



STANDARDS OF CONDUCT/PROCUREMENT ETHICS

The Golden Gate Bridge, Highway and Transportation District (District) has established standards of conduct for all District Directors, officers, employees and agents. Similarly, the District expects its vendors, consultants, contractors, agents, and their employees (collectively “suppliers”) to embrace this commitment to integrity and fair procurement practices by complying with the standards as set forth below. Suppliers must adhere to these standards while conducting business with or on behalf of the District. Suppliers must promptly notify the District when any situation exists, or is perceived to exist, that is in violation with these standards.

1. **Duty to Disclose.** District Directors, Officers, employees, and agents shall not be involved in any purchasing decision, task, or procedure (including participation in initiation, evaluation, award, or administration of a contract) in which they or persons related to them have a real or apparent conflict of interest, as more particularly defined in Subsection B, below. In cases where there may be a conflict of interest, employees have the responsibility to report in writing such conflict to the Procurement Director or the appropriate District Officer or Deputy General Manager, who shall document the conflict and take appropriate action. Failure to make such disclosure is subject to discipline, as hereinafter defined.
2. **Conflict of Interest.** In accordance with the Political Reform Act, Government Code Section 87100 *et seq.*, the District Board of Directors has adopted a Conflict of Interest Code under which identified designated employees are required to disclose economic interests and are prohibited from participating in decisions which will have a reasonably foreseeable material effect on their financial interests

For purposes of these Standards of Conduct, it is further required that no Director, Officer, employee, or agent of the District shall participate in any procedure, task, or decision relative to initiation, evaluation, award, or administration of a contract if a conflict of interest, real or apparent, exists. Such a conflict of interest arises when (a) the Director, Officer, employee, or agent, (b) any member of his or her immediate family, (c) his or her business associate, or (d) an organization which employs, or which is about to employ, any of the above described individuals has a financial or other interest in a firm that participates in a District procurement process or that is selected for a contract award. The standards governing the determination as to whether such an interest exists are set forth in Sections 1090, 1091, and 1091.5 of the California Government Code.

The General Manager may implement administrative requirements to monitor and assure adherence with these Standards of Conduct. Similarly, District Divisions or departments

may maintain standards of conduct regarding conflicts of interest specific to that Division or department consistent with these Standards of Conduct.

3. **Gratuities and Contingent Fees.** No Director, Officer, or employee of the District, whether or not such employee's position is included in the District's Conflict of Interest Code, shall accept a gift of any value from a person the Director, Officer, or employee knows, or has reason to know, has a financial interest in a pending procurement with the District. "Pending procurement" refers to a procurement that is underway during the following time periods:
- i. Beginning 60 days prior to the District's issuance of any request for information, quotes, bids or proposals; through the solicitation and evaluation of quotes, bids or proposals; up until award of a contract or abandonment of the procurement process by the District; and
 - ii. Within the 60 days prior to the expiration of the term of an existing contract and during negotiations of a contract renewal or exercise of any contract option.

4. **Gifts.** The District's Policy for the Receipt of Gifts was adopted by the Board of Directors on December 15, 2011. Individuals in positions designated in the Conflict of Interest Code's Disclosure Category I or who are covered by Government Code 87200 are prohibited from receiving gifts totaling more than \$500 (through December 31, 2020) from any single source in a calendar year.

All other District Officers and employees, whether or not their positions are included in the District's Conflict of Interest Code, are prohibited from receiving gifts totaling more than \$500 (through December 31, 2020) in a calendar year from any single source that provides services, supplies, materials, machinery, or equipment of the type utilized by the District.

These annual limits shall automatically increase or decrease consistent with modifications to the gift limit established by the Fair Political Practices Commission (FPPC).

5. **Ex Parte Communication.** Suppliers or Supplier's representatives may not communicate orally with an officer, director, employee, or agent of the District, with the exception of the Procurement staff, Secretary of the District or DBE Program Administrator regarding any solicitation until after a Notice to Proceed has been issued by the District. Suppliers and their representatives are not prohibited, however, from making oral statements or presentations in public to one or more representatives of the District during a public meeting.

In the context of a solicitation, an "ex parte communication" is any communication regarding the solicitation between a Supplier (or the Supplier's representative) and the District's General Manager, Board Member, officer, employee or consultant, regardless of who initiates the communication, other than as part of the procurement process before the District issues a Notice to Proceed, unless it is in writing and available for disclosure to the general public.

6. **Confidential Information.** No Director, officer, employee or agent shall use confidential information for his or her actual, anticipated, or apparent personal gain, or for the actual, anticipated, or apparent personal gain of any person related to such employee as such relationship is defined in Subsection B above. “Confidential Information” is defined to include any proprietary, privileged, or nonpublic information coming to the person’s attention as a result of an employment position with the District, the knowledge of which makes possible financial gain.
7. **Postemployment Restrictions.** No Director, Officer, employee, or agent may act as an agent or attorney for, or may otherwise represent, any other person or entity by making any formal or informal appearance, or any oral or written communication, before the District, or any Officer or employee thereof, during the twelve (12) months after leaving office or employment with the District, if the appearance or communication is made for the purpose of influencing administrative action or any action involving the issuance, amendment, award, or revocation of a permit, license, grant, or contract. This statement shall be included in Requests for Proposals, Requests for Statement of Qualifications, and Contract Documents issued by the District.
8. **Discipline for Violation.** The violation of any of these Standards of Conduct will subject the violator to any disciplinary proceedings or action deemed appropriate by the District, up to and including dismissal.