



## Policy on Association With Individuals or Companies That Have Been Debarred or Suspended By A Federal Agency

Effective Date: June 1998

Approval: January 8, 2015;  
University President

Maintenance of Policy: UDRI  
Purchasing Manager

**PURPOSE:** The purpose of this policy is to ensure compliance with Federal Acquisition Regulations (FAR), including FAR 52.209-5 Certification Regarding Responsibility Matters (Apr 2010) and FAR 52.209-6 Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment, or declared ineligible for the award of contracts by any Federal agency (Dec 2010).

**SCOPE:** This policy applies to the University of Dayton's college, schools, departments, and Research Institute conducting sponsored programs.

**POLICY:** The University of Dayton will not knowingly employ any individual or purchase goods or services from a company presently listed by a Federal agency as debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency. The University maintains a government-approved purchasing system for sponsored programs designed to procure goods and services in a competitive, fair, and timely manner.

To comply with federal regulations and to ensure that the government's interests are properly protected, the University:

1. Will not hire an individual as an employee or as a consultant to work on a sponsored program that is debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency.
2. Will not, on any federal prime contract, write a subcontract or purchase order in excess of \$25,000 to an individual or company who is debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from any covered transaction by any Federal department or agency.
3. Will remove from responsibility for or involvement with University business affairs with the government, any

### REFERENCE DOCUMENTS:

1. Purchasing Policy for Sponsored Research

### APPLICABLE FEDERAL REGUALTIONS:

1. FAR 52.209-5 Certification Regarding Responsibility Matters (Apr 2010)
2. FAR 52-209-6 Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Aug 2013)

### POLICY HISTORY:

Approved in its original form:  
June 1998;

Approved as amended:  
January 8, 2015

## Policy on Association With Individuals or Companies That Have Been Debarred or Suspended By A Federal Agency, (continued)

### POLICY (continued):

employee or consultant who, during their employment period with the University, becomes suspended, proposed for debarment, or who is charged with a criminal offense relating to government business. If the employee or consultant is convicted or debarred, they will be subject to termination from employment with the University.

4. Will require consultants and subcontractors to notify the University if they are suspended, debarred, proposed for debarment, or declared ineligible by any federal agency during their performance under any covered transaction. If the consultant or subcontractor becomes suspended, debarred, proposed for debarment, or declared ineligible, the University will perform a risk analysis and implement procedures to protect the government's interests for the remainder of the transaction.

### **RESPONSIBILITY FOR ENFORCEMENT, REMEDIES, SANCTIONS**

This policy will be enforced by the Human Resources Department, UDRI Purchasing Agent, and Office of Contracts and Grants, Subcontracts Department.