

FIU-2203 Authority to Debar or Suspend Vendors.

The Director of Purchasing is authorized to suspend or debar vendors. Debarment or suspension shall be based on substantial competent evidence. Debarment and suspension shall be imposed to protect the interest of the University.

(1) Debarment.

(a) The Director of Purchasing may debar a vendor from doing business with the University as a result of a conviction or a judgment by a court of competent jurisdiction for:

1. Commission of fraud or other criminal offense incident to obtaining, attempting to obtain, or performing a public contract; or
2. Violation of the federal or state anti-trust laws; or
3. Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, or dealing in stolen property.

(b) If the conviction is reversed on appeal, the Director of Purchasing may review the decision to debar the contractor.

(c) The Director of Purchasing may also debar a contractor under the following circumstances:

1. Any offense which demonstrates a lack of business integrity or business honesty; or
2. Willful failure to perform in accordance with the terms and conditions of the contract; or
3. A history of failure to perform, or of unsatisfactory performance, in accordance with the terms and conditions of any contract.

(2) Suspension. The Director of Purchasing may also suspend a contractor from doing business with the University based on evidence which might lead to the debarment of the contractor, as described above.

(3) Proceedings for debarment and suspension shall be subject to the provisions of Section 120.57, F.S.

Specific Authority 1010.04(2) FS. Law Implemented 1010.04(2) FS. History—New 9-16-80, Formerly 6C8-7.22, Amended 4-21-88, 9-6-93, Formerly 6C8-7.022, Transferred to Regulations 8-22-08.