



3XU FKDV LQJ 0DQXDO

2ULJLQDO \$GRSWLRQ 'DWH
-XQH

\$SSURYHG E\ 6WHYH 'LRQLVLR 6XSHULQWHQGHQW

Purchasing Manual
Summary of Changes

7KH 3XUFKDV LQJ 0DQXDO LV D OLYH QJL G RUFHFRHUGMIG \$HKQRZ
(DFK FKDQJHG SDJFKV DQD OEDHIDHIVMGB WKH PDUJLQ

<u>Date</u>	<u>Article</u>	<u>Short Description</u>
		8SGDWHG)HGHUDO 20% WH[W
		8SGDWHG FURSUFKDVH WKUHVKRC
		\$GGHG WH[W SHUWDLQLQJ WR PDG
		8SGDWHG 6WDWH ELGGLQJ SUHIH

3XUFKDV LQJ
&RGH RI (WKLFV

7KH 3XUFKDV LQJ 'H YDUWPKDZ LKJH WUKDFD IOS SHV VKRXOG JRYHUQ WKH
FRQGXFWR RI HYHU\ SEUWRG HPSWURLFGRUJSORLFXWHREQW

- x 6HHNV RU DFFHSWKHDSRRIUWHLRSORVHIOORQQ\ZKFRUGXZLWK WKH
SURIHVVLQRQDO SUDQFWKOHUVWBSOQGDEFRQVFRQVILGHQWHRTXDOLILFDWLR
WR VHUYH XQGHU WWRVW KSHU DGFLDSDW QJHRBU DVQLH DHPISQR\L
- x %HOLHYHV LQ WKH GLJQLW\ DQG ZRUW

7 \$ % / (2) & 2 1 7 (1 7 6

\$ 5 7 , & / (± * (1 (5 \$ / 3 5 2 9 , 6 , 2 1 6

3 \$ 5 7 \$ ± 3 8 5 3 2 6 (& 2 1 6 7 5 8 & 7 , 2 \$ 1 1 ' \$ 3 3 / , & \$ 7 , 2 1

§1-101 Purposes, Rules of Construction

- (1) *Interpretation*
- (2) *Purposes and Policies*
- (3) *Singular-Plural and Gender Rules*

§1-102 Supplementary General Principles of Law Applicable

§1-103 Requirement of Good Faith

§1-104 Application of this Manual

- (1) *General Application*
- (2) *Application to District Procurement*

§1-105 Severability

§1-106 Specific Repealer

§1-107 Specific Amender

§1-108 Construction Against Implicit Repealer

§1-109 Effective Date

3 \$ 5 7 % ± ' (7 (5 0 , 1 \$ 7 , 2 1 6

§1-201 Determinations

3578 ±' (), 1, 7, 216 Z(50686 (' , 1 7+06\$ 18 \$/

§1-301 Definitions

(1) Business

- (2) Change Order*
- (3) Purchasing Director*
- (4) Construction*
- (5) Contract*
- (6) Contract Modification*
- (7) Contractor*
- (8) Data*
- (9) Designee*
- (10) Electronic*
- (11) Employee*
- (12) Governmental Body*
- (13) Grant*
- (14) May*
- (15) Micro Purchases*
- (16) Person*
- (17) Procurement*
- (18) Procurement Officer*
- (19) Public Notice*
- (20) Purchasing Agency*
- (21) Regulation*
- (22) Services*
- (23) Shall*
- (24) Signature*
- (25) Small Purchase Amount*
- (26) Supplies*
- (27) Division*
- (28) Written or In Writing*

357' ±38 % / , \$ & & (6 6

§1-401 Public Access to Procurement Information

§1-501 Authorization for the Use of Electronic Transmissions

\$ 5 7 , & / (± 3 5 2 & 8 (5 (7 0 2 5 * \$ 1 , = \$ 7 , 2 1

3\$ 5 7\$ ± ' , 6 7 5 , & 3 5 2 & 8 5 (0 (1 3 2 / , & < 2)) , & (

§2-101 *Creation and Membership of the District Procurement Policy Office*

§2-102 *Authority and Duties of the Policy Office*

3\$ 5 7% ± 3 8 5 & + \$ 6 , 1 * , 5 (& 7 2 5

§2-201 *Creation of the Office of the Purchasing Director*

§2-202 *Appointment and Qualifications*

§2-203 *Tenure, Removal, and Compensation*

(1) *Tenure and Removal*

(2) *Compensation*

§2-204 *Authority of the Purchasing Director*

(1) *Principal Contracting Officer of the District*

(2) *Power to Adopt Operational Procedures*

(3) *Duties*

(4) *Procedures*

§2-205 *Delegation of Authority by the Purchasing Director*

3\$ 5 7 & ± 2 5 * \$ 1 , = \$ 7 , 2 1 3 8 % / , & 5 2 & 8 5 (0 (1 7

§2-301 *Centralization of Procurement Authority*

§2-302 *Authority to Contract for Legal Services*

- (2) *Other Advisory Groups*
- (3) *Reimbursement of Expenses*

§2-503 *Procurement Institute*

- (1) *Creation*
- (2) *Functions*
- (3) *Funding*

3\$ 57) ±' 87, (6 2) 7%(2 \$ 5' \$ 7 7 2 5 1 (<

§2-601 *Duties of the Board's Attorney*

\$ 5 7 , & / (± 6 2 8 5 & (6 (/ (& 7 , 2 1 \$ 1 ' & 2 1 7 5 \$ & 7) 2 5 0 \$ 7 , 2 1

3\$ 5 7 \$ ± ' () , 1 , 7 , 2 1 6

§3-101 *Definitions of Terms Used in this Article*

- (1) *Cost-Reimbursement Contract*
- (2) *Established Catalogue Price*
- (3) *Invitation for Bids*
- (4) *Purchase Description*
- (5) *Request for Proposals*
- (6) *Responsible Bidder or Offeror*
- (7) *Responsive Bidder*

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§3-201 *Methods of Source Selection*

§3-202 *Competitive Sealed Bidding*

- (1) *Conditions for Use*
- (2) *Invitation for Bids*
- (3) *Public Notice*
- (4) *Bid Opening*
- (5) *Bid Acceptance and Bid Evaluation*
- (6) *Correction or Withdrawal of Bids; Cancellation of Awards*
- (7) *Award*
- (8) *Multi-Step Sealed Bidding*

§3-203 *Competitive Sealed Proposals*

- (1) *Conditions for Use*
- (2) *Request for Proposals*
- (3) *Public Notice*

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§3-701 *Finality of Determinations*

§3-702 *Reporting of Anticompetitive Practices*

§3-703 *Retention of Procurement Records*

§3-704 *Record of Procurement Actions Taken Under Section 3-205 (Sole Source Procurement), Section 3-206 (Emergency Procurements), and Section 3-207 (Special Procurements)*

(1) *Contents of Record*

(2) *Submission to [Legislature]*

\$ 57 , & / (± 63 (& ,) , & \$ 7 , 2 1 6

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§4-101 *Definitions of Terms Used in this Article*

(1) *Specification*

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§4-201 *Procedures for Specification Preparation*

§4-202 *Duties of the Purchasing Director*

§4-203 *Relationship With Using Agencies*

§4-204 *Maximum Practicable Competition*

§4-205 *Specifications Prepared by Other Than District Personnel*

§4-206 *Standardization*

\$ 57 , & / (± 352 & 85 (70 21) , 1) 5 \$ 6 7 5 8 & 7 8 5 () \$ & , / , 7 , (6 \$ 1 ' 6 (5 9 , & (6

3§ 57\$ ±' () , 1 , 7 , 2 1 6

(8) *Infrastructure Facility*

(9) *Operations and Maintenance*

§5-402 Fiscal Responsibility

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& 2 1 7 5 \$ & 7 6) 2 5 6 / 8 3 3 \$ 1 ' 6 (5 9 , & (6

§6-101 Contract Clauses and Their Administration

- (1) Contract Clauses
- (2) Price Adjustments
- (3) Additional Contract Clauses
- (4) Modification of Clauses

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§7-101 Cost Principles Procedures Required

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3 \$ 5 7 \$ ± ' () , 1 , 7 , 2 1 6

§8-101 Definitions of Terms Used in this Article

- (1) Surplus Property
- (2) Tangible, Personal Property
- (5) Surplus Property

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§8-201 Property Management Procedures Required

3 \$ 5 7 & ± 3 5 2 & ((' 6

§8-301 Allocation of Proceeds from Sale or Disposal of Surplus Property

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3 \$ 5 7 \$ ± 5 (6 2 / 8 7 , 2 1 & 1 7 5 2 9 (5 6 , (6

§9-101 Authority to Resolve Protested Solicitations and Awards.

