarment list.

A purchase or contract greater than \$25,000.00 shall not be made from or with an entity or individual included on the debarment list. Purchases and contracts that exceed the small purchase threshold of \$25,000.00 shall be verified by one or more of the following methods:

1. Cross checked to the debarment list before a purchase is made,
2. Collecting a certification from the entity, or
3. Adding a clause or condition to the covered transaction with that entity.

The small purchase threshold applies to a contract amount and not to separate invoice amounts. Purchases for goods and services or contract purchases less than \$25,000.00 will not be cross-checked to the debarment list; however purchases will not knowingly be made from those entities or individuals.

Sub-contract awards shall not be made to an entity or individual on the debarment list. (The \$25,000.00 small purchase threshold does not apply to awards to sub-grantees.) Contracts or sub-awards made to a sub-grantee will include a certification clause regarding its exclusion status and that of its principal employees from the Federal debarment list.

Policy Statement

This policy describes the federal regulations pertaining to the suspension and debarment list and the steps the university must take to ensure this regulation is being followed.

Reason for Policy

The university could be fined if the proper procedures are not followed to ensure those listed on the federal debarment and suspension list are not excluded when necessary from contracts and agreements.

History

This policy was developed and approved prior to the implementation of the campus policy development and approval process approved by the Chancellor's Cabinet in October 2015.

The University of Nebraska does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation in its programs, activities, or employment.