

1230.1175 REINSTATEMENT AND PROBATION.

Subpart 1. **Review of reinstatement applications.** The director shall review vendor applications for reinstatement.

Subp. 2. **Application for reinstatement time limits.** A person who has been debarred may not seek reinstatement until one year from the end of the debarment period.

Subp. 3. **Information in reinstatement application.** A request for reinstatement must be made to the director in writing and include:

A. all information necessary to qualify as a responsible vendor, as defined in part 1230.0150, subpart 20;

B. an explanation of the steps taken by the applicant to resolve the production, financial, or technical problems that caused its previous failure to perform;

C. evidence of successful completion of at least four other contracts, including contracts with two public entities in the same commodity class, field, or type of work; and

D. a written narrative outlining all steps taken to ensure that the cause for debarment has been corrected with appropriate supporting documentation.

Subp. 4. **Actions following decision.** The director shall determine if the person can be reinstated as a responsible vendor and be added to the vendor list. If, after investigation, the applicant's request for reinstatement is denied, the person cannot reapply for reinstatement for one year from the date of denial. If reinstated, the applicant must be placed on the vendor list and be subject to a one-year probationary period.

Subp. 5. **Probationary periods and conditions.** Vendor probationary periods apply to formally debarred persons who have been reinstated as responsible vendors.

The length of the probationary period is one year from the date of reinstatement.

During the probationary period, the party on probation must respond to all solicitations received from the division. An indication of an intent not to respond is considered a response for purposes of this subpart.

If a response from a vendor on probation is accepted and the vendor refuses to perform or enters into a contract and performance is substandard, the performance or supply bond, if any, will be retained and the vendor must be deemed not to be a responsible vendor and must be permanently removed from the vendor list.

Statutory Authority: *MS s 16B.04; 16B.18; 16B.19; 16B.22; 16C.03; 16C.16; 16C.19*

History: *16 SR 194; 28 SR 499*

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