



ETLWDA  
WORKFORCE INNOVATION AND  
OPPORTUNITY ACT  
**POLICY MANUAL**

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Effective: Immediately

**SUBJECT: DEBARMENT AND SUSPENSION PROCEDURE  
FOR SUBCONTRACTING**

APPROVED:

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**POLICY STATEMENT:** In accordance with contracting guidelines with the Tennessee Department of Labor and Workforce Development, as well as applicable Federal regulations, ETHRA shall refrain from issuing subcontracts or vendor contracts to organizations or individuals who fall under any and/or all the numbered categories listed below.

**Introduction:** Suspension and debarment requirements establish that certain non-federal entities have been prohibited from participating in or receiving federal assistance for various reasons, including prior mismanagement of funds or previous non-compliance of laws and regulations. This prohibition may be temporary (suspension) or indefinite (debarment; until specifically allowed by the government). When purchasing, the recipient must verify that the vendor, supplier, provider, or their respective principals (e.g., owners, top management, etc.) are not suspended, debarred or otherwise excluded by the federal government.

**Purpose:** To protect the business interests of the Local Workforce Development Board and to remain in compliance with federal law.

**Process:** In accordance with contracting guidelines with the Tennessee Department of Labor and Workforce Development, as well as applicable Federal regulations, ETHRA shall refrain from issuing subcontracts or vendor contracts to organizations or individuals who are:

- Presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal or state department or agency
- Have within a three (3) year period preceding the contract been convicted of, or had a civil judgment rendered against them from commission of fraud, or a criminal offense in connection with obtaining or attempting to obtain or performing a public transaction or grant under a public transaction
- Are presently indicted or otherwise criminally or civilly charged by a government entity with commission of any of the offenses detailed above; and
- Have within a three (3) year period preceding this contract had one or more public transactions terminated for cause or default.

To determine if a potential contractor has been debarred or is excluded from contracting with ETLWDA, the following sites should be reviewed for contractor listings:

1. State of Tennessee Debarred Vendor Listing: <http://tn.gov/generalserv/cpo/documents/DebarredVendorsList.pdf>
2. The System of Award Management for Federal Exclusions <http://www.sam.gov>