- (1) Right to Protest
- (2) Authority to Resolve Protests
- (3) Decision
- (4) Notice of Decision
- (5) Finality of Decision

- (6) *Stay of Procurements During Protests*
- (7) *Entitlement to Costs*

§9-102 Authority to Debar or Suspend

- (1) *Authority*
- (2) *Causes for Debarment or Suspension*
- (3) *Decision*
- (4) *Notice of Decision*
- (5) *Finality of Decision*

§9-103 Authority to Resolve Contract and Breach of Contract Controversies

- (1) *Applicability*
- (2) *Authority*
- (3) *Decision*
- (4) *Notice of Decision*
- (5) *Finality of Decision*
- (6) *Failure to Render Timely Decision*

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§9-201 Applicability of this Part

§9-202 Remedies Prior to an Award

§9-203 Remedies After an Award

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§9-301 Interest

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§9-401 Waiver of Sovereign Immunity in Connection with Contracts

- (1) *Solicitation and Award of Contracts*
- (2) *Debarment or Suspension*
- (3) *Actions Under Contracts or for Breach of Contract*
- (4) *Limited Finality for Administrative Determinations*

§9-402 Time Limitations on Actions

- (1) *Protested Solicitations and Awards*
- (2) *Debarments and Suspensions for Cause*
- (3) *Actions Under Contracts or for Breach of Contract*

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§9-501 Creation of the Procurement Appeals Board

§9-502 Terms and Qualifications of Members of the Procurement Appeals Board

- (1) *Term*

- (2) *Authority of the Chairperson*
- (3) *Administrative Support*
- (4) *Qualifications for Board Membership*

§9-503 *Rules of Procedure*

§9-504 *Decisions of the Procurement Appeals Board*

§9-505 *Jurisdiction of the Procurement Appeals Board*

§9-506 *Protest of Solicitations or Awards*

- (1) *Scope*
- (2) *Time Limitations on Filing a Protest or an Appeal*
- (3) *Decision*
- (4) *Standard of Review for Factual Issues*

§9-507 *Suspension or Debarment Proceedings*

- (1) *Scope*
- (2) *Time Limitation on Filing an Appeal*
- (3) *Decision*
- (4) *Standard of Review for Factual Issues*

§9-508 *Contract and Breach of Contract Controversies*

- (1) *Scope.*
- (2) *Time Limitation on Filing an Appeal*
- (3) *Decision*
- (4) *Standard of Review for Factual Issues*

§9-509 *No Finality to a Decision on an Issue of Law*

§9-510 *Appeal and Review of Procurement Appeals Board Decisions*

- (1) *Appeal*
- (2) *Authorization of Appeal by the District*

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§11-201 Statement of Policy and Its Implementation

- (1) *Statement of Policy*
- (2) *Implementation*

§11-202 Mandatory Duties of the Purchasing Director

- (1) *Assistance Within District Agencies*
- (2) *Special Publications*
- (3) *Source Lists*
- (4) *Solicitation Mailing Lists*
- (5) *Solicitation of Small and Disadvantaged Businesses*
- (6) *Training Programs*

§11-203 Discretionary Duties of the Purchasing Director

- (1) *Bonding*
- (2) *Progress Payments*

§11-204 Business Assistance Offices

§11-205 Report to [the Policy Office and] the [Legislature]

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§11-301 Compliance with Federal Requirements

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§12-101 Definitions of Terms Used in this Article

- (1) *Blind Trust*
- (2) *Confidential Information*
- (3) *Conspicuously*
- (4) *Direct or Indirect Participation*
- (5) *Financial Interest*
- (6) *Gratuity*
- (7) *Immediate Family*
- (8) *Official Responsibility*
- (9) *Purchase Request*

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§12-201 Statement of Policy

§12-202 General Standards of Ethical Conduct

- (1) *General Ethical Standards for Employees*
- (2) *General Ethical Standards for Non-Employees*

§12-203 Criminal Sanctions

§12-204 300.o3plo Cr N97.3frecf or.5(ter)-5.1()JTJ9 0 0 9 1348267.86 Tm1008 Tc.5823 Tw[(()713(8)-5.7()-5) Clartic

- (1) *Contemporaneous Employment Prohibited*
- (2) *Restrictions on Former Employees in Matters Connected with Their Former Duties*
- (3) *Disqualification of Business When an Employee Has a Financial Interest*
- (4) *Selling to the District After Termination of Employment is Prohibited*

§12-209 Use of Confidential Information

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§12-301 Civil and Administrative Remedies Against Employees Who Breach Ethical Standards

- (1) *Existing Remedies Not Impaired*
- (2) *Supplemental Remedies*
- (3) *Right to Recovery from*

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Singular-Plural and Gender Rules

,Q WKL V 0DQXDO XQOHVV WKH FRQWH[W UHTXLUHV RWK
D ZRUGV LQ WKH VLQJXODU QXPHWKH FOXGH WK
SOXUDO LQFOXGH WKH VLQJXODU DQG

,I DQ\ SURYLVLQR RI WKLV ODQXDO SHUDWRQDSSOLFDFWLR
FLUFXPVWDQFH LK KEDDOLG YDORZK DDOF SURWIDV LHRQW RU
DSSOLFDFWLRQ RI WKLV ODQXDO ZKLFK YDOLG EHSURYHQLRQ HR
DSSOLFDFWLRQ EHSURYLWLRLQV HROGHWK D UHGG XDR EDU H
VYHUDEOH

† (IIHFWLYH 'DWH

7KLV ODQXDO VKDOO EHFRPH HIIHFWLYH DW RQ -XQH

Part B – Determinations

† 'HWHUPLQDFWLRQV

:ULWWHQ GHWHUHQGLQV DQVXVHQV KEDDOLG EHSURYHQLRQ HR
ILOH RI WKH 3XUFKDFLQJ 'HSDUWPHQW

Part C – Definitions of Terms Used in this Manual

† 'HILQLWLRQV

7KH ZRUGV GHILQH LQ WKLV 6HFWLRQ EHKORZ KDYH WK
ZKHQHYHU WKH\ DSSHU LQ WKLV ODQXDO XQOHVV

D WKH FRQWH[W LQ ZKLFK WKH\ DUH XVHG FOHDUC
PHDQLQJ RU

E D GLIIHUHQW GHILQLWLRQ LV SUHVFULHG IRU D
SURYLVLRQ

Business PHDQV DQ\ FRSHUDWLRQDSSOLFDFWLRQ VROH
SURSULHWURV KLSDQRV LQVWLWXWLRQV RYHU DQ\ RW
OHJDO HQWLW\

Change Order PHDQV D ZULWWHQ RUGHU VLJQH E\ WKH
RU ODLQWHQDQFH DQG 2SHUDWLRQW RUFNWRU GLU
FKDQJHV ZKLFK WKH\ &KDFK E\ VFDXWV WKHFDQQRW H[F
amount previously approved by District policy or the Board..

The Purchasing Director PHDQV WKH SHUVRQ KROGLQJ WKH SR
LQ 6HFWLRQ &UHDWLRQ RI WKH RZJILQW RI WKH
WKH KHDG RI WKH RZJILQW RI WKH RZJILQW RI WKH RZJILQW

Construction

Micropurchases DUH SXUF ~~GRVQRW~~ ~~KBW~~ XLUH FRPSHWLWLRQ
IDOO EHORZ 0LFURSXUFKDV ~~HW~~ GPXVW EH SXUF
UHDVRQDEOH SULFH

(16) *Person* PHDQV DQ\ EXVLQ ~~QV~~ ~~RQL~~ ~~GR~~ ~~PPL~~ ~~QW~~ ~~DH~~ FOXE RW
RUJDQLJDWLRQ RU JURXS RI LQGLYLGXDOV

Procurement PHDQV EX\LQJ SXUFKDV LQJ UHQWLQJ OHD
DFTXLULQJ DQ\ VXSSOLHV VHUY ~~GR~~ ~~MD~~ ~~Q~~ FRQVWUXF
IXQFWLRQV WKDW SHUWDLQ WR ~~WR~~ ~~KH~~ REWDLQLQJ RI
FRQVWUXFWLRQ LQFOXGLQJ GH ~~FO~~ ~~GS~~ WLRQ RI UHTX

\$57, & / (± 3XUFKDV LQJ 'HSDUWPHQW

Part A – Purchasing Department

† &UHDWLRQ DQG OHPEHUVKLS RI WKH 3XUFKDV LQJ 'HSDUWPHQW ZDV WKH DVMFK BRDQG PDLQ %RDUG V 'LVWULFW 3ROLF\ GLHU BKW BK DWR QVKHL UHFWRU 6XSSRUW 6HUylfHV \$VVLVWDQW 6XSHULQWHQGHW

† \$XWKRULW\ DQG 'XWLHV RI WKH 3ROLF\ 2IILFH ([FHSW DV RWKHUZLVH SURYLGHG DQ WFKLQW DV DDO WK KDYH WKH DXWKRLQW\ DVG W HD SRQWV SHRFFH ZKWK WFLV ODQXDO JRYHUQLQW VPIDQ SURFFXQM BRDQW URR OD QD QDQ GLV DOO VXSSOLHV VHUylfHV WR EGQXGXH SW BRQV WIRRH O V SURFXUHGE\ WKH 'LVWULFW 7KH BKW FKH MLSUR'FHSXUWPH DFFRUGLQJ WR 3DUW ' RI WKLW \$DQW G OFR QV KHGX D QGD VLQ GHFLGH PDWWHUV Q IWSURSH BKXUWLQW KH BKW FKH QDQ 'LUHFWRU VKDOO KDYH WKH SRZHUV WR LQXG BW LDQ/G PRQLW SURFHGXUH DQG WKH UHTXHUHQFH QW shaw KLV ODQXDO provide mandatory training pertaining to District Policy 6320.¹

Part B – Purchasing Director

† \$XWKRULW\ RI WKH 3XUFKDV LQJ 'LUHFWRU
Principal Contracting Officer of the District.

7KH 3XUFKDV LQJ 'LUHFWRU KH BKQ QDQHSU RF XUHPHQW 'LVWULFW

Power to Adopt Operational Procedures

&RQVLVWHQW ZLW WKH ODQXDO L QKMFVRUF KDV LDQIR'SW RSHUDWLRQDO SURFHGXUH JRYHQE QD WKH LQWHUQDO 'HSDUWPHQW

Duties.

