

CONCHO VALLEY COUNCIL OF GOVERNMENTS PROCUREMENT STANDARDS OF CONDUCT

1. PURPOSE

The purpose of these Standards of Conduct is to ensure that the actions of Concho Valley Council of Governments ("CVCOG") employees, officers, agents, and board members involved in the selection, award, and administration of contracts supported by local, State, and Federal funds are ethical, transparent, and free from any conflicts of interest. These standards align with applicable State and Federal regulations and ensure the integrity of the procurement process.

2. SCOPE

This policy applies to all employees, officers, agents, and board members of CVCOG who are involved in any phase of the contract selection, award, or administration process for contracts supported by local, State, and Federal funds.

3. PROCUREMENT STAFF RESPONSIBILITIES

- A. Commit to discharging their procurement responsibilities in accordance with federal, state and local laws and professional procurement principles as described herein.
- B. Deal fairly and factually with dispute resolution while keeping the organization informed.
- C. Handle all procurement matters on a fair, objective and non-discriminatory basis.
- D. Neither seek nor dispense personal favors.
- E. Withhold participation in the selection, award, or administration of contracts if there is a real or apparent conflict of interest. A conflict of interest would arise when the employee or any member of his or her immediate family, including his or her partner, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. This includes employment or potential employment of any of the parties indicated herein by a firm considered for a contract.

4. PROCUREMENT PRACTICES

- A. Understand the authority granted by CVCOG.
- B. Avoid activities that would compromise or give the perception of compromising the best interest of CVCOG.
- C. Actively promote competition to reduce the potential for charges of preferential treatment.
- D. Maintain and strengthen the public's trust and confidence in public institutions, by demonstrating the highest standards of professional competence, efficiency and effectiveness, upholding the constitution and the laws, and seeking to advance the public good at all times.
- E. Use powers and resources for the public good, in accordance with the law and government policy. Team members should be prepared to be accountable for the decisions they make and to justify their official decisions and actions to a relevant authority, or publicly, as appropriate in the circumstances.
- F. Obtain best value in expenditure of public funds, and efficient use of assets deployed in or through public management, and to avoid waste and extravagance in the use of resources in public programs and official activities.
- G. Make decisions and act without consideration of private interests. Public service being a public trust, the improper use of a public service position for private advantage is regarded as a serious breach of professional integrity.

- H. Avoid holding business meetings with suppliers outside the office. When such meetings do occur, one should be careful to assure that other people in the business community or peers do not perceive it as inappropriate.

5. CONFLICT OF INTEREST

5.1. Policy Statement

CVCOG requires its employees, officers, agents, and board members to avoid any real or apparent conflict of interest in the selection, award, or administration of contracts supported by State and Federal assistance.

5.2. Definition of Conflict of Interest

A conflict of interest exists when an employee, officer, agent, board member, or their immediate family members, partners, or any organization with which they are affiliated:

- Has a financial or other interest in a firm considered for a contract; and/or
- Stands to gain a tangible personal benefit from a firm considered for a contract.

5.3. Recusal Requirement

Any employee, officer, agent, or board member who has a conflict of interest, or who is perceived to have a conflict of interest, must immediately disclose the situation to their supervisor and the appropriate procurement officer. The individual must recuse themselves from participating in any part of the selection, award, or administration of any procurement contract.

5.4. Disclosure Process

Employees, officers, agents, and board members must report any potential or actual conflicts of interest in writing to their supervisor and the appropriate procurement officer. All disclosures will be reviewed and documented, and appropriate actions will be taken to ensure impartial decision-making.

6. PROHIBITION ON GIFTS, GRATUITIES, FAVORS, OR MONETARY VALUE ITEMS

Employees, officers, and agents of CVCOG are prohibited from soliciting or accepting any gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

7. DISCIPLINARY ACTION FOR VIOLATIONS

Employees, officers, agents, or board members who violate this policy may face disciplinary actions ranging from written warnings to termination of employment, as well as potential legal consequences. The severity of the action will depend on the nature of the violation and will be determined in accordance with CVCOG's personnel policies.

8. MANDATORY REPORTING

- A. Employees, officers, agents, and board members are required to report any violations or suspected violations of this policy. Reports should be made to the appropriate supervisor, manager, or procurement officer.
- B. For procurements under Federal awards, it is mandatory to disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the award pursuant to 2 CFR 200.113 Mandatory Disclosures.

9. TRAINING AND AWARENESS

The CVCOG Procurement Department will provide regular training to employees, officers, agents, and board members to ensure they understand and adhere to this policy, particularly regarding conflicts of interest and the proper conduct in the selection, award, and administration of contracts.