

2.303 Certification Statements Required for Federal Purchases

Effective Date: 07/29/24

Prior Dates Amended: 02/02/17; 08/30/17; 10/10/17

I. PURPOSE

To provide the framework and requirements for obtaining certification statements from vendors engaged in the procurement of goods and services using federal funds. This policy ensures compliance with federal provisions and regulations.

II. DEFINITIONS

- A. **Purchase Order (PO):** A purchasing document used to formalize a transaction with a vendor containing statements as to the quantity, description, and price of the goods or services ordered; agreed terms for payment, discounts, date of performance, and transportation or delivery terms; and all other pertinent information, terms, and conditions applicable to the transaction. In the absence of a formal contract or agreement, a purchase order, along with any terms and conditions agreed to, serves as a contract between the vendor and RCUH.
- B. **Vendor:** Any individual or other legal entity who provides the delivery of goods, products, services, and/or equipment under the terms of an RCUH purchase order/contract, and who acts directly or through its agents or employees. "Vendor" also includes the term "contractor," and a vendor may be referred to as a payee.

III. RESPONSIBILITIES

A. Principal Investigator:

1. Obtain applicable certification statement(s) from vendors.
2. Ensure that procurements requiring cost or pricing data are solicited and documented in accordance with FAR 15.408, Table 15-2, and FAR 15.406-3.

B. Fiscal Administrator:

1. Obtain certification statement(s) and required documentation, and ensure that they are kept in the Procurement File.

IV. POLICY

The procurement of goods and services utilizing federal funds requires vendor compliance with federal provisions.

A. Certification from Vendors:

1. The RCUH secures assurances from vendors regarding their compliance with the federal provisions through signed certification statements as follows.
 - i. [Attachment 22 Certification Regarding Debarment, Suspension, and Other Responsibility Matters](#)
 - a. Required for all Purchase Order (PO) \$25,000 and above (under federal grants) and over \$35,000 (under federal prime contracts), certifying that the vendor is not debarred or suspended from doing business with the government. Alternatively, the Fiscal Administrator may document that the vendor is registered and has made the required certifications on the government's [System for Award Management \(SAM\) website](#).
 - b. Required for all subawards or subcontracts using budget category 7150 and/or 7172, regardless of dollar amount. Subawards processed through the University of Hawai'i's Office of Research Services will normally use the FDP subaward template, which already includes a certification statement.
 - ii. [Attachment 23 Certification Regarding Payments to Influence Federal Transactions](#)
 - a. Required for all POs over \$100,000 (under federal grants) and over \$150,000 (under federal prime contracts), certifying that the vendor has not used federal funds to influence federal transactions, and obligating the vendor to make a disclosure if it has done so. Alternatively, the Fiscal Administrator may document that the vendor is registered and has made the required certifications on the government's [SAM website](#). It is RCUH policy to not do business with a vendor that has been sanctioned under this provision.
 - b. Required for all subawards or subcontracts using budget category 7150 and/or 7172, regardless of dollar amount. Subawards processed through the University of Hawai'i, Office of Research Services will normally use the FDP subaward template, which already includes a certification statement.

iii. **Certificate of Current Cost or Pricing Data (applicable to contracts and subcontracts under Federal Prime Contracts only)**

Cost or pricing data certified by the vendor is required for POs over \$750,000 for federal prime contracts awarded before July 1, 2018, and POs over \$2,000,000 for federal prime contracts awarded on or after July 1, 2018. The cost or pricing data represents the details of the vendor's basis for determining the cost or price of the item and/or service to be procured. The instructions for completing the [Vendor's Certificate of Current Cost or Pricing Data \(FAR 15.406-2\)](#) are contained in [FAR 15.406-2](#).

In addition to a vendor certification, procurements requiring cost or pricing data need to be solicited according to the requirements and instructions contained in [FAR 15.408](#), Table 15-2, and properly documented according to [FAR 15.406-3](#). It is the responsibility of the Principal Investigator to comply with the federal requirements and the responsibility of the Fiscal Administrator to ensure compliance.

Cost or pricing data is not required if any of the following circumstances apply:

1. The prices agreed upon are based on adequate price competition; or
2. The agreed-upon prices are set by law or regulation; or
3. A commercial item is being purchased; or
4. A waiver from the sponsor has been granted.

V. CONTACT INFORMATION

RCUH Procurement
Telephone: 808-956-0518
Email: rcuhfiscal@rcuh.com

VI. REFERENCES

- A. [Attachment 22 Certification Regarding Debarment, Suspension, and Other Responsibility Matters](#)
- B. [Attachment 23 Certification Regarding Payments to Influence Federal Transactions](#)
- C. [Vendor's Certificate of Current Cost or Pricing Data \(FAR 15.406-2\)](#)