([FHSW DV RWKHUZLVH VSHFLILFDXQFKSUR QUG HGHFQW WK L VKDOO LQ DFFRUGDQFH ZLWK SURFHGXUH

¹ Rev. 2/3/16

PHDVXUDEOH VXEDDWSBUWFRXLRQV FORM W F \ DDHG WRV
FRVWV 7KH , QYKVOO LRVQIRRU W KGWVHU HDY DORX BWLR
XVHG 1R FULWHULD PD\ EH XVHGWLQRBWK HLYDOXDW
WKH , QYLWDWLRQ IRU %LGV +RZHQHU SHU)ORULC
WKH IROORZLQJ 6WDWH SUHHHBBGHV VKDOO
SURFXUHPHQWV IRU ZKLFK)HGHUDO IXQGV ZHUH XV
D 3UHIHUHQFH QRU YERULLG \$Z% XVGIDFW YULQWLQJ &R
:KHQ DZDUGLQJ D FFDQWHULDLDW W &UWLDXKHG OWKH 'LVW
JUDQW D SUHIHUHQFH WR WKH ORZRUW UHVSQRVLE
KDYLQJ D SULQFLQBOVSODFRRULEBVDKDKO EUHIHUHQ
ILYH SHUFHQW LI WKH ORZHVVRVHLG LV VXEPLWW
SULQFLSDO SODFH RI EXVLQHVVILWKORFDWHG RXWV
SULQWLQJ FDQ EHL SBUDWUPHGHYBDUUREDXHDWRW\ FRPS
WKDW REWDLQDDEHApk @ P@MKTLS DIO @SDDFM XFEIRLXW @CO

l

n

SHUPLWWHG LQ DFFRUGDQFHUZWWRBWRWWHQ LQVWU
ZLWKLQ WKH ,QYLWDWLRQ WR %LG \$IW

PDGH RQ D SXUHO\ REMHFWLYH EDHVSRWRLWQH BIRZGNW UHQSRQV
FRPSHWLWLYH VHDOHG SURSRVDORUWKHWYXFDOLWDREHFRPSHWLWLYH
DQG WUDGH RIIV PDGH EHWZHHQ SUVPHU DLGHV XRDHLLWGRIDWHDSDUR
IRUWK LQ WKH VROLFLWDWLRQ \$EDDGVXQGHWKHFRPSHWLWLYHWKH
UHVSQVLEOH RIIHURU ZKRVH SURSRVDORU PRVW DGYDQWDJHRXV

LL &RPSHWLWLYH VHDOHG ELGGLQJ DQGRFBSIHWLWLYHWKDWDOX
FRPSHWLWLYH VHDOHG ELGGLQJ KHRKDEJEIHHQERLGHQHV DQFRIZHG
IRU FRUHFWRQ RI HUURUV LQ OUVKWHG WKLFXPDQDQFHV7BQ
FRPSHWLWLYH VHDOHGGRSUWRSRVDORUWKHWYXFDOLWDREHFRPSHWLWLYH
KDYH EHHQ RSHQLGDWRFDQDQZFKDQSDUHYLGHSSUVRKDWDDGHTXDW
SUHFDXWLRQV DUH WDNHQ WR WHUWKDWHDEKRRUPDWRUQDLOHDDQGH
FRPSHWLQJ SURSRVDORU LV QRW GLVFORVHG WR RWKHU RIIHURU

Request for Proposals. 3URSRVDORU VKDOO EH VROLFLWHG WKU
3URSRVDORU

Public Notice \$GHTXDWHSXEOLFHQRWLFRIUR3URSRVDORUV
EHJLYHQ LQ WKHVSURRYPDQDQZFKDQSDUHYLGHSSUVRKDWDDGHTXDW

GLVFXVVLQRQ DQG UHYLVLRQ RI SURSRVDOV DQG VX
SHUPLWWHG DIWHW RUK VPRV DZIDRUGV RQ GW SH SXUSRVH
REWDLQLQJ EHVW DQG ILQDO RIIH WUK DOORR QG XFWL
QR GLVFORVXUHRQI DIQU LLYCH BUIPRW HSG RESRVDOV VXE
FRPSHWLQJ RIIHURUV

Award \$ZDUG VKDOO ESFRDGEIOMRRW KH R UHZKRVH SUR
FRQIRUPV WR WKH VROLFLWDWLRQ WKH BRLLWWGHHWUP
DGYDQWDJHRXV WR WKH 'LVWULFGVWKNLQJ LQWR F
HYDOXDWLRQ IDFWRUV VHW IRU RUK K B UWKH 5HTXHV
IDFWRUV RU FULWHULD VKDOO DHF V X V H G H L Q K W D O H Y D
FRQWDLQ WKH EDVLV RQ ZKLFK WKH W K Z D U G LV P D G H
DZDUG RI D FRQW UXDF R I W H R U R U K H V K D X F O H H Q W S R U R P S W O
DOO RIIHURUV

(8) *Debriefings.* 7KH 3URFXUHPHQW 2IILFHU LV DXWKRULJHG
GHEULHILQJV WKDW IXUQLVK WKH V E D Q L D Q I R U WKH V
FRQWUDFW DZDUG
'HEULHILQJV PD\ EH Q L Z U H L W R O D O R U W K R G Q D F R W S W D E P H W R W K H 3 X U F K D
'LUHFWRU \$ SRM V D Z D U G C F C E X L H D W L R Q W R I H V L H Q D L X F D Q W Z H D N Q H V V H
GHILFLHQFLHV LQ WKH SURSRV D O X D W D H S S E R F W E R W S U E L F M K H Q R F O X U G L O O J H
DQG WHFKQLFDO Q H W R I Q W K H I D S F O H G F W K B B H E U R H I H G R I I H U R U F W K H
UDQNLQJ RI DOO SURSRV D O N I Z K H Q D V Q Q H W H O R S R Q U G F H V H O H F W L R Q
VXPPDU\ RI WKH UDWLRQDOH IRU B Z D H G H Y D Q W H F M R W D E Q M D E R S W Q Z K
VRXUFH VHOHFWLRQ B G R L F H Q W K U H S H F O X Q W D P S L S G U R D S R O H O D Z Z H U H I R O O
3RVW DZDUG GHEULHILQJV VKRXOG L Q R O W L Q I F W K B H G B E U Q W I H E G S R I R O S R V F R O
WKRUV RI RWKHU RIIHURUV \$ Q L Q H E U B M L Q R I Q V B E R R G E Q W W G U H Y R F D G L D Q
E\ ODZ RU H[HPSW IURP UHOHDVHUXG G O D Z W K H Q D S X G L L F D J E W H D S X H E O H F W
SULYLOHJHG RU FRQILGHQWLDO FR R O H U F L D O R U P D Q X I D F W X U L Q J L Q I R

† 6PDOO 3XUFKDVHV
\$Q\ SURFXUHPHQW QRW H[FHHGLQJLW R Q H P D P R E X I Q W H V W D E
PDGH LQ DFFRUGDQFH ZLWK VPDOOZ SXH BK DMKD S U R F H G X U H
SURFXUHPHQW UHTXLUHPHQWV V K D V O F R R Q W W E H W D X W H L I L F L P D
SXUFKDVH XQGHU WKLV 6HFWLRQ I Z K W X 3 X U B K D X H Q W V H S D U
TXRWDWLRQV H[FHHGLQJ

† 6ROH 6RXUFH 3URFXUHPHQW
\$ FRQWUDFW PD\ EH DZDUGHG IRU Q D L W K S Z L W K R N W L F H
FRPSHWLWLRQ ZKHQ XQGHU SURF B B X U J Q H H W G H W B X U P K O M V

LQ ZULWLQJ WKDW WKHUH LV RQOVRQMLVFRXURFH IRU WKH U
FRQVWUXFWLRQ LWHP

7KH XQUHDVVRQDEOH IDLOXUH RI ~~SELGHRU~~ ~~RDWR~~ ~~IR~~ ~~QUIRQ~~ WR

WR WKH 'LVWULF SHWKD QKDW B WMLRLEW D DQ WLKFD EOXIS SOLH
VHUYLFHV RU FRQVWUXFWLRQ UHTXLUHG H[FHSW XQGHU

† \$SSURYDO RI \$FFRXQWLQJ 6\ VWHP
3URFHGXUHV VKDOO EH LVVXHG UHTXLULQJ WKDW FRQW

:KHQ IRU DQ\ UHDVRQ FROOXVLRQVRDURIWKXMSIDQWHLGRPS
DPRQJ DQ\ ELGGHUV RU RIIHURUKDOOQRMWFUHDQIVWIKMWHGOM
WKH 6XSHULQWHQGHQW DQG %RDUG \$WWRUQH\

† 5HWHQWLRQ RI 3URFXUHPHQW 5HFRUGV

\$OO SURFXUHPHQW HMDROIGY DQG DOUVRQFHGZR WIKQ DF
UHFRUGV UHWHQWLRQKHXGXGHHOLDSSWRWHGDQG6'VDWUHLFW
SROLFLHV \$OO UHMDDOHSHGRDFXPHQWDOEDWMSHU)O

§4-206 Standardization

6WDQGDUGLJDWGRZKHQ\WEKHUHTKDLVHEHHQ D SUHYLR

\$57, &/ (± 352 & 85 (0 (17 2)) \$ &, /, 7, (6
\$ 1' & 21 6 7 5 8 & 7, 21 6 (5 9, & (6

Part A – Definitions

† 'HILQLWLRQV

(1) *Architectural and Engineering Services* PHDQV

D SURIHVVLRQDO VHUYLFHV RI W D Q U D H U F K L W H F W X U
GHILQHG E\)ORULG D Z K M F K W D X W H U H T X L U H G W R E H
SHUIRUPHG RU D S Q U R Y L G H S H U I R U P H G S H U I R U P H G W H U H G R
WR SURYLGH VXFK VHUYLFHV DV GHVFULEHG LQ

