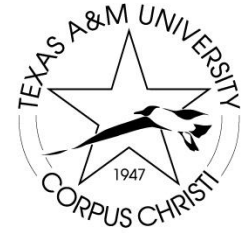


15.01.02.C0.01 Compliance with the Federal Procurement Integrity Act



Approved: March 23, 2015
Revised: December 9, 2016
Next Scheduled Review: December 9, 2021

Procedure Statement

The requirements of the Office of Federal Procurement Policy Act Amendments of 1988, as amended (codified at 41 U.S.C., Ch. 21, Sections 2101-2107) relate to contractors who see procurement contracts from the federal government in order to provide the government or one of its agencies with goods or services. The majority of such relationships that involve Texas A&M University-Corpus Christi are those for federally funded research.

Reason for Procedure

The purpose of this procedure is to define the parameters to remain in compliance with the Office of Federal Procurement Policy Act as it applies to contractors who seek procurement contracts from the federal government in order to provide the government or one of its agencies with goods or services.

Procedures and Responsibilities

1. During the course of any federally funded purchases of goods or services the University, any officer, employee, agent, representative, and/or consultant of the University is prohibited from knowingly, directly, or indirectly:
 - (a) making any offer or promise of future employment or business opportunity to, or engaging in any discussion of future employment or business opportunity with any federal procurement officer who is personally and substantially participating in a federal agency procurement in excess of the simplified acquisition threshold (as that term is defined in 48 CFR 2.101) in which the system or the respective member is competing;
 - (b) offering, giving, or promising to offer or give, directly or indirectly, any money, gratuity, or other thing of value to any procurement official of such agency;

- (c) soliciting or obtaining, directly or indirectly, from any officer or employee of such agency, prior to the award of a contract, any proprietary or source selection information regarding said procurement; or
 - (d) other than as provided by law, obtaining a third-party contractor bid or proposal information or source selection information before the award of a federal agency procurement contract to which the information relates.
2. Prior to the commencement of any federally funded purchase, each officer, employee, agent, representative, and/or consultant of the University, who personally and substantially participates in the preparation of the bid, will certify by signing the Federal Procurement Integrity Act Certification Form that they are familiar with the Federal Procurement Integrity Act. This form can be found in the Appendix section of this procedure. Any officer, employee, agent, representative, and/or consultant of the University will immediately report to the Procurement Department or Compliance Department, any information concerning a violation or possible violation of the Federal Procurement Integrity Act.
- 2.1. Prior to participating in any federally funded purchase, the officer, employee, agent, representative, and/or consultant of the University, who personally and substantially participates in the preparation or submission of a bid, will contact the Procurement Department and complete and sign the Federal Procurement Integrity Act Certification Form.
 - 2.2. The Procurement Department will retain an original copy on file.
3. Any officer, employee, agent, representative, and/or consultant of the University shall report any violation or possible violation directly to the Procurement Department or the Compliance Department. Failure to comply with the Act can result in personal liability and penalties. Criminal penalties for violations of the Act include personal imprisonment up to five years. Civil penalties can result in personal fines of up to \$50,000 for each violation plus twice the amount of compensation which the individual received or offered for the prohibited conduct. Organizational penalties are also possible.

Related Statutes, Policies or Requirements

Federal Procurement Policy Act, [41 U.S.C. §§ 2101-2107](#)
System Policy [07.01 Ethics](#)
System Regulation [15.01.02 Federal Procurement Integrity Act](#)
System Policy [32.02 Discipline and Dismissal of Employees](#)

Appendix

Contact Office

Contact for clarification and interpretation: Procurement & Disbursements Department
(361) 825-2617