**DEPARTMENT OF CHILDREN AND FAMILIES**

Division of Management Services

**CERTIFICATION REGARDING DEBARMENT AND SUSPENSION INSTRUCTIONS**

By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

1. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the Department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
2. The certification in this clause is a material representation of fact upon which reliance was placed when the Department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department or agency may terminate this transaction for cause or default.
3. The prospective primary participant shall provide immediate written notice to the Department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the Department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
5. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under [2 CFR Part 180](http://www.ecfr.gov/cgi-bin/text-idx?SID=6f0171d9aa8931cdf63a13fe0a4113d4&node=pt2.1.180&rgn=div5), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Department or agency entering into this transaction.
6. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled ``Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,'' provided by the Department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [2 CFR Part 180](http://www.ecfr.gov/cgi-bin/text-idx?SID=6f0171d9aa8931cdf63a13fe0a4113d4&node=pt2.1.180&rgn=div5), debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [2 CFR Part 180](http://www.ecfr.gov/cgi-bin/text-idx?SID=6f0171d9aa8931cdf63a13fe0a4113d4&node=pt2.1.180&rgn=div5), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the Department or agency may terminate this transaction for cause or default.

DCF-F-391 (R. 05/2016)

**CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

The undersigned vendor certifies to the best of your knowledge and belief that the vendor defined as the primary participant in accordance with [2 CFR Part 180](http://www.ecfr.gov/cgi-bin/text-idx?SID=6f0171d9aa8931cdf63a13fe0a4113d4&node=pt2.1.180&rgn=div5), and its principals:

1. Are not presently excluded or disqualified from participation in any covered transactions by any Federal department or agency;
2. Have not been convicted within the preceding three years of any of the offenses listed in [§180.800(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=66255c5a3dd7605f08a102be21a57d43&node=pt2.1.180&rgn=div5#se2.1.180_1800) or had a civil judgment rendered against you for one of those offenses within that time period;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses listed in [§180.800(a)](http://www.ecfr.gov/cgi-bin/text-idx?SID=66255c5a3dd7605f08a102be21a57d43&node=pt2.1.180&rgn=div5#se2.1.180_1800); and/or
4. Have not had one or more public transactions (Federal, State, or local) terminated within the preceding three years for cause or default.

Furthermore, the vendor agrees that they will include, without modification, a copy of this clause titled “Certification Regarding Debarment and Suspension” in all lower tier covered transactions (i.e., transactions with sub-grantees and/or contractors/sub-contractors) and in all solicitations for lower tier covered transactions as per [§180.330](http://www.ecfr.gov/cgi-bin/text-idx?SID=66255c5a3dd7605f08a102be21a57d43&node=pt2.1.180&rgn=div5#se2.1.180_1330).

Contractor Name DUNS #

Date