

**SD DEPARTMENT OF PUBLIC SAFETY
SUSPENSION & DEBARMENT PROCEDURES
(Reviewed December 20, 2013)**

Summary: For projects receiving federal grant funds, the grantee is prohibited by federal regulation from issuing contracts or making purchases from vendors listed on the General Services Administration's List of Parties Excluded from Federal Procurement Programs. The Department of Public Safety will not knowingly form a new contract, make a new purchase from, or enter into any new business relationship with any individual or business entity that is listed by a federal agency as debarred, suspended, or proposed for debarment.

Procedure: Prior to entering into any contract or purchase funded by federal grants expected to equal or exceed \$25,000, a search will be performed by the grant administrator using the Excluded Parties List System (EPLS) website <http://www.sam.gov>. The search will be documented with a printscreen of the search results. A copy of this printscreen will be attached to any contract or invoice meeting the requirements set forth above.



Angie Lemieux
Director of Administrative Services & Grant Oversight

12/20/13

Date

FEDERAL DEBARMENT & SUSPENSION REQUIREMENTS

Circular A-102

Debarment and Suspension. Federal agencies shall not award assistance to applicants that are debarred or suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549. Agencies shall establish procedures for the effective use of the List of Parties Excluded from Federal Procurement or Nonprocurement programs to assure that they do not award assistance to listed parties in violation of the Executive Order. Agencies shall also establish procedures to provide for effective use and/or dissemination of the list to assure that their grantees and subgrantees (including contractors) at any tier do not make awards in violation of the nonprocurement debarment and suspension common rule.

A-133 Compliance Supplement June 2010

Suspension and Debarment

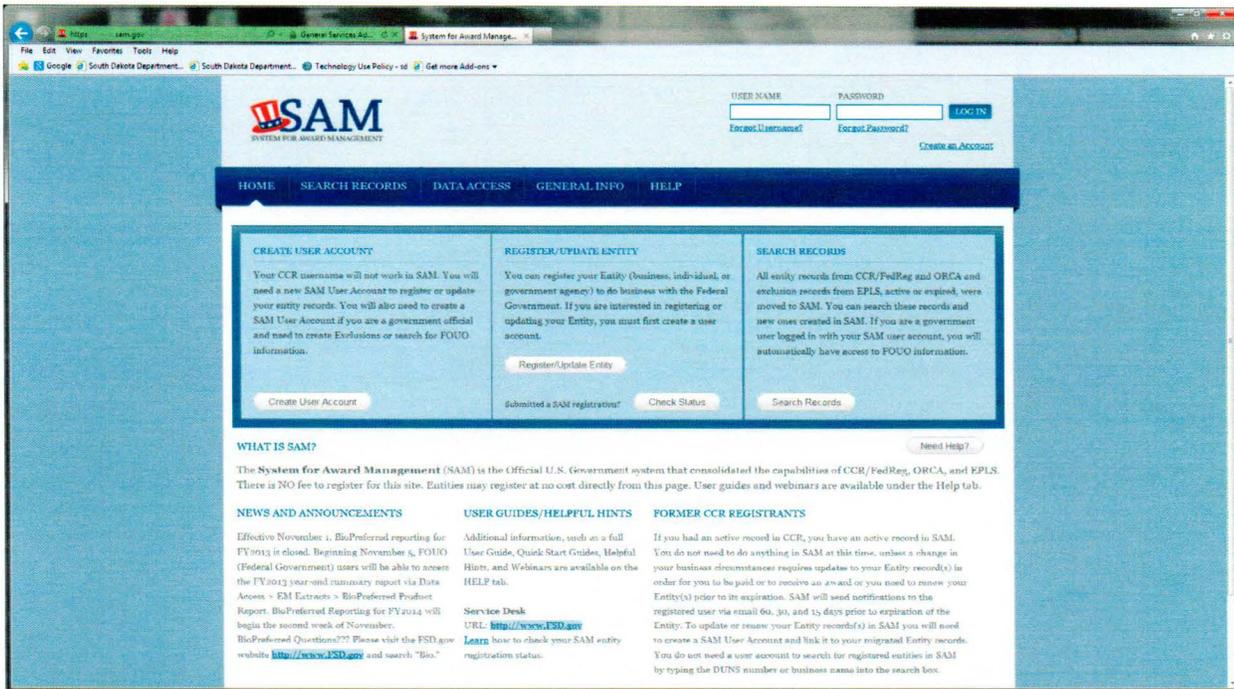
Governmentwide requirements for nonprocurement suspension and debarment are contained in the OMB guidance in 2 CFR part 180, which implements Executive Orders 12549 and 12689, Debarment and Suspension. The OMB guidance, which superseded the suspension and debarment common rule published November 26, 2003, is substantially the same as that rule. Non-Federal entities are prohibited from contracting with or making subawards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. "Covered transactions" include those procurement contracts for goods and services awarded under a nonprocurement transaction (e.g., grant or cooperative agreement) that are expected to equal or exceed \$25,000 or meet certain other specified criteria. 2 CFR section 180.220 of the governmentwide nonprocurement debarment and suspension guidance contains those additional limited circumstances. All nonprocurement transactions (i.e., subawards to subrecipients), irrespective of award amount, are considered covered transactions.

