



NORTH MIAMI POLICE DEPARTMENT


STANDARD OPERATING PROCEDURES



NONPROCUREMENT DEBARMENT AND SUSPENSION- GRANTS 100.12

EFFECTIVE DATE: 08-11-23

APPROVED: _____


Chief of Police

SUPERSEDES: 08-11-20

CFA: N/A

I. PURPOSE

The purpose of this policy and the implementing procedures is to meet the requirements of the Federal Government's regulations on debarment and suspension for non-procurement transactions.

II. POLICY

To assure compliance with the Office of Management and Budget (OMB) Guidance 2 CFR part 180, OMB Guidelines to Agencies on Government wide Debarment and Suspension (non procurement), for all federal grant related procurement. Debarment and suspension are actions taken by the Federal Government against organizations or individuals who have committed fraud or a criminal offense in violation of federal law. The OMB requires that all federally awarded recipients comply with the non-procurement debarment and suspension common rule. This common rule restricts sub-awards and contracts with certain parties that are debarred, suspended or otherwise excluded from or ineligible for participation in Federal Assistance programs or activities. Failure to comply with this policy may result in severe penalties for the City, including loss of Federal funding.

III. DEFINITIONS

- A. Suspension- A disqualification from government contracting and subcontracting for a temporary period of time because a company or individual is suspected of engaging in criminal, fraudulent, or seriously

improper conduct. Suspension is to be used on an interim basis pending debarment proceedings.

- B. Debarment- An exclusion from government contracting and subcontracting for a reasonable, specified period of time because an individual or vendor failed to perform or their performance was inadequate.
- C. All individuals and entities suspended or debarred are listed on the U.S. General Services Administration (GSA), Excluded Parties Listing System (EPLS). The search can be performed at www.sam.gov.
- D. Language Clarification:
 - Should: Indicates a general or expected action, absent a rational basis for failing to conform.
 - Shall or Will: Indicates a mandatory action.

IV. PROCEDURES

- A. These procedures shall be followed in addition to Article III Procurement Code, City Ordinance No. 1244, 1.
- B. To ensure that the City is not doing business with vendors who have been suspended or debarred from doing business with the Federal government, a department should check the vendor against the EPLS before creating a purchase order or making a payment. If a department identifies a vendor as being suspended or debarred, they should contact the Grant Administrator to communicate with the Purchasing Department, so that the vendor may be flagged.
- C. All new vendors or individuals being set up in the Vendor Management Software System must fill out a certification that the individual or business is not currently suspended or debarred. This certification will be maintained by the Purchasing Department.

For individuals or vendors that are found to be suspended or debarred, the Police Administrator will request that the vendor be flagged as such in the Vendor Management software. This flag will alert the user that the

vendor is suspended or debarred if they are used on a voucher, thereby alerting the person entering the voucher that they may not pay this vendor with Federal funds.

- D. Annually, the Grant Administrator will request that the Purchasing Department run a list of all vendors and employees paid from Federal funds. This list will be reviewed against the EPLS as a double check to make sure no Federal funds have been paid to excluded parties. If ever a vendor on this list is found to be suspended or debarred, the Finance Department will initiate a journal to move the purchases off the Federal grant. The Finance Department will also inform Purchasing so that the vendor can be flagged in the Vendor Management Software. Documentation of this annual check must be maintained by the Grant Administrator.