

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
PROPOSED DEBARMENT AND OTHER
RESPONSIBILITY MATTERS
For Fiscal Year July 1, 2007 through June 30, 2008**

Contractor: *Madsden. I.S.D.*

Contract #: *JPA-05-63-8800-0031*

The entering of a federally-funded contract with the Human Services Department (HSD) is a "covered transaction," in regards to debarment, suspension, proposed debarment and other responsibility matters as defined by 45 C.F.R. Part 76 and other applicable federal regulations. Therefore, as a federally-funded Contractor of HSD, you must provide evidence that you are eligible to be a party of this transaction by signing this certification. Furthermore, you shall provide immediate written notice to the Program Manager for this contract if, at any time, the Contractor learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

Although HSD may review the veracity of the certification through the use of the federal Excluded Parties Listing System or by other means, the certification provided by the Contractor in paragraph (a), below, is a material representation of fact upon which HSD will rely when confirming contractor standing and compliance with applicable federal regulations on this matter. If it is later determined that the Contractor knowingly rendered an erroneous certification, in addition to other remedies available to HSD, HSD may terminate the subject contractual agreement for nonresponsibility and default.

The certification provided by the Contractor in paragraph (a), below, will be considered in connection with a determination of the Contractor's responsibility. A certification that any of the items in paragraph (a), below, exists may result in termination of the Contractor's contractual agreement. If the Contractor's certification indicates that that any of the items in paragraph (a), below, exists, the Contractor shall provide a full written explanation of the specific basis for, and circumstances connected to, the item; the Contractor's failure to provide such explanation may result in termination of the Contractor's contractual agreement. If the Contractor's certification indicates that any of the items in paragraph (a), below, exists, HSD, in its sole discretion, may request, that the U.S. Department of Health and Human Services and any other applicable federal agency grant an exception under 45 C.F.R. §§ 76.120 and 76.305 and any other applicable federal regulations if HSD believes that the procurement schedule so permits and an exception is applicable and warranted under the circumstances. In no event will HSD award a contract to a Contractor if the requested exception is not granted for the Contractor.

(a)(1) By signing and submitting this certification, the Contractor certifies, to the best of its knowledge and belief, that:

(i) The Contractor and/or any of its Principals-

(A) Are are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal department or agency;

(B) Have have not , within a three-year period preceding the date of the Contractor's contractual agreement, 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) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property;

(C) Are are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with, commission of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this certification;

(D) Have have not , within a three-year period preceding the date of the subject contractual agreement, had one or more public agreements or transactions (Federal, State or local) terminated for cause or default; and

(E) Have have not been excluded from participation from Medicare, Medicaid, other federal health care programs or other federal behavioral health care programs pursuant to Title XI of the Social Security Act, 42 U.S.C. § 1320a-7 and other applicable federal statutes.

(ii) "Principal," for the purposes of this certification, shall have the meaning set forth in 45 C.F.R. § 76.995 and shall include an officer, director; owner, partner, principal investigator, or other person having management or supervisory responsibilities related to a covered transaction. "Principal" also includes a consultant or other person, whether or not employed by the participant or paid with Federal funds, who: is in a position to handle Federal funds; is in a position to influence or control the use of those funds; or occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction.

(iii) For the purposes of this certification, the terms used in the certification, such as *covered transaction*, *debarred*, *excluded*, *exclusion*, *ineligible*, *ineligibility*, *participant*, and *person* have the meanings set forth in the definitions and coverage rules of 45 C.F.R. Part 76 and other applicable federal regulations.

(iv) Nothing contained in the foregoing certification shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of a Contractor is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
