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|  Research & Sponsored Programs UNIVERSITY OF DENVER | Office of Research and Sponsored Programs Policy Manual Suspension and Debarment Exclusion Screening |
| | Policy Number: ORSP-07 |
| Recommended By: Assistant Vice Chancellor for University Financial Services; Director of Sponsored Programs; Director of Procurement; Sponsored Program Academic Research Council Approved By: Senior Vice Provost for Research and Graduate Education | Effective Date: 06/20/2023 |

1. PURPOSE

To provide a process by which the University will screen recipients of federal funds to verify the party has not been Excluded, Suspended or Debarred. Any individual or entity that is found to be Excluded, Suspended or Debarred Excluded or otherwise ineligible to receive federal research funding are prohibiting from applying for, administering, or receiving any federal funding.

2. DEFINITIONS

- 2.1. Excluded means an individual that is prohibited from receiving funds from federal grants, cooperative agreements and contracts and certain types of federal financial and non-financial assistance and benefits.
- 2.2. Suspended means an individual Excluded for a temporary period of time pending debarment proceedings for suspicion of criminal, fraudulent or otherwise improper conduct.
- 2.3. Debarred means an individual Excluded for a specified period of time or indefinitely who has been found though a debarment proceeding to have engaged in criminal, fraudulent or otherwise improper conduct.
- 2.4. Sponsored Programs are programs or projects that are funded by an external entity through a written agreement (grant, agreement, or other instrument) with the University. Sponsored Programs include specific research, training, or service programs and projects.
- 2.5. Principal Investigator is the University employee that leads an externally funded program or project and is responsible for the proper conduct of research or other activity described in the proposal, grant, contract, or other instrument of agreement.
- 2.6. SAM is the System for Award Management, the federal governments repository of restricted parties, comprised of individuals and entities who are ineligible to receive federal funds due to debarment, suspension, or exclusion proceedings.

3. POLICY

- 3.1. The University will screen all Principal Investigators or students applying for federal grants, cooperative agreements, and contracts against the SAM list to ensure that no Principal Investigator or student is expressly prohibited from applying for federal funds.

- 3.2. The University will screen all external entities and individuals to whom the University will be disbursing funds against the SAM list.
- 3.3. The University will screen all foreign nationals and foreign companies against the SAM list.
- 3.4. All subcontracts, subaward agreements, research service agreements or any other instrument of agreement must include a provision wherein the other parties attest that they:
 - 3.4.1. Are not presently Debarred, Suspended, proposed for debarment, declared ineligible, or voluntarily Excluded from covered transactions by any federal department or agency.
 - 3.4.2. Have not within the last three (3) years, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property.
 - 3.4.3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in 3.4.2 above.
 - 3.4.4. Have not within the last three (3) years, had one or more public transactions (federal, state, or local) terminated for cause or default.
- 3.5. Any individual found to be Excluded, Suspended, Debarred or otherwise ineligible to receive federal funding will be prohibited from applying for or administering any type of Sponsored Program.
- 3.6. All SAM list screenings will occur prior to the execution of any type of agreement.

4. PROCESS

- 4.1. The Office of Research and Sponsored Programs (ORSP) will screen against the SAM list all parties to an agreement, other than those between the University and a government agency, that ORSP is negotiating, drafting, or otherwise administering where federal funds are being disbursed.
- 4.2. ORSP will verify that subcontracts, subaward agreements, research service agreements or any other instrument of agreement includes language that meets the requirements of 3.4 above.
- 4.3. Department budget officers will screen against the SAM list the parties to any contract, purchase order or other instrument of agreement with a value of twenty-five thousand dollars (\$25,000) or more, which expenditure may be funded in whole or in part by federal funds.
- 4.4. University Financial Services will develop a guide for SAM screening.
- 4.5. If after screening an individual or entity the University identifies a match between the individual or entity being screened with an individual or entity listed by SAM, the University must obtain sufficient secondary identification to confirm the match. The University will then pursue the adverse finding process contained in the [University Background Check Policy \(RISK 12.10.020\)](#).
- 4.6. An individual or entity confirmed to be listed by SAM as Excluded, Suspended or Debarred will be immediately prohibited from receiving or administering any type of federal funds.
- 4.7. The University will not conduct business with any entity listed as Excluded, Suspended or Debarred. The

University may take action against an employee or student listed as Excluded, Suspended or Debarred under the applicable University policy.

5. RESOURCES

- 5.1. Guidelines to Agencies on Governmentwide Debarment and Suspension, 2 CFR § 180
- 5.2. Debarment and Suspension, Executive Order 12549
- 5.3. Certification Regarding Responsibility Matters, FAR 52.209-5