

Suspension and Debarment

The Roswell Independent School District will not enter into a covered transaction with a person or entity that has been excluded from participation by the Federal Government.

DEFINITIONS

Covered Transactions: a transaction to which the Federal suspension and debarment rules apply including, but not limited to:

- Contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred;
- Procurement contracts for goods and services awarded under a non-procurement transaction (i.e. grant or cooperative agreement) that are expected to equal or exceed \$20,000.00; and
- All non-procurement transactions (i.e. sub-awards to recipients) irrespective of award amount which are considered covered transactions.

Covered transactions are defined in 2 CFR Subtitle A (1-1-18 Edition) §§ 180.200, 180.210, 180.215 and 180.220.

Debarment: An action taken by an authorized Federal official in accordance with Federal requirements to exclude a person or entity from participating in a covered transaction.

Excluded: A person or entity that is prohibited from participating in a covered transaction because they have been suspended, debarred, proposed for debarment or have volunteered to be excluded.

SAM Exclusions: Government-wide System for Award Management Exclusions list of persons that a Federal agency has taken action to exclude can be found at: <https://www.sam.gov>

Suspension: An action taken by an authorized Federal official in accordance with Federal requirements to exclude a person or entity from participating in a covered transaction for a specified period of time.

PROCEDURE

When Federal Funds are used with a transaction that is subject to the federal suspension and debarment requirements, the District is prohibited from engaging in transactions with any party (i.e. an individual, organization, or a principal of an organization) that is debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities for the period of their debarment, suspension, or the period they are proposed for debarment.

An exception to let an excluded person participate in a covered transaction may be granted by the respective federal agency head or designee. If the exception is granted, the exception must be in writing and state the reason(s) for deviating from the government-wide policy. An exception for an excluded person does not extend to the covered transactions of another federal agency.

The District may continue covered transactions with an excluded person if the transactions were in existence when the agency excluded the person. The District, however, is not required to continue the transactions and may terminate the contract. Any decision to terminate should be made after a thorough review to ensure that the action is proper and appropriate.

Covered transactions may not be renewed or extended (other than no-cost time extensions) with any excluded person unless the Federal agency responsible for the transaction grants an exception under § 180.135.

- A. Prior to awarding a contract that constitutes a covered transaction, the District will verify the vendor has not been excluded by:
 - Conducting a search of the Systems for Award Management Exclusions list;
 - Obtaining a certification from the vendor that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by and Federal department or agency; or
 - Ensuring an appropriate clause or condition is included in the contract and/or purchase order.

The District has the discretion to determine which method is appropriate for a given contract but must utilize one of the three methods listed above.

- B. The District will inform any sub-grantee and contractor of the requirements to comply with Federal suspension and debarment rules at the time of the award.