

District Contractor Code of Conduct

I. Definitions

The following definitions shall apply to this Contractor Code of Conduct:

- A. District Official. The term "District Official" shall mean any Board member, officer, or employee of the District.
- B. Contractor. The term "Contractor" shall mean any contractor, supplier, real property developer, or consultant of the District.

II. Application of the Contractor Code of Conduct

This section shall govern the conduct of all Contractors of the District. These standards supersede all prior written ethics policies adopted by the District which are in conflict with these standards. These standards are to be read in conjunction with applicable provisions of the District's Procurement Manual and other applicable Board Rules, policies and procedures. All Contractors shall ensure that their subcontractors comply with this section.

III. Conflict with Contract Terms

The terms of this Contractor Code of Conduct are not intended to limit or otherwise modify other terms contained in a contract between the District and any Contractor. In the event there is a conflict between this Contractor Code of Conduct and the terms of a contract between the District and a Contractor, the terms of the contract shall govern.

IV. Purpose

The purpose of this section is to protect the integrity of the procurement process, and to provide a comprehensive statement of pertinent regulations and obligations governing the conduct of Contractors doing business with the District so they will be able to compete fairly and perform their work and services in an ethical manner.

This document does not purport to respond to all ethical issues which may arise in the course of doing business with the District. Each person and entity doing business with the District is expected at all times to conduct himself or herself in the manner of an ethical, reasonable person.

V. Professional Conduct

- A. District Contractors shall conduct themselves in a manner consistent with the law, this Code of Conduct, District policies, and good judgment.

- B. They shall not commit any act which may bring reproach or discredit upon the District.
- C. Speech or behavior that is likely to create an appearance of impropriety is to be avoided.
- D. Contractors shall not involve themselves in altercations or any other act of hostility with the District employees, other contractors, or the public. Neither shall they engage in acts which will subject the District to criticism or adversely affect the interests of the District.
- E. It is up to each Contractor to maintain a professional, safe, and productive environment.

VI. Interpretation

The District Ethics Officer, in consultation with the Office of the General Counsel, is charged with advising District management regarding ethical issues. Contractors and District managers may contact the Ethics Officer with questions regarding this Code of Conduct.

VII. Enforcement

Violations of law or of this Code by a Contractor should be reported to the District Ethics Officer.

VIII. Contacts by Staff Prior to the Issuance of a Solicitation

While informational and market research contacts by District employees with prospective Contractors can be a valuable source of data to the District, such contacts can sometimes provide an unfair advantage in a future procurement to persons contacted as part of the market research. All parties must exercise sound judgment and caution to ensure that there is no preferential treatment of any prospective Contractor and to avoid even the appearance of such preferential treatment. The District may be prohibited by law from awarding a contract to a Contractor who has received such preferential treatment or where there is an appearance of preferential treatment.

IX. Communication During Pendency of Bid or Proposal

- A. "District Official". For the purpose of this section only, the term "District Official" shall mean any Board member, officer, or employee of the District, or any other person who is serving on a District selection committee for the review of bids or proposals.
- B. Requirement to Log Communications. During the period of time commencing with the submittal of a bid or proposal in response to a Request for Proposals (RFP), Request for Qualifications (RFQ), Invitation for Bid (IFB), or other