

PURCHASING AND CONTRACTING: PROCUREMENT STAFF CODE OF CONDUCT

Conflict of Interest

All employees of Region Two School of Applied Technology shall perform their duties in a manner free from conflict of interest to ensure that Region Two's business transactions are made in compliance with applicable laws and regulations and in a manner that maintains public confidence in the school.

No employee of Region Two School of Applied Technology shall participate in the selection, award or the administration of a contract supported by federal funds or in any other transaction in which Region Two is a party if he/she has a real or apparent conflict of interest in the transaction.

A conflict of interest would arise when the employee or any member of his/her immediate family, his/her (business) partner or an organization that employs or is about to employ any of these parties, has a financial or other interest in the firm selection for the award. For the purpose of this policy, "immediate family" is defined as spouse, brother, sister, parent, son or daughter.

Conflict of Interest Disclosure

All employees with real or apparent conflicts of interest as defined above must disclose the conflict of interest to the Director, who will investigate the circumstances of the proposed transaction. The Director will exercise due diligence in investigating the circumstances of the transaction and, if necessary, will make reasonable efforts to find alternatives to the proposed transaction or arrangement that would not give rise to a conflict of interest. If the Director determines that the transaction is in the best interest of Region Two School of Applied Technology and is fair and reasonable, he/she may proceed with the transaction. In the event that the Director may have a conflict of interest, an ad hoc subcommittee of the Board will investigate and make a determination regarding the transaction.

Staff Gifts and Solicitations

Region Two School of Applied Technology employees are prohibited from accepting money or things of material value from persons or entities doing business with, or desiring to do business with the unit. Employees may accept unsolicited items of nominal value such as those generally distributed by a company or organization through its public relations program.

Violations

Employees of Region Two School of Applied Technology who violate this code of conduct may be subject to discipline up to and including termination of employment, and if appropriate, referral to law enforcement.

Dispute Resolutions

A bidder or respondent to a request for proposal (RFP) may protest procurement or contract award if he/she believes that it was made in a manner inconsistent with Board policy, specifications, law or regulations. A protest must be submitted to the Director in writing within five (5) business days after receipt of notification of the award being made, with all documents supporting the protest.

The Director shall review the protest and supporting documents and render a decision in writing within twenty (20) business days of receipt of the protest. The Director may also convene a meeting with the bidder or respondent to attempt to resolve the problem.

If the bidder or respondent is not satisfied with the Director's decision, he/she may appeal to the Board. The Director will provide reasonable notice to the bidder or respondent of the time for the Board's consideration of the protest. The Board's decision shall be final.

Legal Reference:

34 CFR 74.40-74.48; 80.36 (Education Department General Administrative Regulations (EDGAR)
Commissioner's Administrative Letter No. 6, June 18, 2006 (Fiscal Compliance)

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