E SURIHVVLRQDO VHUYLFHV ZLWKLQ WKH VFRSH
DUFKLWHFWXUH S H U I R U P H G V O R Q D O F H S J L O D U F K L W H F
UHJLVWHUHG VXUYH\ LQJ D Q G P D S S L Q J D V G H I L Q
VWDWH RU WKRVH SHUIRUPHG E H D Q \ D U F K L W H F
O D Q G V F D S H D U F K L W H F W R U U H J L V W H U H G V X U Y I
F R Q Q H F W L R Q Z L W K V K L R Q D O K P S O S S U R H Q W R U S U D

(2) *Design-bid-build* PHDQV D SURMHFW GHOLYHU\ PHWKRG LQ

DUH HLWKHU DSS URSULFLVD S H GREA RWRVHDJ ZDFWGRUI WKH F
VHFXUHG E\ WKHIDLWVUWRVOWRURXVYIU FKDUJHV

(6) *Design requirements* PHDQV WKH ZURQWRHQVIGHVQWUWUUXFWX
IDFLOLW\ RU VHUYLFH WR EH SURFXUHG XQGHU WKL

D UHTXLUHG IHDVXDUHDFWVXQEVGRDW TXDOLWLHV
SURSHUWLHV WKDW DUH UHTXLUHG E\ WKH 'LVWU

E WKH DQWLFLLSDXGLQJFKVHDGXVPHSOKHDFMLRQ DQG
DQG

F HVWLPDWHG EXGJHWV DV DSSOLFDUEOH WR WK
GHVLJQ FRQVWURQWLRQPSRQWHDQDQFH

7KH GHVLJQ UHTXLQHHBQQRWPLQFEQVXKHGUDZLQJV D
GRFXPHQWV LOOXDQGDMDQDWLRIQHWESQHFWKRIQHDWXU
DQG FKDUDFWHULVWLFV RI WKH SURMHFW

(7) *Independent Peer Reviewer Services* DUH DGGLWLRQDO DUFKLWHFWX

HQJLQHHULQJ VHUYLFHV SURYLGSRUWRWKH 'LVWUL
PDLQWDLQ RU GHVLSHQEXLHQBILQVQZBSURFXUHPHQ
IXQFWLRQ RI WKHLYLGHZHUQGHQVHSRHAULUP WKDW W
HOHPHQWV RI WKH SURIHVVLRQDOQHJLQHHULQJ DG
SURYLGHG E\ WKFRQVWURQWVZUWKLWKH DSSOLF
VWDQGDUG RI FDUH

(8) *Infrastructure Facility* PHDQV D EXLOGLQJ VWUXFWXUH RU QH

Part B – Contracting for In

E & RQVWUXFWLRQ

&RPSHWLWLYH VHDOHG ELGGLQJ D&RPSMWRWWKHLQ 6HF
6HDOHG %LGGLQJ VKDOO EH XVLQGEWR SXURFXUH FRQVWU
SURFXUHPHQWV HGFHSW ZK MUKR SLJIRWW WHL YXV W HD OFRPS
SUSRVDOV DV VHW IRUWK LQ 6HFSRLVDOV IR&RPSQHWLWV
IRU FRQVWUXFWLRQ PDQDJHPPHQW DW ULVN

(3) *Operations and Maintenance.*

&RQWUDFWV IRU RSHQDWERQAKDOGVPHRSQWRK XLOHGH BW LVRG
0HWKRGV RI 6RXUFH 6HOHFWRQ

(4) *Design-build.*

&RQWUDFWV IRU GHVLJQ EXLOG V&BGOSERISSRVDFOXU HDG E \
VHW IRUWK LQ 6HFWLRQ &RPSW WLKDLW HW&HHDSDHGF BGRS
PD\ GHVFULEH WKH FLUFXPVWDQFH LVO &QSHRF ZKHPKSDUWL
ZLOO QRW UHTXLRIHSWRB RMXDEP LGVMLHQR B F HUCHT XGRUFKPF HLQ
6HFWLRQ E

† &KRLFH RI 3URMHFW 'HOLYHU\ 0HWKRGV
 3URFHGXUHV VKDOO EH WUDQVPLWVWVGRGHVUUVWVHGJLQK
 6HFWLRQ 3URMHFW 'HOLYHU\ ~~EHVXKRGW \$KDXQ~~ULJHG
 D VHW IRUWK FULWHULD WR EHGKOHYGHUQ GHWHUP
 PHWKRG LV WR EH XVHG IRU D SDUWLFXODU SUR
 E JUDQW WR WKHVXUFDVQWJHQLQDQFH DQG 2SHUD
 'LUHFWRU DQG WKH 6XSSRUW 6HUKHFWV \$VVLVW
 'LYLVLRQ UHVSQRVLEOH IRU FDUQLQJ RXW WKH
 VHOHFW DQ DSSURSULDWH SURMHFW GHOLYHU\
 SURMHFW
 F GHVFULEH WKH ERQG LQVXUDQFH DQG RWKHU
 FRQWDLQH LQ 3DUW & RI WKLV \$UWLFOH WKDW
 G GHVFULEH WKH DSSURSULDWHFLERQWDFW FOD
 UHTXLUHPHQWV FRQWDLQH LQ ~~BIDFW~~ ' RI WKLV
 SURMHFW DQG

L SUHTXDOLI\ RIIHURUV E\ LVVXLQJ D 5HTXHVV

6HUYLEFHV FRQWUDFW RYHU WKH WKUHT/KHR G B O HFWHL EQ) OR
&RPPLWWHH IRU \$UFKLWHFWXURDQW DQG (QJLQHHLW LQKLVHDPY
VKDOO EH HVW DEOFLV ZH W K S UDFHFRBIXN KM VLVDQV P W W HG
3URIHVVLQRQDO 6HUYLEFHV 6HOHFWLRQ VSHUR FHKD XOH MYDOKD
FXUUHQW VWDW M/PLRQW VD R G TSXDORUHPDIQVFI G B M DL R Q ULFW
WRJHWKHU ZLWK WKHPV M W K G VE \ P B M K H W K H U S V R S H R J D H G G
FRQWUDFW 7KH 6HOHFWLRQ & R P M L K W Q R I D H V K D O V K B Q Q G K U F
ILUPV UHJDUGLQJ WKH FRQWUDFW LDQHG P W W K R G H O B W L Y H X V
DSSURDFK IRU IXUQLVKLQJ WKH H B F X M U M G H V H H I Y L R F H V L Q D Q C
RUGHU RI SUHIHUUHQW H U E D V H H G W X S E I Q G M E K H G K D H Q G H S X I E O L L R Q
&RPPLWWHH QR O K H V L W R D G M K P U H G V R I R J E \ V T K I D O P I R V H G W R
SURYLGH WKH VHUYLFHV UHTXLUH G

(3) *Negotiation.*

7KH 'LVWULFW 6XSSRUW 6HUYLEFH \$HQDQVHD D Q G 6 X S H U L Q V
2SHUDWLRQV 'LUHFW M R D U F R I Q D Q O D Q M J Z R D V L D W H I G H I K U J K I R W W
\$UFKLWHFWXUDO DQG (QJLQHHLW L Q H G H L Q Y Z E H W L D Q W F R R P S H Q
IDLU DQG UH D V R I Q D V E O H Q W R D W K Q W M W W L V K O D F O L W L D R N H L Q W R
DFFRXQW WKH HVWLPDWH H V G K Y D F O X F S O W R K I H W V L R Q G O V Q B W X U H
WKH VHUYLFHV WR EH UHQGHUHG 6KRXOG WKH 'LVWULFW

Amount of Security %LG VHF~~XULWD~~ ~~PRXQW~~ HETX~~DO~~ ~~DCR~~ DW OH
RI WKH DPRXQW RI WKH ELG

Rejection of Bids for Noncompliance with Bid Security Requirements
:KHQ WKH ,QYLWDWLRQ IRU %LGV UH

† (UURUV DQG 2PLVVLRQV ,QVXUDQFH

3URFHGXUHV VKDOO EVHS WFLD Q Z R HV Q W H C H F W K R U F K / D K D L O O
UHTXLUH RIIHUR URS WLF D S H R H Y L G R I U W S S O G F R P W R V E R Q M U L Q
DUFKLWHFWXUDO DQG HQJLQHUUU Q P W W K R G F V H W H X I Q G R U W W K
6HFWLRQ D F G DQG H

† 2WKHU)RUPV RI 6HFXULWA

3URFHGXUHV VKDOO EH WUDQVPLWWRIG WR WUK-RTUKLJW Q JDW
5HTXHVW IRU 3URSRVDOV WR LQF O M B Y R I Q V H R U U P L R W H W R R I W
DVVXUH WKH WL X O O Q W I L U W K S X O H G D S / G L R Y Q W L D R C C G R P D R S H W H Q D
VHUYLFHV SURFXU B G R G B D H U D H P H O R V S R U G M M L R I Q L E X M L D L Q R U
GHVLJQ EXLOG ILQDQFH RSHUDWH PDLQWDLQ VHUYLFHV

D 2SHUDWLRQ E R S C H U L R V K D W U H H F X R I H W K I H S H U I R U P
FRQWUDFWRU U V R S H O D Q F L R Q E O L Q G W D R Q V X Q G H U
SURMHFW GHOLYHU\ PHWKRGV VHW Q B U W K L Q 6 H
H

E /HWWHUV RI FUDHSSUR S Q L D Q V D W R X E W M K H U W K H F
'LVWULFW RI SUHYHQWLQJ LQIUDDWUXFWXUH VH
SHULRG XS WR WZ W O Y H S P R O W K W X O M H U P H W
IRUWK LQ 6HFWLRQ E G DQG H DQG

