

	MARICOPA COUNTY PROCUREMENT CODE	OFFICE OF PROCUREMENT SERVICES	
		Article 12	Date 02/24/2021
SUBJECT		ETHICS IN PUBLIC CONTRACTING	

MC1-1201 EMPLOYEE ETHICS

- A. Maricopa County employment is a public trust. It is the policy of Maricopa County for Employees to maintain high standards of honesty, integrity, impartiality, courtesy and conduct. Such policy is implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering County service. Further guidance can be obtained by referring to the Maricopa County Ethics Handbook.
- B. Maricopa County Employees must discharge their duties impartially so as to assure fair competitive access to governmental Procurement by responsible Contractors and to avoid the appearance of impropriety. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of Maricopa County's Procurement operation.
- C. To achieve the purpose of this article, it is essential that those doing business with Maricopa County also observe the ethical standards prescribed herein.

MC1-1202 SIGNIFICANT PROCUREMENT ROLE

An Employee of any Maricopa County Governmental Unit, who has a Significant Procurement Role in the Procurement of Commodities, Services or Construction shall not accept an offer of employment from or have employment discussions with any Person or entity lobbying for or potentially responding to a Solicitation during a period beginning on signature of the first nondisclosure agreement pertaining to a particular Solicitation or at the time of request for a sole source Procurement or competition impracticable Procurement and ending one year after the purchased Commodities are delivered or the purchase of Services or Construction begins.

MC1-1203 INFLUENCE

- A. Any attempt to realize personal gain through Maricopa County employment by conduct inconsistent with the proper discharge of the Employee's duty is a breach of public trust.
- B. Any effort to influence any Maricopa County Employee or agent to breach the standards of ethical conduct, maybe grounds for Disbarment or Suspension under MC1-902.

MC1-1204 CONFLICT OF INTEREST

It shall be a breach of ethical standards for any Employee or agent acting on behalf of Maricopa County to directly or indirectly participate in or benefit from a Procurement when the Employee, agent or his immediate family has a financial interest in the

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Business or organization, or has a potential for financial gain as a direct result of their actions, unless an exception has been previously granted by the Chief Procurement Officer. The Chief Procurement Officer shall review requests for exceptions on a case by case basis and issue a written determination to support the decision.

MC1-1205 ETHICAL STANDARDS

- A. It shall be a breach of ethical standards for any Person to offer, give or agree to give any Employee or former Employee, or for any Employee or former Employee to solicit, demand, accept, or agree to accept from another Person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or a Purchase Request, influencing content of any Specification or Procurement standard, rendering of advice, investigation, auditing or in any advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement of a Contract or subcontract, or to any Solicitation or Proposal thereof.
- B. It shall be a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a Contract to the prime Contractor or higher tier subcontractor or any Person associated therewith, as an inducement for the Award of a subcontract or order.

MC-1206 CONTINGENT FEES

It shall be a breach of ethical standards for a Person to be retained, or to retain a Person, to solicit or secure a Maricopa County Contract upon an agreement or understanding for a commission, percentages, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing Business.

MC-1207 EMPLOYMENT OF PRESENT AND FORMER EMPLOYEES

It shall be a breach of ethical standards for any Employee or former Employee who is participating directly or indirectly in the Procurement process to become, or be while such an Employee, the Employee of any Person under Contract with the governmental body by whom the employee is employed.

MC1-1208 CONFIDENTIAL INFORMATION

It shall be a breach of ethical standards for any employee or former employee knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

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	SUBJECT HEALTHCARE PROCUREMENT		

ARTICLE 13 – HEALTHCARE PROCURMENT

Article 13 has been deleted from the Procurement Code as of 12/05/07