

9.0 SUSPENSION & DEBARMENT

A. Suspension

After meeting with the affected University department(s) and, where *practicable*, the vendor who is to be suspended, the Risk Manager and Director, Business Operations may issue a written *determination* to suspend a vendor from doing *business* with the University pending an investigation to determine whether cause exists for debarment. The suspension shall not exceed three (3) months unless a criminal indictment has been issued for an offense, which would be cause for debarment. In such cases, the suspension may remain in effect until after the trial of the suspended vendor.

1. A written notice of the suspension, including a copy of the *determination*, shall be sent to the suspended vendor. The notice shall:
 - a. State that the suspension will be for the period necessary to complete an investigation into possible debarment; and
 - b. Inform the suspended vendor that any person(s) representing the suspended vendor during the suspension period may conduct no *business* with the University and that any *solicitation* responses received from the suspended vendor during the suspension period shall not be considered.
2. The suspension period will be effective upon issuance of the notice of suspension.

B. Debarment

1. A vendor may be debarred for any of the following reasons:
 - a. Conviction of a criminal offense in relation to obtaining or attempting to obtain a University *contract* or in the performance of such *contract*;
 - b. Conviction under State of Colorado or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records or receiving stolen property;
 - c. Conviction under State of Colorado or federal antitrust statutes arising out of the submission of *bids* or *proposals*;
 - d. Willful material failure to perform in accordance with the terms of one or more *contracts* following notice of such failure, or a history of material failure to perform, or of materially unsatisfactory performance of one or more *contracts*;
 - e. The vendor is currently under debarment by any other governmental entity which is based upon a settlement agreement or a final administrative or judicial *determination* issued by a federal, state or local governmental entity; and/or
 - f. Violation of the provisions of Section 7-108-401 C.R.S., "General Standards of Conduct for Directors and Officers."
2. Following completion of the investigation to determine whether a vendor has engaged in activities that are cause for debarment, the Risk Manager and Director, Business Operations may debar the vendor. A vendor may be debarred for a period of time commensurate with the seriousness of the offense.

3. A written notice of debarment shall be sent to the debarred vendor. The notice shall:
 - a. State the debarment period; and
 - b. Inform the debarred vendor that any person(s) representing the debarred vendor during the debarment period may conduct no *business* with the University and that any *solicitation* responses received from the debarred vendor during the debarment period shall not be considered.
4. The debarment period will be effective fourteen (14) days after the notice of debarment is sent to the debarred vendor.
5. After the debarment period begins, the vendor shall remain debarred until the debarment period specified expires unless a court of competent jurisdiction or the Risk Manager and Director, Business Operations deems otherwise.

C. Master List

The Office of Business Operations shall maintain a master list of all suspensions and debarments. The master list containing information concerning suspensions and debarments will be a public record.