F \$SSURSULDWH ZULWWHQ JXDUDQGV Q H V I U R P W K
XSRQ WKH FLUFXP Q W D F O F U S / R U D R P S O U H W R V H F X U
UHFYHU\ RI UHS W R F X U K H P H O W U L F R W W L Q W K H H Y H
GHIDXOW LQ SHUIRUPDQFH E\ WKH FRQWUDFWRU

Part D – Contract Clauses and Fiscal Responsibility

† &RQWUDFW &ODXVHV DQG 7KHLU \$GPLQLVWUDWLRQ

Contract Clauses

3URFHGXUHV VKDOO EH WUDQVPLWWRIG WR WUK-RTUKLJW Q JDW
XQGHU WKLW \$UWLFQH RI FODXV FHVVS U R L Y L G R Q J I R U D G M X
SHUIRUPDQFH R S U R R Y K L W U R F R Q V D U V E B S U B S U L V D K H H I R D C C G Z L Q
VXEMHFW

D WKH XQLODWHUDO ULJKW RI WKH 'LVWULFW W F
L F K D Q J H V L Q W K H Z R U N Z L W K L Q W K H V F R S H F

E \$ FRQWUDFWIRHUGVWIBOVXEFILUWHFBLW BQ\ SULFLQJ
DGMXVWPHQW LQ FRQWUDFW SUEFLRQ VXEMHFW
6XEVWDQWLDWLRQ RI 2IIHUG 3ULFHV

Additional Contract Clauses

7KH 3XUFKDV LQJ 'LUHFWRU DQG 0DLQDWHQDQFH DQG 2SH
DSSOLFDEOH VK DDDO UFRQVLUDIBVGHGEXWLRWRWR LLQLFVHKG WR
D OLTXLGDWHG GDPDJHV DV DSSURSULDWH
E VSHFLILHG GHQDVRUW QRQSHUIRUPDQFH
F WHUPLQDWLRQ RI WKH FRQWUDFW IRU GHIDXO
G WHUPLQDWLRQ ZKRVKIHRRRQQVSHDQWHDFH WKH FR
RI WKH 'LVWULFW

Modification of Required Clauses

7KH 3XUFKDV LQJ 'LUHFWRU DQG 0DLQDWHQDQFH DQG 2SH
DSSOLFDEOH PDHYDLQGMKH6KEDHFWLLRQ DRQGVKXEVH
6HFWLRQ IRU LQFOLFXLQDQJ L'QVWURGDWULFRQW WUXYWLBRQLRQ I
%LGV RU 5HTXHVW IRU 3URSRVDORQMKRXROBLGGFHUXGFDQQR
ODWHU FODLP WKLVWPDVHLLULXQGVFRSHDQDGGQVHRUIPWKHI
HQJDLJPHQW

†)LVFDO 5HVSQRVLELOLW\

(YHU\ FRQWUDFW PRGLLFDWLRQ WFKDQWHRRUGHU FRQW
DFFXPXODWLRQ RIUVDFKRDFWULRQFWWVQGHFRVQWULDFFWLZLWKFHV
RI VPDOO SXUFKDVH DPRXQW VKDORVYEDVXEMHFWHWHYRQLWV
WKDW WKH FHUWLILFDWLRQ RI QMKIRIILFEDOBLVFBVVRUWFDV
UHVXOWLQJ LQFUHDVH LQ WKH VFRQDQDQDFURNEJGWHEXGWKWW
3URFXUHPHQW 2IIHFXWWRDOPDQRWLHEKDFVRLQRQDFFKVDQJHG
RUGHU RU DGMXVWPHQW LQ FROWHDFWDISDDEGHXQGHVWIR
WKH VFRSH RIWKDFSWRMDHFGMRVWVFRQWRG BYUWR SHUPL
FRPSOHWLRQ WKDW LV IHDVLEOHRZLWKRIVQDQKFRQVRWDFOWSEJ
DV LW H[LVWHGDFULRURGLR LWBWLFROQVFKNDQVWFRHUGVHULQ
FRQWUDFW SULFRQSUHRYEGBGLKRUWIDWBHFVW KDRV VZKMW
YDOLGLW\ DV WIRDVQKHIFRQWUHGDFRQVWVDFKDFGHILRUGHU
DGMXVWPHQW LQ FRQWUDFW SULFHUZDLHG WBRQFRQVWVDFV
EH SUHVXPHG WKDW WKHUH KDV ERHQRVFRSDEWQRQZLWK

\$57, &/ (± 02',), &\$7,21 \$1'
7(50,1\$7,21 2) &2175\$&76)25 6833/, (6
\$1' 6(59, &(6

† &RQWUDFW &ODXVHV DQG 7KHLU \$GPLQLVWUDWLRQ
Contract Clauses 7KH 3XUFKDVLRQJ 'LUHFWRU PD\ WUDQVP
SHUPLWWLQJ RU UHTXLULQJ WKH DGMXVWPHQW RI FO
LQ SULFHV WLPHURR WKH RFRQWHDFW SURYLVLRLQV
DSSURSULDWH FRYHULQJ WKH IROORZLQJ VXEMHFW
D WKH XQLODWHUDO ULJKW RI WKH 'LVWULFW WR
L FKDQJHV LQ WKH ZRUN ZLWKLQ WKH VFRSH R
LL WHPSRUDU\ VWRSSLQJ RI WKH ZRUN RU GH
E YDULDWLRQV RFFXUULQJ EHWZHHQ HVWLPDWH
FRQWUDFW DQG DFWXDO TXDQWLWLHV

Price Adjustments

D \$GMXVWPHQW VSHFLILHG VSXUWJDQ VPLWWHG X
6XEVHFWLRQ RI WKLV 6HFWLRQ MKDOO EH FR
WKH IROORZLQJ ZD\V
L E\ DJUHHPHQW RQ D IL[HG SULFH DGMXVWPH
FRPPHQFHPHQW RI WKH SHUWLQHGW SHUIRUP
WKHUHDIWHU DV SUDFWLFDEOH
LL E\ XQLW SULFHV VSHFLILHG WKH FRQWUD
XSRQ
LLL E\ WKH FRWWK EWHUHQW DGMXVWPHQW DWLRQV
FODXVHV ZLWK DGMXVWPHQW RKSURILW RU IH
FRQWUDFW RU VXEVHTXHQWO\ DJUHHPHQW XSRQ
LY LQ VXFK RWKHU FDQGHU QDVWDLQWLHV PD\ PX
DJUHH RU

&RVW 3ULQFLSOHV DQG VXEMHFW WR WKH S
&RQWUDFWXDO 5HPHGLHV

E \$ FRQWUDFWWIRHGVWIRVOXEPLUWHWMLWRO\SULFLQJ
DGMXVWPHQW LQ FRQWUDFW SUEFWLRQ VXEMHFW
&RVW RU 3ULFLQJ 'DWD

\$57, & / (± 3523(57 < 0\$1\$*(0(17

Part A – Definitions

† 'HILQLWLRQV RI 7HUPV 8VHG LQ WKLW \$UWLFOH

Fixed Assets PHDQV DOO WDOJLEOJ 3URSHUW\ DFTXLVLW
FRVW HTXDO RU RYHU SHU XQIRWHDW\ DQSURED
RQH \HDU

Non-Fixed Assets PHDQV WKH IROORZLQJ WDOJLEOH 3URSHUW\
RULJLQDO DFTXLWLVW\ FRVW SRROXOLW DQG D SU
XVHIXO OLIH RI PRUH WKDQ RQH\HDFW\ DQDQXVLF
WDEOHV\ HOHFWRU\ RQ\FW\ R\SRQ\ FDQG DOO H
GHYLFHV

Property PHDQV IRU SXUSRVH\ RI SHUW\ SUURZQHGE\ W
'LVWULFW

Surplus Property PHDQV DQ\ 3URSHUW\ H\W\ W\ X\ W\ HIXO OLIH
QHHG WR WKH 'LVWULFW

Part B – Procedures Required

† 3URSHUW\ ODQDJPHQW 3URFHGXUHV 5HTXLUHG
7KH 3XUFKDVLLQJ 'LUHFWRU VKDOO DGPLQLVWHU
D WKH PDQDJPHQW RI)L[HG \$V\HWV GXULQJ WK
E WKH VDOH ORIDV\U\ROXGL\SRSHUW\ SXEOLF
FRPSHWLWLYH VHDOHG ELGGLQJ R\W\WKHU DSS
E\ UHJXODWLRQ DQG
F WUDQVIHU RI 6XUSOXV 3URSHUW\

Part C – Proceeds

† \$OORFDWLRQ RI 3URFHGGV IURP 6DOH RU 'LVSRVDO
3URSHUW\
8QOHVV RWKHUZLVH SURYLGHG E\ ODR\W\ H\XUFKDVLLQ
SURFHGGV IURP W\H\SRVDO GHV\W\SRV\W\H\W\W\KH
'LVWULFW\ V & KLHI)LQDQFLDO 2IILFHU RU %XGJHW 2IILFHU

7KH DXWKRULW\ WGR VGHEDD ERU H\XUSHLZHW KQ DFFRU
SURFHGXUHV

Causes for Debarment or Suspension 7KH FDXVHV IRU GHEDUPHQW
VXVSHQVLRQ LQFOXGH WKH IROORZLQJ

D FRQYLFWLRQ IRU FRPPLVVLRQHQIWDWFRJLPLQDO
REWDLQLQJ RU DWWHPSWLQJ WRRBEWDLQ D SXE
VXEFRQWUDFW RUHLRQ WKFKSFRJQRWUDFW RU VXE

