

Research and Sponsored Projects Manual (RSP)

RSP 213–03: Procurement Integrity

Effective: 7/16/1989

Revised: 11/1/2024

Purpose

To comply with section 27 of the Office of Federal Procurement Policy Act and ensure ethical conduct in the procurement process.

Sources

41 *United States Code* § 423 – Office of Federal Procurement Policy Act

Code of Federal Regulations – 2 CFR 200.318: General procurement standards

Federal Acquisition Regulation (FAR) 3.104 1–9

Office for Research and Sponsored Projects Administration (ORSPA)

Applicability

All ASU personnel substantially involved in any federal agency procurement of property or services by contract

Policy

All Federal Contracts (Part A): Prohibited conduct by competing contractors

During the conduct of any federal agency procurement of property or services, no competing contractor or any officer, employee, representative, agent, or consultant of any competing contractor shall knowingly:

1. make, directly or indirectly, any offer or promise of future employment or business opportunity to, or engage, directly or indirectly, in any discussion of future employment or business opportunity with, any procurement official of such agency
2. offer, give, or promise to offer or give, directly or indirectly, any money, gratuity, or other thing of value to any procurement official of such agency or
3. solicit or obtain, directly or indirectly, from any officer or employee of such agency, prior to the award of a contract, any proprietary or source selection material information regarding such procurement, except as may be authorized by the federal agency.

A federal agency procurement begins when an authorized agency official determines that a specific agency need or requirement may be satisfied by procurement. This may include, for example, the development of a statement of work.

Federal contracts, or modifications, in excess of \$100,000 (Part B)

Any person acting on behalf of ASU who has substantially participated in a federal agency procurement of property or services shall certify to the Proposal and Negotiations Team (PNT) of ORSPA that they:

1. are familiar with and will comply with Part A of this policy (subsection 27(a) of the Office of Federal Procurement Policy Act)
- and
2. will report immediately to the PNT any information concerning a violation or possible violation of subsections 27(a), (b), (c), or (e) of the Office of Federal Procurement Policy Act as implemented in the Federal Acquisition Regulation (FAR). (See a copy of the act in [RSP 213-03A](#).)

In connection with any ASU bid or offer, or contract modification, the PNT shall at a time prescribed by the Office of Federal Procurement Policy Act certify in writing that, to the best of their knowledge and belief, they have no information concerning a violation or possible violation of subsections 27(a), (b), (c), or (e) of the Office of Federal Procurement Policy Act as implemented in the FAR; they have disclosed any and all such information; and that every person substantially involved has filed a certificate in compliance with subsection 27(d) (1) (B) of the Office of Federal Procurement Policy Act. This certification shall be in the form prescribed by the applicable federal agency.

Procedure(s)

For procedures, see [cfo.asu.edu > Procurement](#) and the [Procurement guide](#).

Cross-Reference

- [RSP 101](#), “General Research Policy”
- [RSP 103](#), “Principal Investigator Responsibilities”
- [RSP 213-03A](#), “Office of Federal Procurement Policy Act”