

DEFINITIONS: For purposes of the this certification the following terms have the meanings set forth below:

“Covered Contract means:

- (1) Any non-procurement transaction which involves federal funds (regardless of amount and including such arrangements as sub-grant or sub-contract are between the District and another entity.
- (2) Any procurement contract for goods or services between a participant and a person, regardless of type, expected to equal or exceed the federal procurement small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) under a grant or sub-grant.
- (3) Any procurement contract for goods or services between a participant and a person under a covered grant, sub-grant, contract or subcontract, regardless of amount, under which that person will have a material influence on or substantive control over that covered transaction:
 - a. Principal investigators.
 - b. Providers of audit services required by the District or federal funding source.
 - c. Researchers.

“Debarment” means an action taken by a authorized official in accordance with 45 CFR Part 76 (or other comparable federal regulations) to exclude a person from participating in covered contracts. A person so excluded is “debarred”.

“Grant” means an award of financial assistance, including cooperative agreements, in the form of money, or property in lieu of money, by the federal government to an eligible grantee.

“Ineligible” means exclusion from participation in federal non-procurement programs pursuant to a determination of ineligibility under statutory, executive order, or regulatory authority, other than Executive Order 12549 and its agency implementing regulations; for example, excluded pursuant to the Davis-Bacon Act and its implementing regulations, executive orders or laws administered by the United States Department of Education and applicable executive orders. A person is ineligible where the determination of ineligibility affects such person's eligibility to participate in more than one covered transaction.

“Participant” means any person who submits a proposal for, enters into, or reasonably may be expected to enter into a covered contract including any person who acts on behalf of or is authorized to commit a participant in a covered contract as an agent or representative of another participant.

“Person” means any individual, corporation, partnership, association, unit of government, or legal entity, however organized, except: foreign governments or foreign governmental entities, public international organizations, foreign government owned (in whole or in part) or controlled entities, and entities consisting wholly or partially of foreign governments or foreign governmental entities.

“Principal” means an officer, director, owner, partner or other person with primary management or supervisory responsibilities for a participant or a person who has a critical influence on or substantive control over a covered contract, whether or not the person is employed by the participant. Persons who have a critical influence on or substantive control over a covered transaction include:

- (1) Principal investigators.
- (2) Providers of audit services required by the District or federal funding source.
- (3) Researchers.

“Proposal” means a solicited or unsolicited bid, application, request, invitation to consider or similar communication by or on behalf of a person seeking to receive a covered contract.

“Suspension” means an action taken by an authorized official in accordance with applicable federal regulations that immediately excludes a person from participating in covered contracts for a temporary period, pending completion of an investigation and such legal, debarment, or Program Fraud Civil Remedies Act proceedings as may ensue. A person so excluded is “suspended”.

“Voluntary exclusion or voluntarily excluded” means a status of nonparticipation or limited participation in covered transactions assumed by a person pursuant to the terms of a settlement.