E FRQYLFWLRQHGHED 6WDDWHX RHWKR IWHPEH]]OHP
IRUJHU\ EULERQ\RUUDGNVWLFDFWLLRQQRI UHFRUGV
VWROHQ SURSHUW\ RU DQ\ RWKQHVR/IIHQVH LQG
LQWHJULW\ RU EXVLQHVV KRQHVW\ ZKLFK FXUUH
GLUHFWO\ DIIHFWV UHVSQRVLELQW\ DV D 'LVWU

F FRQYLFWLRQ XQGHU 6WDDWHJRRXMGH IUDKHDQWL
VXEPLVVLRQ RI ELGV RU SURSRVDOV

G YLRODWLRQ RI FRQWUDFW SUKDYLVFRQV DV VH
ZKLFK LV UHJDUGHG E\ WKH 3XUFKDWRQJ 'LUHFW
MXVWLI\ GHEDUPHQW DFWLRQ

L GHOLEHUDWR RGLD XMHZWRKSQRUP LQ DFFR
ZLWK WKH VSHFLILFDWLRQV RU ZLWKLQ WKH W
FRQWUDFW RU

LL D UHFHQW UHFRUG RI IDLOXUH WR SHUIRUP
SHUIRUPDQFH LQ WKFRWGDQFHRZLRQH RU PRUH
FRQWUDFWV SURYLGHG WKDW IDLOXUH WR SHU
SHUIRUPDQFH FDXVWGHFRQWUFRQVFRQKH FRQW
VKDOO QRW EH FRQVLGHUHG WR EH D EDVLV IR

H DQ\ RWKHU FDXVH UHFRWFRXUGKDVWPLQHV WR EH
VHULRXV DQG FRPSHOOLQJ DV WR DIIHFW UHVS
FRQWUDFWRU LQFOXGHGRQKSHUFRYFRQVHQWDO H
DQ\ FDXVH OLVWHG LQ SURFHGXUHV DQG

I IRU YLRODWLRQDQGDKGHVWKWFRQVFRQV
LQ 3XEOLF &RQWUDFWLQJ

Decision 7KH 3XUFKDVLRQJ 'LUHFWRU VKDDO LVVXH D Z
RU VXVSHQG 7KH GHFLVLRQ VKDOO

D VDDWH WKH UHVRQV IRU WKH DFWLRQ WDNHG

E LQIRUP WKH GHEHDSHGGVRRQVXQVSNOWRG RI LWV
MXGLFLDO RU DGPLQLVWUDWLYH UHYLHZ DV SUR

Notice of Decision \$ FRS\ RI WKHUG6HFLWLRQLRQGH RI WKL
6HFWLRQ VKDOO EH PDLOHG RU RWHKHUZZLVH IXUQLV
GHEDUUHG RSHVXRSHDGGH\ RWKHU SDUW\ LQWHUY

Finality of Decision \$ GHFLVLRQ XQGHU 6XEVHFWLRQ RI
VKDOO EH ILQDO DQG FRQFOXVLYH XQOHVV IUDXGX

D WKH GHEHDSHGGHUSMUVRQ FRPRHQRV DQ DFW
DFFRUGDQFH ZLWK 6HFWLRQ :DLYHU RI 6
LQ &RQQHFWLRQ ZLWK &RQWUDFWV '

Finality of Decision 7KH GHFLVLRQ XQG HU 6XE VHFWRQ
VKDOO EH ILQDO DQG FRQFOXVLYH XQOHVV IUDXGX

D WKH FRQWUDFW WRWLRQ P R QFFRXLWLRQ DFFRUGD
6HFWLRQ :DLYHU RI 6RYHUHLJQ ,PPXQLW
ZLWK &RQWUDFWV \$FWLRQV 8QG HU &RQWUDFWV
&RQWUDFW RU

E WKH FRQWUDFWRU DSSHDOV DGPIRU LVWUDWLYH
GHVLJQHH LQ DFFRVLQD QFH ZLWKWU DFFW DQG %UH
RI &RQWUDFW &RQWURYHUVLHV

Failure to Render Timely Decision ,I WKH 3XUFKDVLRQ 'LUHFWRU
LVVXH WKH ZULWWHQ GHFLVLRQ V H F W L R Q X Q G H U
ZLWKLQ > GD\@ DIWHU ZULW W H Z Q W K L T X W X W K I R U
ORQJHU SHULRG DV PD\ EH DJUHHG W X S F O W R U W K H S D
PD\ SURFHVG DV LI DQ DGYHUVH GHFLVLRQ KDG EHH

Part B – Solicitations or Awards in Violation of Law

† \$SSOLFDELOLW\ RI WKLV 3DUW
7KH SURYLVRQV RI WKLV 3DUW D V S O D W K M H E L W L W S R H Q
DGPLQLVWUDWLYH W K D W X G L F R D O R U M D E W L R Q U R D F W Z D U G Q
YLRODWLRQ RI ODZ

† 5HPHGLHV 3ULRU WR DQ \$ZDUG
,I SULRU WR DZDUG LW LV GHWHUPLQHG D Z D U G K R W D D V R O L F
FRQWUDFW LV LQ YLRODWLRQ RV H O D Z Z W K G I Q W K C H O V E R H L F L V
D FDQFHOOHG RU
E UHYLVHG WR FRPSO\ ZLWK WKH ODZ

† 5HPHGLHV \$IWHU DQ \$ZDUG
,I DIWHU DQ D Z D U G W K D W G H V R O R F I D W F R Q L V R Q D F W D Z D U G
YLRODWLRQ RI ODZ WKHQ

D LI WKH SHUVRQ DZDUGHG WKH FRQWUDFW KDV
EDG IDLWK

L WKH FRQWUDFW Q D D E H U P D W G L S H R Y L G H G L W
GHWHUPLQHG WKDW GRLQJ VR LFWLQ WKH EHV
RU

LL WKH FRQWUDFW PD\ EH WHUPLQDWHG

E LI WKH SHUVRQ DZDUGHG WKH UFRQWUDFW KDV
IDLWK
L WKH FRQWUDFW HPD\QKHOC DQG YRLG RU
LL WKH FRQWUDFW PD\ EH UDWLLQHG DQG DIILU
WKH EHVW LQWHUHVVV RI WKH 'LVWULFW ZLW
'LVWULFWV ULJKWV WR VXFK GDPDJHV DV PDV

ZKHWKHU WKH DFWLRQ DFWLRQ I RUCHE DFW F D QG WKH
ZKHWKHU WKH DFWLRQ DFWLRQ I RUCHE DFW F D QG WKH
RWKHU HTXLWDEOH UHOLHI

Limited Finality for Administrative Determinations , Q DQ\ MXGLFLDO
DFWLRQ XQGHU WKLW 6HFWLRQ PSORXIDVURU OHJDO
DJHQWV RU RWKHU SHUVRQV DSRILQWGLWE\ WKH 'L
DQG VKDOO QRW EH FRQFOXVLYHVQRW ZLWKVWDQGL
UHJXODWLRQ RU UXOH RI ODZ WRSW RY LFRQWUDU\
LQ

- D 6HFWLRQ)LQDOLW\ RI 'HWHUPLQDWLRQV
- E 6HFWLRQ 3URWHVW RI DSRILFLWDWLRQV
5HYLHZ IRU)DFWXDO ,VXXHV
- F 6HFWLRQ 6XVSHQVLRQ RGD'HEDUPHQW 3
RI 5HYLHZ IRU)DFWXDO ,VXXHV DQG
- G 6HFWLRQ &RQWUDFW DQG HUHDFK RI &
6WDQGDUG RI 5HYLHZ IRU)DFWXDO ,VXXHV

† 7LPH /LPLWDWLRQV RQ \$FWLRQV

Protested Solicitations and Awards \$Q\ DFWLRQ XQGHU 6HFWLRQ
:DLYHU RI 6RYHUHLJQ ,PPXQLW\ LQ &RQQHFWLRQ Z
6ROLFLWDWLRQV DQG \$ZDUGV RI RQWUDFWLWLDWHG DV I

- D ZLWKLQ GDV\DIWHU HFWHLSWRQ IDQRZV RU VKRXO
NQRZQ RI WKH IDFWV JLYLQJ ULVH WR WKH DFWLRQ
- E ZLWKLQ GDV\DIWHU UHFHLSWRQ IDILQDO DG
SXUVXDQW WR HLWKHU 6HFWLRQ VWHG \$XWKRU
6ROLFLWDWLRQV DQG \$ZDUGV 'HFWLRQ RU 6HFWLRQ
6ROLFLWDWLRQV RU \$ZDUGV 'HFWLRQ ZKLFKH

Debarments and Suspensions for Cause \$Q\ DFWLRQ XQGHU 6HFWLRQ
:DLYHU RI 6RYHUHLJQ &RQQHFWLRQ ZLWK &RQ
'HEDUPHQW RU 6XVSHQVLRQ RY LFRQWUDU\
UHFWLSW RI WKH GHFWLRQ RI WKH 3XUFKDVLRQ 'LU
\$XWKRULW\ WR 'HEDU RU 6XVSHQVLRQ 'HFWLRQ WKH
6XSHULQWHQGHW RU GHVLRQHH XQGHU

6HFWLRQ F &LYLO DQG \$GPLRQ VWUDWLYH 5
(PSOR\HHV :KR %UHDFK (WKLFDQ 6WDRQ DUGV 6XSS
WKH GHFLVLRQ RI WKH 3URFXUHPHQW \$SSHDOV %R
6XVSHQVLRQ RU 'HEDUPHQW 3URFHGGLQJV 'HFLVL
DSSOLFDEOH

