



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

RICK SNYDER
GOVERNOR

MICHAEL P. FLANAGAN
STATE SUPERINTENDENT

FOOD DISTRIBUTION
The Commodity Supplemental Food Program
Administrative Policy No. 2
Fiscal Year 2012-2013

SUBJECT: Annual Review of the Excluded Parties List System

DATE: August 12, 2013

This policy provides guidance regarding the requirement to annually review the Excluded Parties List System (EPLS). The EPLS is now part of the System for Awards Management (SAM) and is used to identify those parties excluded from receiving Federal contracts, subcontracts, and Federal financial and non-financial assistance and benefits. Reviewing this list annually ensures that contractors, suppliers, and service agencies that have been debarred or suspended are not conducting business with federal programs.

Executive Order 12549 – Debarment and Suspension was enacted February 18, 1986. The purpose of this order is to protect Federal funds from misuse, including but not limited to, grants, cooperative agreements, contracts of assistance, loans, and loan guarantees. Food Distribution programs receive Federal funds and are included in the requirement of not entering into business relationships with debarred or suspended organizations.

Pursuant to 7 CFR 3019.13 and 3017, agencies must annually review the EPLS list and ensure its business partners and contractors are not debarred or suspended. Agencies are to use the online System for Awards Management (SAM) found at <https://www.sam.gov/portal/public/SAM/> to review the status of such partners and contractors.

These reviews are to be documented and dated at the agency level. Records of these reviews are to be kept on file for three years or longer if audit findings have not been resolved. If an audit is outstanding, the records shall be retained beyond the 3-year period as long as required for the resolution of the issues raised by the audit. Documentation of the review date is essential because the EPLS list changes frequently as organizations are added to or deleted from the list. Executive Directors, Program Managers, and Financial Managers must be notified by the agency's designee of a business partner or contractors change in status to ensure Federal funds are not disbursed to a debarred or suspended party. A memorandum template for documenting the review of the EPLS list is attached.

For more information, please refer to Executive Order 12549-Debarment and Suspension located at: <http://www.archives.gov/federal-register/codification/executive-order/12549.html>

The provisions of Executive Order 12549 of Feb. 18, 1986, appear at 51 FR 6370, 3 CFR, 1986 Comp., p. 189, unless otherwise noted.

Attachment: EPLS Sample Memorandum

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Memorandum

Date: (Date of Notification)

To: Executive Director, Program Manager, and Financial Manager

Re: Annual Review of Excluded Party List System

This purpose of this memorandum is to document and identify those business partners and contractors that have been excluded from receiving federal funds per the Excluded Parties List System (EPLS). **NAME OF AGENCY** will only do business with organizations that have not been debarred or suspended per the EPLS listing located at www.sam.gov.

Attached is a list of current business partners and contractors for **NAME OF AGENCY**.

These business partners and contractors were reviewed on **DATE** regarding their eligibility to do business with the federally funded programs administered by this agency.

Check one:

- All business partners and contractors in the attached list were identified as being in good standing.
- The following business partners have been identified as not being in good standing:

(List all business partners and contractors that appear on the Excluded Parties List System)

This information will be maintained as part of the agency's annual review to identify business partners and contractors that have been listed on the EPLS. The documentation will be retained for three years or longer if outstanding audit issues exist.

Signature and Title of Person Sending Notification