

PURCHASING AND CONTRACTING PROCUREMENT STAFF CODE OF CONDUCT

Conflict of Interest

All employees of MSAD 55 shall perform their duties in a manner free from conflict of interest to ensure that MSAD 55's business transactions are made in compliance with applicable laws and regulations and in a manner that maintains public confidence in the schools.

No employee, officer or agent of MSAD 55 shall participate in the selection, award or administration of a contract supported by a federal award if he/she has a real or apparent conflict of interest.

A conflict of interest would arise when the employee or any member of his/her immediate family, his/her (business) partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in the firm selected for the award. For the purpose of this policy, "immediate family" is defined as spouse, domestic partner, or brother, sister, parent, son or daughter, including their domestic partner or spouse.

Conflict of Interest Disclosure

All employees with real or apparent conflicts of interest as defined above must disclose the conflict of interest to the Superintendent who will investigate the circumstances of the transaction. The Superintendent will exercise due diligence in investigating the circumstances of the transaction and, if necessary, will make reasonable efforts to find alternatives to the proposed transaction or arrangement that would not give rise to a conflict of interest. If the Superintendent determines that the proposed transaction is in the best interest of MSAD 55 and is fair and reasonable, the transaction may proceed. In the event that the Superintendent may have a conflict of interest, an ad hoc subcommittee of the Board will investigate and make a determination regarding the transaction.

Staff Gifts and Solicitations

Employees, officers and agents of MSAD 55 may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts.

Employees, officers and agents of MSAD 55 may accept unsolicited items of nominal value such as those that are generally distributed by a company or organization through its public relations program.

Violations

Employees of MSAD 55 who violate this code of conduct may be subject to discipline, up to and including termination of employment, and if appropriate, referral to law enforcement.

Conflict Resolution/Protests and Claims

Boards should refer to the MSAD 55 Federal Procurement Manual Plan to review their options for a process to address protests and claims that may arise in the procurement of property, goods, or services through the use of federal awards/grants.

Legal Reference: 34 CFR Parts 74 and 80 (Education Department General
Administrative Regulations (“EDGAR”) (for federal awards
made prior to 12/26/2014)
2 CFR §200.318 (Uniform Administrative Requirements – General
Procurement Standards) (for federal awards made on or after
12/26/2014)

Cross Reference: BCB - Board Member Conflict of Interest
DJ - Bidding/Purchasing Requirements
GBI - Staff Gifts and Solicitations
KCD - Public Gifts/Donations to the Schools

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