Actions Under Contracts or for Breach of Contract 7KH VWDWXWRU\
OLPLWDWLRQV RQ UDLQ DWLRSRQV FRQVHROO DSFRQWUDF
EUHDFK RI FRQWUDQWDFKDLRQ FSSQWVRHG SXUVXDQ
6HFWLRQ :DLYHU RI 6RYHUHWHQ ,PPXQLW\ LG
&RQWUDFWV \$FWLRQV 8QGDU &RQWUDFWV RU IRU %
QRWLFH RI DSSHDOV IURP WKH 6XVULQWHQGHQW F
6HFWLRQ \$SHDO3DQ 6XSHULQWHQW \$SSHDOV %R
'HFLVLRQV \$SSHDO FRQFHUQLQJFRMLRQV RQ D FR
FRQWUDFW VKDOORQWIKV HDGZLW WKH GDWH RI WKH
6XSHULQWHQGHQW RU GHVLJQHH GHFLVLRQ

***Part E – Appeal Review by the Superintendent or
designee***

†)LQDO \$SSHDO

7KH 'LVWULFW 6XSSRUW 6HUULFHVOSVULVW DQVHFXSHQJ
WZR RWKHU PHPEHUV PD\ UHVLHZ DSSHDOV

† 5XOHV RI 3URFHGXUH

7KH 6XSHULQWHQGHQW RU GHVLJQH ~~FK PDR DGRHSW UXOHV~~
IXOOHVW H[WHQW SRVVLEOH ZLWOL ~~SQ RRYL BRQWR URW KH VLISV~~

† 'HFLVLRQV

7KH 6XSHULQWHQGHQW RU GHVLJQRH ~~WDDNORLVKXUH D G~~
DSSURSULDWH DFWL ~~REQ IRQWH DF K\$ DSSHDOV KDOO OGEHF L~~
SURYLGHG WR DOO SDUWLHV DQG WKH 3XUFKDVLRQJ 'LUHFV

† -XULVGLFWLRQ RI WKH 6XSHULQWHQGHQW RU GHVLJ

8QOHVV DQ DFWL ~~RQ GK DU HEYLRQ VQL IR WUKH RGHV IRJQDWWH~~
IRU HVVHQWLDOD ~~DFWH RQD PRUFDOO V DMVZH W KLIQ DSWLRQ L~~
EURXJKW EHIRUH ~~QWK R U GS HULJQWHQGHQW HLPDGH QER EMW RWUR~~
WKH DJJULHYHG ELGGHU RIIHUR ~~WX DQ FRQW KID F3RUF K SVIRO~~
'LUHFWRU ZLWKR ~~W WK FRQFS HULHQWHHQGHQW KDUY G HVLJQH~~
MXULVGLFWLRQ WR ~~duhv~~ LHZ DQG GHWHUPLQH

D DQ\ SURWHVW RI D VROLFLWD ~~DMGRORRWKHZDUG~~
6XSHULQWHQGHQW RU GHVLJQH ~~H E\ DQ DJJULHY~~
ELGGHU RU RIIHURU RU D FRQWUDFWRU DQG

E DQ\ DSSHDO E\ DQ DJJULHYHG ~~S DUW\ IURP D G~~
3XUFKDVLRQJ 'LUHFWRU ZKLFK LV DXWKRULJHG E\

L 6HFWLRQ \$XWKRULW\ WR 5HVROYH 3URV
DQG \$ZDUGV

LL 6HFWLRQ \$XWKRULW\ WR 'HEDU RU 6XV

LLL 6HFWLRQ \$XWKRULW\ WR 5HVROYH &R
&RQWUDFW &RQWURYHUVLHV

† 3URWHVW RI 6ROLFLWDWLRQV RU \$ZDUGV

Scope 7KLV 6HFWLRQ DSSOLHV WR

D D SURWHVW RI D VROLFLWD ~~VGLWR RUKHZDUG RI~~
6XSHULQWHQGHQW RU GHVLJQH ~~H E\ DQ DJJULHY~~
ELGGHU RU RIIHURU RU D FRQWUDFWRU DQG

E DQ DSSHDO DGGUHVHVG WR ~~WKHF6XSRQLQWHQ~~
XQGHU 6HFWLRQ \$XWKRULW\ WR 5HVROYH
6ROLFLWDWLRQV DQG \$ZDUGV 'HFLVLRQ

Time Limitations on Filing a Protest or an Appeal.

D)RU D SURWHVW XQGHU 6XEVHFWLRQHG D RI V
SHUVRQ VKDOO IWKH % SDBQ ZVWUKZMVK KRXUV D
DJJULHYHG SHUVRQDMQHZQRZQVRRXVKH IDFWV DQ
FLUFXPVWDQFHV XSRQ ZKLFK WKH SURWHVW LV

E)RU DQ DSSHDOXQGHUUR6XWKHFV6HFWLRQ WKH
DJJULHYHG SHUVRQDZLOV KLOHDFQDSW GD\ V RI
RI D GHFLVLRQ XQGHU 6HFWLRQ \$XWKRUI
3URWHVWHG 6ROLFLWDWLRQV DQG \$ZDUGV 'HFL

Decision 2Q DQ\ GLUHFV SURWHVW XQGHU 6XEVHFWLRQ
RU DSSHDO XQGHU 6XEVHFWLRQ HQGHQWRKLV 6HFV
GHVLJQHH VKDOO SURPSWO\ GHFLGZDKHQWKH
DFFRUGDQFH ZLWKHGHWW DQXWMLHWRUVRIDQG FF
WKH VROLFLWDWLRQ *de novo* SURFHLQJ VKDOO EH
GHWHUPLQDWLRQV E\ DGPLQLVWU DWLYH RIILFLDOV
FRQFOXVLYH

Standard of Review for Factual Issues \$ GHWHUPLQDWLRQ RI DQ LVV
IDFW E\ WKH 6XSHULQWHQGHQW RWKGVVLJQHH XQGH
6HFWLRQ VKDOO EH ILQDO DQG RQFOXVLYH XQOHV
IUDXGXOHQW RU FOHDUO\ HUURQHRXV

† 6XVSHQVLRQ RU 'HEDUPHQW 3URFHHLGLQJV

Scope 7KLV 6HFWLRQ DSSOLHV WR D UHYLHZ E\ WKH
GHVLJQHH RI D GHFLVLRQ XQGHU 6HFWLRQ \$XV
6XVSHQG

Time Limitation on Filing an Appeal 7KH DJJURBYHGDQVU\OH LWV
DSSHDO ZLWK WKH % RDUQ ZLWKKLOHWHFRS W RI D
XQGHU 6HFWLRQ \$XWKRULW\ WR 'HEDU RU 6X

Decision 7KH 6XSHULQWHQGHQW RU GHVLJQHH VKDOO
RU WKH H[WHQWDWRH ZKWKU WKH SURELQZDV LQ DF
ZLWK WKH &RQVWSURFHLQJ HWW DQXWMLHWRUVRIDQG
'LVWULFW DQG ZDV IDLU *de novo* SURFHLQJ VKDOO
GHWHUPLQDWLRQV E\ DGPLQLVWU DWLYH RIILFLDOV
FRQFOXVLYH

Standard of Review for Factual Issues \$ GHWHUPLQDWLRQ RI DQ LVV
IDFW E\ WKH 6XSHULQWHQGHQW RWKGVVLJQHH XQGH
6HFWLRQ VKDOO EH ILQDO DQG RQFOXVLYH XQOHV
IUDXGXOHQW RU FOHDUO\ HUURQHRXV

† &RQUDFW DQG %UHDFK RI &RQUDFW &RQWURYHU

Scope 7KLV 6HFWLRQ DSSOLHV WR D UHYLHZ E\ WKH
GHVLJQHH RI D GHFLVLRQ XQGHU 6HFWLRQ \$XV
&RQWUDFW DQG %UHDFK RI &RQWUDFW &RQWURYHU

Time Limitation on Filing 907KLVxu&LHH@P@AASOPyW&OLH0&6XP@QWRU

† 6DOH \$FTXLVLWLRQ RU 8VH RI 6XSSOLHV E\ D 3XEOL
8QLW

\$Q\ 3XEOLF 3URFXUHPHQW 8QLW LV DXV GLV
EHORQJLQJ WR DQRWKHU 3XEOLF 3URFXUHPHQW 8QLW
\$UWLFOH 6RXUERGOMODIFWLRODQGLRQSDQG \$UWLFOH
0DQDJHPHQW RI WKLV 0DQXDO

† &RRSHUDWLYH 8VH RI 6XSSOLHV RU 6HUYLEFHV

\$Q\ 3XEOLF 3URFXUHPHQW 8QLW LV DXV GLV
UHTXLUHPHQWV RI 6XSSO\ 0DQDJHPHQW RI WKLV 0DQXDO
6XSSO\ 0DQDJHPHQW RI WKLV 0DQXDO
WKH FRRSHUDWLYH XVH RI VXSSOLHV XSURQHEUHWZHHQ WKH
SDUWLHV

† -RLQW 8VH RI)DFLOLWLHV

\$Q\ 3XEOLF 3URFXUHPHQW 8QLW LV DXV GLV
OHDVH RI ZDUHKRXVLQJ IDFLOLWLHV LFLV LFLV LFLV
3XEOLF 3URFXUHPHQW 8QLW XQGHU SDUWV DJUHHG X

† 6XSSO\ RI 3HUVRQQHO ,QIRUPDWLRQ DQG 7HFKQLF

Supply of Personnel \$Q\ 3XEOLF 3URFXUHPHQW 8QLW LV DXV
GLV FUHWLRQ XSURQHEUHWZHHQ WKH FRRSHUDWLYH XVH
SURLGH SHUVRQQHO 3XV LFLV LFLV LFLV LFLV LFLV LFLV
3URFXUHPHQW 8QLW PDNLQJ WKH UHTXLUHPHQWV VKDOO
8QLW SURLGLQJ WKH SHUVRQQHO LFLV LFLV LFLV LFLV LFLV
SHUVRQQHO LQ DFFURHJPHQW EHWZHHQ WKH SDUWLHV

