

SECTION 5

ETHICAL PROCUREMENT STANDARDS

5.0 COUNTY PURCHASING ETHICS

- A. Acceptance of gifts at any time, of any nature, is prohibited. Employees must not become obligated to any vendors and shall not conduct or conclude any County transaction from which they may personally benefit.

- B. No County officer or employee shall bid for, enter into or be in any manner interested in any contract for County purchases or County public works. Nor shall any officer or employee seek to influence the purchase of a product or service from any offeree. Such restrictions shall not be construed to restrict persons from evaluating and appraising the quality and value of the product to be purchased or service to be rendered where the person's scope of employment contemplates advice and council with respect to the purchase. No County officer or employee shall receive any gift, or benefit of any nature from prospective bidders. The avoidance of actual or apparent conflicts of interest is a prime requisite to the efficient and sound operation of government and maintenance of the public trust.

Pursuant to Section 112.313 of the Florida Statutes, all County employees who participate in the purchasing program shall adhere to the following ethical standards:

- C. A County official or County employee may not directly or indirectly procure contractual services for the County from a business entity of which a relative is an officer, partner, director, or proprietor, or in which he/she, his/her spouse, or child has a material interest.

- D. No employee acting as a Purchasing official, purchasing manager or buyer may, directly or indirectly, purchase, rent, or lease any supply or service from a business entity in which he/she, his/her spouse, or child is an officer, partner, director, or proprietor, or in which he/she, his/her spouse, or child (or any combination of them) owns a material interest. Nor may a public officer or employee, acting in a private capacity, rent, lease, or sell any commodity or service to the County.

- E. Any personnel who have the procurement responsibility for Pinellas County shall follow the ethical principles established by the National Institute of Governmental Purchasing (NIGP) Code of Ethics.

5.0 COUNTY PURCHASING ETHICS - Continued

- F. Lobbying of Evaluation Committee members, Pinellas County Government employees, or elected officials regarding request for proposals, request for qualifications, bids or contracts, during the pendency of bid protest, by the bidder/proposer/protestor or any member of the bidder's/proposer's/protestor's staff, an agent of the bidder/proposer/protestor, or any person employed by any legal entity affiliated with or representing an organization that is responding to the request for proposal, request for qualification, bid or contract, or has a pending bid protest is **strictly prohibited either upon advertisement or on a date established by the Board and shall be prohibited until either an award is final or the protest is finally resolved by the County Administrator or Purchasing Director**; provided, however, nothing herein shall prohibit a prospective bidder/proposer from contacting the Purchasing Department to address situations such as clarification and/or questions related to the procurement process. For purposes of this provision lobbying activities shall include but not be limited to, influencing or attempting to influence action or non-action in connection with any request for proposal, request for qualification, bid or contract through direct or indirect oral or written communication or an attempt to obtain goodwill of persons and/or entities specified in this provision. Such actions may cause any request for proposal, request for qualification, bid or contract to be rejected.

NATIONAL INSTITUTE OF GOVERNMENTAL PURCHASING, INC.

CODE OF ETHICS

The Institute believes, and it is a condition of membership, that the following ethical principles should govern the conduct of every person employed by any public sector procurement or materials management organization.

1. Seeks or accepts a position as head or employee only when fully in accord with the professional principles applicable thereto and when confident of possessing the qualifications to serve under those principles to the advantage of the employing organization;
2. Believes in the dignity and worth of the services rendered by the organization and the social responsibilities assumed as a trusted public servant;
3. Is governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served;
4. Believes that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and not tolerable;
5. Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved;
6. Believes that members of the Institute and its staff should at no time or under any circumstances, accept directly or indirectly, gifts, gratuities or other things of value from suppliers;
7. Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations, but personally remains in the background of emphasizing the importance of the facts;
8. Resists encroachment on control of personnel in order to preserve integrity as a professional manager. Handles all personnel matters on a merit basis. Political, religious, racial, gender and age considerations carry no weight in personnel administration in the agency being directed or served;
9. Seeks or dispenses no personal favors. Handles each administrative problem objectively and empathetically without discrimination on the basis of principles and justice; and
10. Subscribes to and support the professional aims and objectives of the National Institute of Governmental Purchasing, Inc.