When a non-federal entity enters into a covered transaction with an entity at a lower tier, the non-federal entity must verify that the entity is not suspended or debarred or otherwise excluded. This verification may be accomplished by checking the Excluded Parties List System (EPLS) maintained by the General Services Administration (GSA), collecting a certification from the entity, or adding a clause or condition to the covered transaction with that entity (2 CFR section 180.300). The information contained in the EPLS is available in printed and electronic formats. The printed version is published monthly. Copies may be obtained by purchasing a yearly subscription from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or by calling the Government Printing Office Inquiry and Order Desk at (202) 783-3238. The electronic version can be accessed on the Internet (<http://epls.arnet.gov>).

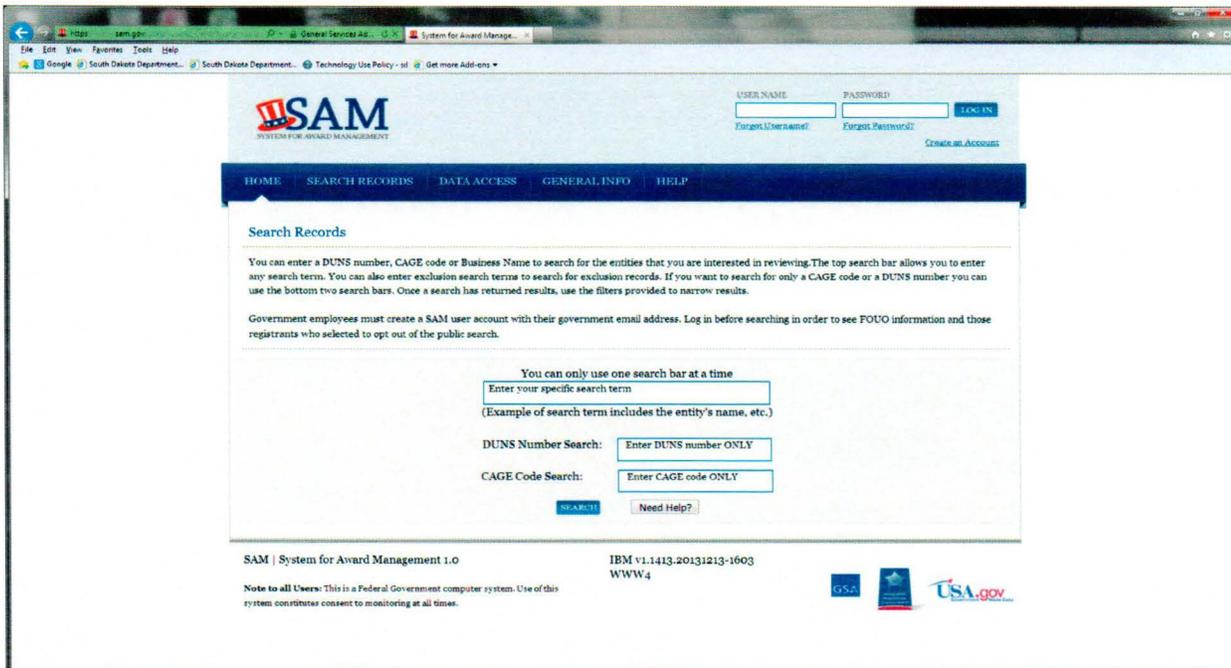
Source of Governing Requirements – Suspension and Debarment

