

Nevada Department of Employment, Training and Rehabilitation (~~DETR~~)
Employment Security Division
Workforce Innovation Support Services

Workforce Innovation and Opportunity Act (WIOA)
State Compliance Policy (SCP)

Policy Number: 5.1

Originating Office: Department of Employment, Training and Rehabilitation (DETR);
Workforce ~~Investment~~Innovation Support Services (WISS)

Subject: ~~Procedures for dealing with De~~barred and ~~S~~suspended ~~C~~ontractors.

Issued~~Approved:~~ ~~February 2017;~~ Ratified Governor's Workforce Development Board (GWDB)
Executive Committee May 14, 2025; ~~February 2017~~

Purpose: In accordance with WIOA Sec. 184, 20 CFR § 683.200 and 2 CFR § 200.214, WIOA
funded agencies are required to comply with the restrictions on award of Federal funds to
debarred or suspended entities.

State Imposed Requirements: This directive ~~may contain~~contains some state-imposed
requirements. These requirements are printed in ***bold, italicized*** type.

Authorities/References: Workforce Innovation and Opportunity Act (P.L. 113-128), 20 CFR §
683.200; 2 CFR §§ 200.113 and 200.214; 2 CFR Part 180

~~ACTION REQUIRED~~REQUIRED: Upon issuance bring this guidance to the attention of all
WIOA service providers, Local Workforce Development Board (LWDB) members and any
other ~~concerned parties~~parties concerned. Any LWDB's policies, procedures, and or contracts
affected by this guidance are required to be updated accordingly.

Background: ~~WIOA-funded agencies are required to comply with the restrictions on award of~~
~~Federal funds to debarred or suspended entities. Each State (including the Governor of the State),~~
~~local area (including the chief local elected official for the area), and provider receiving funds~~
~~under this title shall comply with the appropriate uniform administrative requirements for grants~~
~~and agreements applicable for the type of entity receiving the funds, as promulgated in circulars~~
~~or rules of the Office of Management and Budget. Reference WIOA Sec. 184(a)(3)(A)~~

Policy and Procedure:

DETR/ESD/WISS*

WIOA State Compliance Policies

SCP 5.1 Debarred and Suspended Contractors

May 2025

Page 1 of 4

~~WIOA Sec. 184(a)(3)(A) In General Each State (including the Governor of the State), local area (including the chief local elected official for the area), and provider receiving funds under this title shall comply with the appropriate uniform administrative requirements for grants and agreements applicable for the type of entity receiving the funds, as promulgated in circulars or rules of the Office of Management and Budget.~~ WIOA Sec. 184(a)(3)(A)

20 CFR 683.200 (d) Government-wide debarment and suspension

"All WIOA Title I and Wagner-Peyser Act grant recipients and sub-recipients must comply with the government-wide requirements for debarment and suspension," Reference 20 CFR § 683.200 (d) Government-wide debarment and suspension

Mandatory Disclosures

An applicant, recipient, or subrecipient of a Federal award must promptly disclose whenever, in connection with the Federal award (including any activities or subawards thereunder), it has credible evidence of the commission of a violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code or a violation of the civil False Claims Act (31 U.S.C. 3729-3733). The disclosure must be made in writing to the Federal agency, the agency's Office of Inspector General, and pass-through entity (if applicable). Recipients and subrecipients are also required to report matters related to recipient integrity and performance in accordance with Appendix XII of this part. Failure to make required disclosures can result in any of the remedies described in 2 CFR § 200.339. (See also 2 CFR part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313.) Reference 2 CFR § 200.113

Sanctions

Recipients and subrecipients are subject to the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, as well as 2 CFR part 180. The regulations in 2 CFR part 180 restrict making Federal awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from receiving or participating in Federal awards. Reference 2 CFR § 200.214

2 CFR Part 180 may be used for additional guidance on how to implement the government-wide debarment and suspension system for nonprocurement programs and activities.

Definitions: None

Note: Companies or individuals that have been declared ineligible to receive Federal contracts due to a violation of Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended 29 U.S.C. Section 793; and/or the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. Section 4212, is available on the System for Award Management (SAM). SAM contains the electronic roster of debarred companies excluded from Federal procurement and non-procurement programs throughout the U.S. Government and from receiving Federal contracts or certain subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits. The SAM system combines

data from the Central Contractor Registration, Federal Register, Online Representations and Certification Applications, and the Excluded Parties List System.

Prior to contract finalization the Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions form must be signed and retained on file. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. See Attachment I

Commented [KJ1]: Because SAM registrations are not mandatory for second-tier subrecipients ([2 CFR Part 25](#)), which may fall under this policy, a signed certification regarding debarment/suspension will be mandatory as a State requirement. [See 2 CFR 180.300](#)

INSERT ORGANIZATIONAL HEADING HERE (LWDB)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Orders 12549 and 12689, Debarment and Suspension, and OMB Guidance 2 CFR Part 180.

- 1) The prospective recipient of Federal assistance funds certifies, ~~by submission of this proposal~~, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- 2) Have not within a three year period preceding this transaction been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction, violation of federal or state antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property.
- 3) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (federal, state or local) with commission of any of the offenses enumerated above.
- 4) Have not within a three-year period preceding this transaction had one or more public transactions (federal, state or local) terminated for cause of default.
- 5) Where the prospective recipient of Federal assistance funds is unable to certify any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Commented [EP2]: Please consider deleting.

Commented [KJ3R2]: Done, thank you.

Organization

Date

Name & Title of Authorized Representative

Signature