

## PROFESSIONAL CODE OF CONDUCT

### CHAPTER 9

#### Ethics Policy

The City's ethics policy requires that its business be conducted with complete impartiality and with preferential treatment for none. Transactions relating to the purchases of goods, services and construction on behalf of the City require an impeccable standard of conduct on the part of both City employees and its suppliers. It is not too much to say that City contracting personnel are held to a higher standard.

The rules of conduct for City employees are, for the most part, contained in Chapter 68 of the New York City Charter. They set forth the minimum standards, the violation of which could result in serious penalties not only for the affected employee but also for the supplier (i.e., debarment) found to be in violation of these rules. Agencies may establish stricter standards than those embodied in the Charter.

#### Employee Responsibilities

In general, City employees are not permitted to accept gifts, entertainment, meals or travel worth over \$50 from any person or firm that the City employee knows, or should know, is engaged in business dealings with the City, or intends to become engaged in such business dealings.

Strict rules also govern the use of confidential information for private purposes, misuse of one's City job for private advantage, outside income from second jobs, other sources and investments, and post-City government employment.

The best policy for vendors or potential vendors is to avoid any action on their part that would create the impression or appearance that an action taken by a City employee was influenced in any way by a gift, promise of employment or any other activity that could be construed or interpreted by others as undermining the impartiality of the employee.

When soliciting, awarding or administering a procurement, agencies are forbidden to take into consideration, the fact that a prospective contractor or associated individual(s) has or has not made or promised to make a campaign contribution.

City employees are required, when in doubt, to contact the City's Conflicts of Interest Board for an advisory opinion prior to taking any action that could be seen as a violation of the City's conflict of interest rules.

#### Fundamental Ethical Principles

Rules cannot address specifically every incident or situation which may arise. However, certain fundamental principles apply to all contracting personnel at all levels.

These fundamental principles which have been endorsed by professional procurement associations are listed below:

1. Encourage competition, prevent favoritism, and obtain the best value in the interest of the City and the taxpayers;
2. Place professional responsibilities above personal interests;
3. Ensure fair competitive access to City contracting opportunities to a broad cross-section of responsible contractors;
4. Deal with the public and with contractors with courtesy, consideration and even-handedness;
5. Use information gained confidentially in the performance of City duties solely in the City's interest;