The requirements for suspension and debarment are contained OMB guidance in 2 CFR part 180, which implements Executive Orders 12549 and 12689, Debarment and Suspension; Federal agency regulations in 2 CFR implementing the OMB guidance; the A-102 Common Rule (§____.36); OMB Circular A-110 (2 CFR section 215.13); program legislation; Federal awarding agency regulations; and the terms and conditions of the award. Most of the Federal agencies have adopted this guidance and relocated their associated agency rules in Title 2 of the CFR as final rules. For any agency that has not completed its adoption of 2 CFR part 180, pending completion of that adoption, agency implementations of the common rule remain in effect. Appendix II includes the current CFR citations for all agencies. In either case, the applicable requirements are specified in the terms and conditions of award.

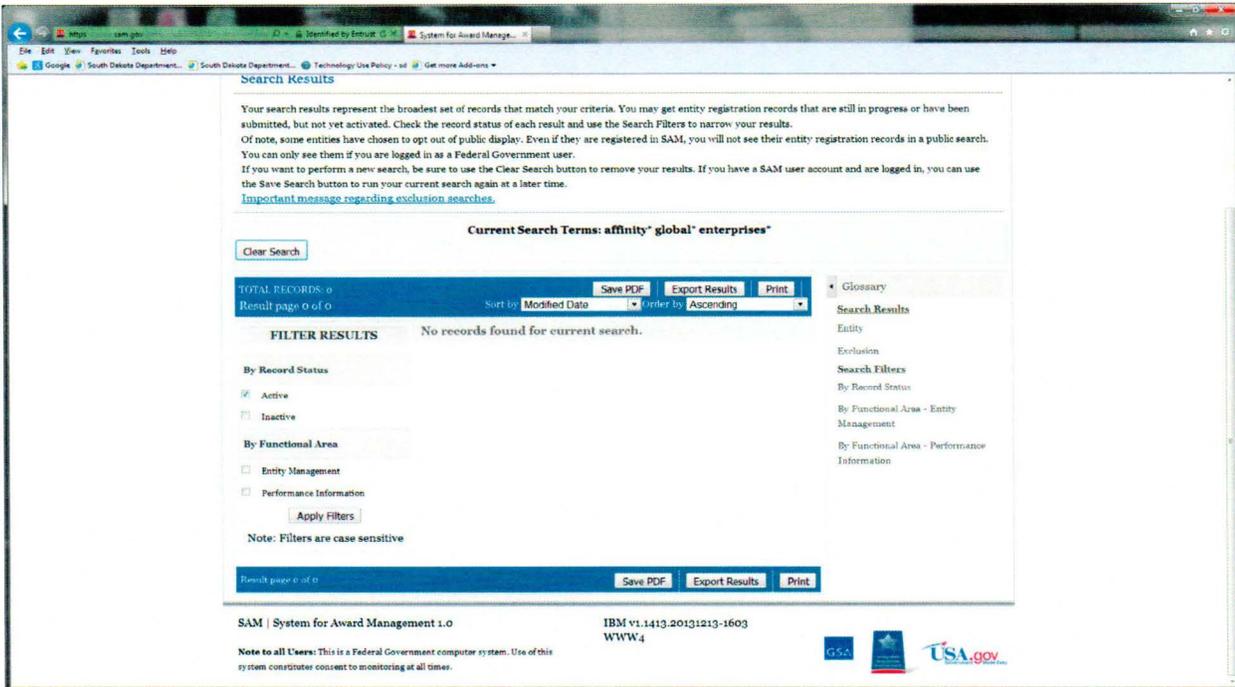
Go to: <https://www.sam.gov>



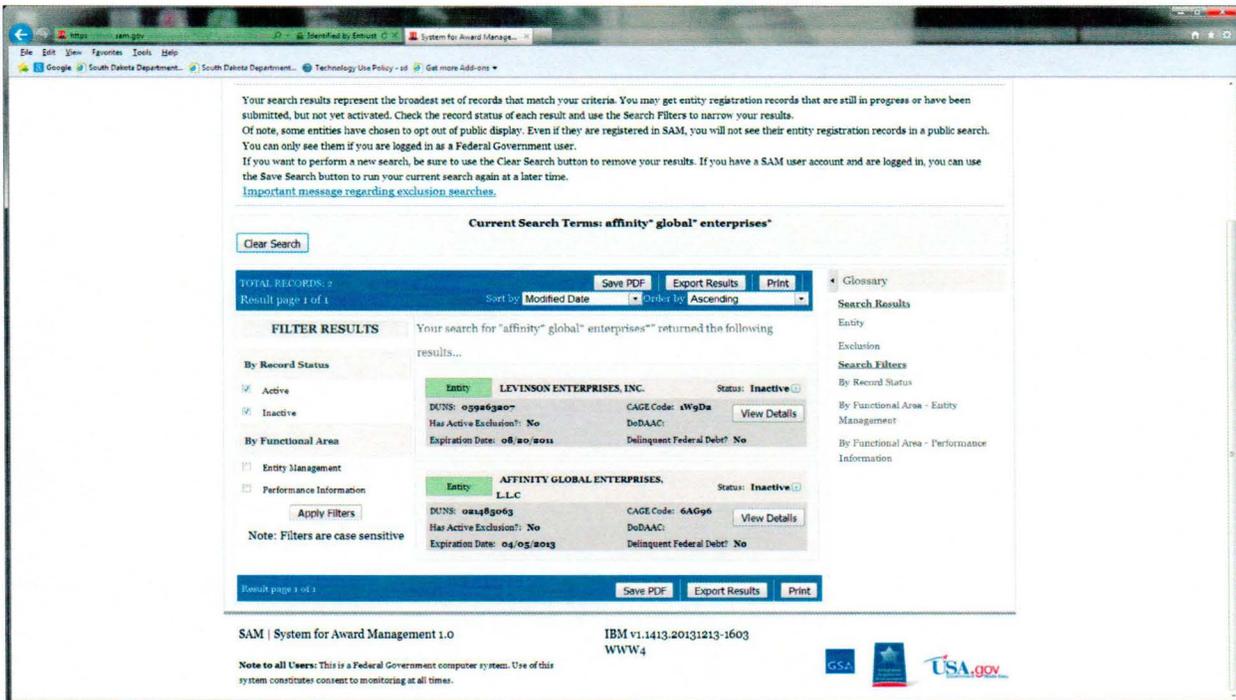
Click on "SEARCH RECORDS"



