

## **ETHICAL CONSIDERATIONS POLICY**

### **Public Purchasing Standards**

The County of Fresno subscribes to the California Association of Public Purchasing Officers' "Standards of Purchasing Practice" which are:

1. To regard public service as a sacred trust, giving primary consideration to the interests of the public agency that employs us.
2. To purchase without prejudice, seeking to obtain the maximum value for each dollar expended.
3. To avoid unfair practices, giving all qualified vendors equal opportunity.
4. To honor our obligations and require that obligations to our public agency be honored.
5. To accord vendor representatives courteous treatment, remembering that these representatives are important sources of information and assistance in solving our purchasing needs.
6. To refuse to accept any form of commercial bribery, and prevent any appearance of wrongdoing.
7. To be receptive to counsel from our colleagues, and to cooperate with them to promote a spirit of teamwork and unity.
8. To conduct ourselves with fairness and dignity, and to demand honesty and truth in the purchasing process.
9. To strive for greater knowledge of purchasing methods and of the materials we purchase.
10. To cooperate with all organizations and individuals involved in activities designed to enhance the development of the purchasing profession, remembering that our actions reflect on the entire purchasing profession.

### **Conflict of Interest**

State of California Government Code Section 1090 prohibits any County employee or officer from having any financial interest in any contract made by them in their official capacity or by anybody or Board of Supervisors of which they are members. It also prohibits County employees or officers from being "purchasers at any sale or vendors at any purchase made by them in their official capacity." Charter of the County of Fresno, Section 41, provides that, "No officer or employee shall be interested directly or indirectly in any contract or transaction with the County. No officer or employee shall receive any commission, money or thing of value, or derive any profit, benefit or advantage directly or indirectly, from or by reason of any dealings with, or service for the County, by himself or otherwise, except his lawful compensation as such officer or employee."

### **Purchasing for Personal Use**

County of Fresno employees shall not use their official capacity or County time to negotiate or make personal purchases for themselves or others. Employees must act purely in the best interest of the public at all times and avoid the introduction of personal factors.

### **Prohibition of Kickbacks**

It is unethical for any payment, gratuity, or offer of employment to be made to a County employee by or on behalf of a contractor.

### **Unethical Use of Confidential Information**

It shall be unethical for any employee to knowingly use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

### **Purchasing From County Employees**

California State Government Code Section 1090 prohibits an employee from being financially interested in a contract with the public entity for which that employee works. Any contract made in violation of these provisions is void. Therefore, should the County deem an employee's bid or proposal is the best submitted, the employee should be informed before entering into a contract with the County to provide such services, that it will be necessary for the employee to resign from their position as a County employee.