



San Jacinto River Authority

ADMINISTRATIVE OFFICE
P.O. Box 329 · Conroe, Texas 77305
(T) 936.588.3111 · (F) 936.588.3043

Federal Debarment Requirements

POLICY:

Federal Executive Order (E.O.) 12549 "Debarment and Suspension" and as implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined 34 CFR Part 85, Sections 85-.105 and 85.110, requires that all contractors receiving individual awards, using federal funds, and all sub recipients certify that the organization and its principals are not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency from doing business with the Federal Government. Transactions between SJRA and Contractors must be cleared of Federal Debarment before an award is made.

Delegated agents will maintain debarment status documents in their department for items purchased within the scope of their delegation.

No award is to be made **or purchase order to be issued**, before debarment status has been reviewed and approved.

DEFINITIONS:

Debarment Certification: A statement from a vendor or service provider that their company, and it's principals have not been debarred, suspended, proposed for debarment, declared ineligible, are not in the process of being debarred, or are voluntarily excluded from conducting business with a federal department or agency of the federal government. This certification can take the form of a signed letter, or a signature block within a procurement document or Contract Agreements.

"Checking debarment status on the web": The process by which an SJRA staff member checks the federal website (sam.gov) to see if a vendor is on the government list of debarred vendors. **Information on debarment is available at the following website:** <https://www.acquisition.gov/?q=browsefar> (see section 52.209-6). The web-site check document shall be printed or maintained electronically with the purchase history transaction (procurement file, credit card transaction file, or PO history file).

PROCEDURES:

1. The Special Conditions of Solicitation (Bid) documents contain debarment language so vendors are notified of the debarment requirements, and are provided the format by which they can certify their status. At time of solicitation effort, suppliers will be required to certify their debarment status as a mandatory element of the bid or proposal response.

This form must be maintained with the procurement file or purchase order record.

This form shall be submitted as an Agenda action item at the next ensuing meeting of the SJRA Board.



San Jacinto River Authority

ADMINISTRATIVE OFFICE
P.O. Box 329 · Conroe, Texas 77305
(T) 936.588.3111 · (F) 936.588.3043

2. Purchases using an existing waiver where no bidding document was involved require that the SJRA staff member to check the federal debarment website (sam.gov) for a favorable debarment status before an order is issued if federal funds are being used.
3. As an element of every Contract Agreement, contracts will include a certification statement and a signature block where the contractor can certify their debarment status.
4. For releases using federal funds against established contracts, waivers, or where a certification is already on file, the federal debarment website (sam.gov) will be checked to verify the vendors continued favorable debarment status before an order will be released. The web-site check document shall be printed or maintained electronically with the purchase history transaction (procurement file, credit card transaction file, or PO history file).
5. If the vendor does not provide debarment certification, or if the web site is checked and the vendor **is** debarred, the purchasing Buyer will place a hold on the award process and immediately verify the accuracy of the website report by gathering information pertaining to the reasons for debarment from the vendor, and sam.gov. Once all information has been gathered, and verified, the Purchasing Buyer must summarize and report the findings to the Manager of Purchasing, and await further award instructions. In any case, award will not be made for purchases that have federal funding until such time as the supplier is no longer debarred or suspended
6. If it is determined that the vendor is to be recorded in SJRA records as being debarred, the Purchasing Buyer will request that internal Finance staff make the vendor ineligible (their characteristic changed to DB or similar) and inactivate them in the vendor file.

This form must be maintained with the procurement file or purchase order record.

This form shall be submitted as an Agenda action item at the next ensuing meeting of the SJRA Board.