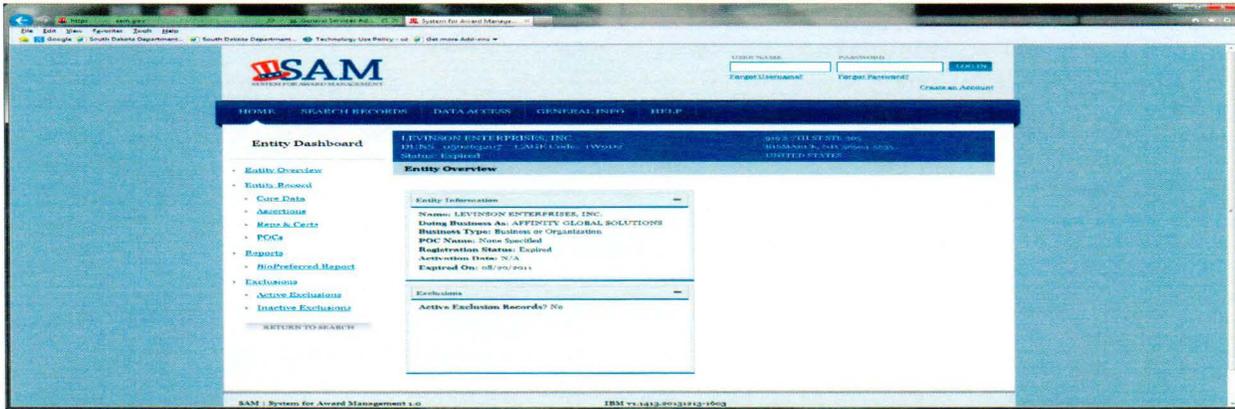
Type in the name of the company or individual you are contracting with or paying. This will do a search and return any active company in the SAM system.



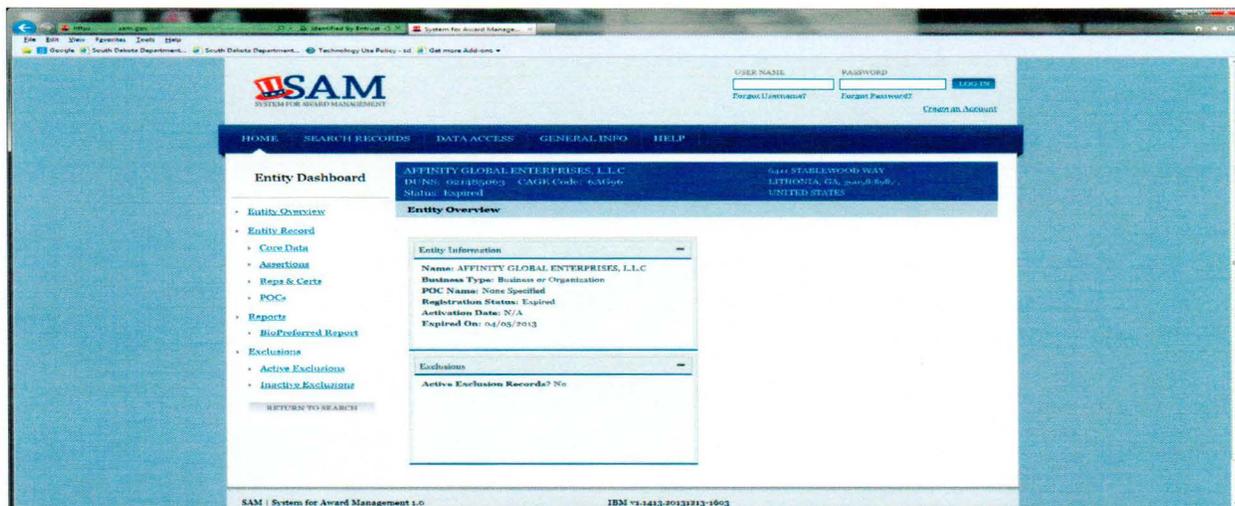
Add one more search by selecting the “Inactive” record status and click on “Apply Filters”.



You will notice there are no active exclusions. If you “View Details” you can see that this company’s registration in SAM has expired. This doesn’t make them ineligible to receive funds. If they are a subcontractor they should update their registration information and get their DUNS number active.



If there is more than one listing you should review all. When you look at the detail it will show the address listing and you can determine which entity applies. The second entity listed also had no active exclusions.



Print the detail pages and attach to contract or invoice.

The following screen shot is a sample that shows nothing was found for the individual searched. Print the page and attach to the contract or invoice.

