District Referral for Consideration of Suspending and Debarring

Use this form to request BART to review the performance of a specific contractor or contractor staff member. The District's Suspension and Debarment Policy ("Policy") outlines a process for BART management to review the quality of work and conduct of a contractor and contractor staff who is or has participated in a BART contract as outlined in the Policy. Save a copy of this form then submit it to suspension.debarment@bart.gov to make a request or use the email address if you have any questions.

Please fill out a separate form for each complaint

REPORTER INFORMATION (BART staff use BART contact information)

Person filing form (Reporter)
First name | **Middle name** (optional) | **Last name**

Address: Number and street	**City**	**State**	**ZIP Code**
Phone where you can be reached (Monday-Friday, 8 a.m. – 5 p.m.)	**Email address**		

BART Employee ID (if applicable)	**BART Department** (if applicable)	**BART Job Title** (if applicable)

CONTRACTOR INFORMATION

Business, contractor, or firm; license/registration number; BART Contract, Agreement, or Purchase Order number(s):

Who did you deal with (individual, teams, or firm)?	**Date(s) of contract, agreement, service, or purchase:**

What type of product or service is this report about (e.g., construction contract, agreement, services)?

Briefly describe your concern or complaint (be specific—who, what, when, where, how). ***Use additional pages or attachments if needed.***

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Time Critical Events (highlight any known events with which the Suspension or Debarment Officer should be aware): N/A ☐

Mitigating Factors (list any known mitigating factors the official should consider, such as prior or offer of restitution, voluntary disclosures, cooperation w/law enforcement/government, implementation of remedial policies/procedures, personnel accountability measures, etc.) N/A ☐

Basis of Referral and/or Reasons for Referral (check all that apply): Fact-based ☐ Judicial-based ☐

- ☐ Commission of fraud or conviction of a criminal offense involving a government contract/subcontract or a public or private agreement or transaction
- ☐ Violation of Federal or State antitrust statutes arising out of the submission of offers.
- ☐ Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property.
- ☐ Failure to adhere to "Buy America" regulations, including intentionally affixing a label bearing a "Made in America" inscription (or any inscription having the same meaning) to a product sold in or shipped to the *United States* or its *outlying areas*, when the product was not made in the *United States* or its *outlying areas*.
- ☐ Commission of any other offense indicating lack of business integrity or business honesty and directly affects their present responsibility of a Government contractor or subcontractor.
- ☐ Willful failure to perform in accordance with the terms of one or more contracts.
- ☐ A history of failure to perform or unsatisfactory performance, on one or more contracts.
- ☐ Failure to comply with requirements of a Drug-Free Workplace.
- ☐ Commission of an unfair trade practice as defined in FAR 9.403.
- ☐ Delinquent Federal taxes in an amount that exceed $10,000.
- ☐ Knowing failure by a principal to timely disclose, in connection with a government contract, credible evidence of violation of Federal criminal law involving fraud, conflict of interest, bribery, or gratuity; violations of the civil False Claims Act; or significant overpayment(s) on the contract.
- ☐ Other:

Have you filed this complaint with any other organization or government agency?
If yes, please provide details below: ☐ Yes ☐ No

Agency Name	Contact Name	Phone Number	Case Number

Current Legal Proceedings Against Respondent: N/A ☐

Court	Docket Number	Status

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List of attachments (select all that apply. Include documents related to the underlying action(s) precipitating this referral, a document showing some relation to BART, and any documents demonstrating mitigating factors. Materials will be redacted, and only the relevant portions will be provided to the Respondent in the Administrative Record):

- ☐ Indictment/Charging Document
- ☐ Judgment
- ☐ Settlement/Plea Agreement
- ☐ Statement of Facts
- ☐ DOJ Press Release
- ☐ Search/Arrest Warrant
- ☐ Report of Investigation
- ☐ Interview Notes/Statements
- ☐ Audit Report/Official Findings
- ☐ Financial Records
- ☐ Contract Documents
- ☐ Grant/Underlying Agreements
- ☐ Other Supporting Material:

Please attach copies of any documents, receipts, warranties, invoices, correspondence, photos, etc. that will help substantiate your complaint, sign below, and email to the address at the top of this form.

I hereby certify under penalty of perjury under the laws of the state of California that to my knowledge all of the above statements are true and correct.

Signature _____ **Date** _____

Referrals should be emailed to BART at suspension.debarment@bart.gov.