

PROCUREMENT INTEGRITY

41 USC 423, as amended

Section 27 of the OFPP Acts Amendment of 1988, entitled "Procurement Integrity," prohibits certain activities by universities and their personnel who have any role in the development and submission of proposals to federal agencies and/or negotiations of any contracts which follow. This law directly affects your interaction with program and procurement officials in the federal government and may affect your interaction as a consultant to any governmental agency. Thus it is important that you understand both the scope and the substance of the regulations.

Of particular importance are the prohibited actions by principal investigators and administrative personnel. In simplest terms, while the government is reviewing proposals in anticipation of making an award, such individuals **MUST NOT**

- a) discuss any potential future employment with governmental officials,
- b) provide anything of value to governmental officials or their families, or
- c) solicit proprietary or source selection information from a governmental official.

Violation of the regulation may result in loss of contract awards (or a part thereof), and may result in suspension or debarment from receipt of any federal awards.

In addition to the clearly stated prohibitions, many persons are now beginning to question whether they may serve as governmental consultants in the development of long-range planning for research and evaluation of proposals. In general, the answer is yes. Remember -- this regulation only applies to contracts and, although the policy is effective for all contracts, certification is required by you and by the institution only for contracts and contract modifications over \$100,000. Nonetheless, the best advice is that if you think any activity you are involved in with the government might be subject to these regulations (and therefore might preclude your submitting a proposal under a specific solicitation), ask. Most governmental officials now expect such questions.