Supply of Services 7KH LQIRUPDWLRQDO WHFKQLFDO DQG
DQ\ 3XEOLF 3URFXUHPHQW 8QLW LV DXV GLV FUHWLRQ XSURQHEUHWZHHQ
3URFXUHPHQW 8QLW 3XEOLFH 3URFXUHPHQW 8QLW 3XV LFLV LFLV LFLV
WKH H[SHQVHV RI WKH EHWZHHQ YLQDFRUS DQFH ZLWK D
DJUHHPHQW EHWZHHQ WKH SDUWLHV

Part C – Contract Controversies

† &RQWUDFW &RQWURYHUVLHV

 &RQWUDFW FRQWURYROYH BVXQGDHWHQW X8QLWY URF X
WHUPV DQG FRQGHWWBQV DCEG RFU 3URWLPHPBQW 8QLWY
FRQGLWLRQV GSHQGLQJ XSRQ LWV DSSOLFDELOLW\

\$57, &/ (± \$66,67\$1 & (72
60\$// ',6\$'9\$17\$*(' %86,1(66(6
\$1')\$,7+ %\$6(' 25*\$1,=\$7,216
)('5\$/ \$66,67\$1 & 5 & 2175\$ & 7
352 & 85(0(17 5(48,5(0(176

Part A – Definitions

† 'HILQLWLRQV RI 7HUPV 8VHG LQ WKLV \$UWLFOH
6HW IRUWK EHORZ DUH SURFHGXUHV IHWVHDIROLOVZLQJGHWD
WHUPV LQFOXGLQJ WKH QXPEHU RRIHPSVLRQHWV DQG WKH
XVHG LQ WKLV \$UWLFOH

Disadvantaged Business PHDQV D VPDOO EXVLQHVV ZKLFK LV R
FRQWUROOHG E\ DQWV DQWV LRU VSHHOVWLWV WHPHUV R
JURXSV ZKR KDYH EHHQ GHSULYHG RI WKH RSSRUW
PDLQWDLQ D FRPSHWKLVH FRPSXLELFRQVLR RI VRFLD
GLVDGYDQWDJHV

Small Business PHDQV D 8QLWHG 6WDWHV EXVLQHVV ZKLFK
RZQHG DQG ZKLFK LQ LWV GHDP GRDSOHUDWH RQ RU
RU VXEVLGLDU\ RI D EXVLQHVV GRPLQDQW LQ LWV I

Faith-Based Organization LV DQ RUJDQLJDWLRQ ZKRVH YDOXH
DUH EDVHG RQ IDLVK IDFQKRWV DHPVWLRO EDVHG RQ
YDOXHV RI WKH SDUWLFXODU IDVWLQV DQGWZKLFK PR
OHDGHUV VWDII YROXQWHHUV IURP D SDUWLFXODU

Part B – Assistance to Small and Disadvantaged Businesses

† 6WDWHPHQW RI 3ROLF\ DQG ,WV ,PSOHPHQWDWLRQ

Statement of Policy ,W VKDOO EH WKH SURFHGXUH RI WKLV
VPDOO DQG GLVDGYDQWDJHG EXVLQHVV DQG RUJDQLJD
OHDUQLQJ KRZ WR GR EXVLQHVV ZLWK WKH 'LVWULF

Implementation 7KH 3XUFKDVLRQ 'LUHFWRU VKDOO LPSOH
VHW IRUWK LQ 6KLEW IHWVHQ LQSDWFRHGXUHV ZLWK
XQGHU WKLV \$UWLFOH

†

0DQGDWRU\ 'XWLHV RI WKH 3XUFKDVVLQJ 'LUHFWRU

Assistance Within District Agencies :KHUH IHDVLEOH WKH 3XUFKDVVLQJ
'LUHFWRU VKDOO SHUR YLGH H W S SURS W DQG 'LVWULFW VF
GLVDGYDQWDJHG E EDVGHV R HVDDQ DQDWDKFRV LQ OHDU
WR GR EXVLQHVV ZLWK WKH 'LVWULFW

Publication 7KH 3XUFKDVVLQJ 'LUHFWRU VKDOO JLYH LV
3XUFKDVVLQJ 'HSDUWPHQW V ZHEVLWH GHVLJQHG W
GLVDGYDQWDJHG E EDVGHV R HVDDQ DQDWDKFRV LQ OHDU
WR GR EXVLQHVV ZLWK WKH 'LVWULFW

Source Lists 7KH 3XUFKDVVLQJ 'LUHFWRU VKDOO GHYHOR
DQG PDNH DYDLODEOH VPDOO DQG GLVDGYDQWDJHG

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& 2175\$ & 7, 1 *

Part A – Definitions

† 'HILQLWLRQV RI 7HUPV 8VHG LQ WKLV \$UWLFOH

Blind Trust PHDQV DQ LQGSHQGHQWO\ PDQDJHG WUXVW
HPSOR\HH EHQHILFLDU\ KDV QR PDQDJHPHQW ULJKV
HPSOR\HH EHQHILFLDU\ LV QRW ~~RWKHU~~ QRWLFH RI D
GLVSRVLWLRQV RI WKH SURSHU\ VXEMHFW WR WK

Confidential Information PHDQV DQ\ LQIRUPDWLRQ ZKLFK LV DY
HPSOR\HH RQO\ EHFDXVH RI WKH HPSOR\HH V VWDW

5HVWULFWLRQV RQ (PSOR\PHQW RI QG 6HFWLRQ)RUPHU
8VH RI &RQILGHQWLDO ,QIRUPDWLRQ

General Ethical Standards for Non-Employees \$Q\ HIIRUW WR LQIOXHQQ
DQ\ SXEOLF HPSOR\HH WR EUHDFK\MMHRU\WKQGDUGV
LQ WKLV 6HFWLRQ DQG 6HFWLRQ WKURXJK 6HF

† (PSOR\HH 'LVFORVXUH 5HTXLUHPHQWV

Disclosure of Benefit Received from Contract \$Q\ HPSOR\HH ZKR KDV
RU REWDLQV DQ\ ELH\QHULFWIUFRRQMDVDFWQ ZLWK D EXV
ZKLFK WKH HPSOR\HH KDV D ILQD\HGHLDLWLVQRVHUHVW
WKH 6XSHULQWHQGHQW RU GHVLJQ\KHDSUQRWGHG H
DSSO\ WR D FRQWUDFW ZLWK D EXWLQ\WVKZKHUH W
EXVLQHVV KDV DEHLO\FSORD\HGGELQLQG WUXVW

Failure to Disclose Benefit Received \$Q\ HPSOR\HH ZKR NQRZV RU
VKRXOG KDY\HFKQRZ\QHRLW DQG IDHLDWWRUWHSRUW V
6XSHULQWHQGHQW RU GHVLJQHHGMLRILQ\KELWHDFK RI
6HFWLRQ

† *UDWXLWLHV DQG .LFNEDFNV

Gratuities ,W VKDOO EH D EUHDFK RI HWKLFDO VWDQGD
RIIHU JLYH RU DJUHH WR JLYH DRU HPSOR\HH RU I
HPSOR\HH RU IRUPHULFIPSOR\HFD\WRWDFHFW RU DJ
DFHFW IURP DQRW\KHURSHU\ROH\W\RU\HPSOR\PHQ
FRQQHFWLRQ ZLWK DQ\ GHFLVLRQ WDSORRYDO GLVD
SUHSDUDWLRQ RI DQ\ SDUW RI D SUHJUD\WUHTXLUH
LQIOXHQLQJ WKH FRQWHQW RI DQG D\SGHFLILFDWLRQ
UHQQGHULQJ RI DGylFH LQYHVWGYDWRBQ DXGLWLQ
FDSDFLW\ LQ DQ\ SURFWH\BQQJRTUXD\SSV IRU UXOLQJ
GHWHUPLQDW\FRQWUDFW\RU\RU\WKHW\SLDQLWJFXOD
WR DQ\ SURJUDP UHTXLUHPHQW RU D FRQWUDFW RU
VROLFLWDWLRQ RU SURSRVDO WKHUHURU

Kickbacks ,W VKDOO EH D EUHDFK RI HWKLFDO VWDQGD
JUDWXLW\ RU RIIHU RI HPSOR\PHQW WR EH PDGH E
VXEFRQWUDFWRU XQGHU D FRQWUDFW\WWRWKH SUL
VXEFRQWUDFWRUFRUD\BQQJRTUXD\SSVIRUUXOLQJ
WKH DZDUG RI D VXEFRQWUDFW RU RUGHU

~~R~~*ona fide* HVWDEOLVKHG FRPPHUFLDO VHOOLQJ DJHQF
VHFXULQJ EXVLQHVV

Representation of Contractor (YHU\ SHUVRQ EHIRUH EHLQJ DZD

RWKHUZLVH ZKLOHUBIQWHPISQWHLFZKHLV D SDU
KDV D GLUHFWDQG VXEVDQWLDLQWHUHV

E

7KH WHUP VHO OP HDQ X WLG QLH QJH DQ EFLGQ V\$UIR SW V D O

Part C – Remedies

†

&LYLO DQG \$GPLQLVWUDWLYH 5HPHGLHV \$JDLQVW (%UHDFK (WKLFDO 6WDQG DUGV

Existing Remedies Not Impaired &LYLO DQG DGPLQLVWUDWLYH U DJDLQVW HPSOR\HNWZQEFKRDUWKRQHWKLFWLYH GDW 0DQXDO VKDOO QRW EH LPSDLUHG

Supplemental Remedies ,Q DGGLWLRQ WR H[LVWLQJ UHPHGLHV WKH HWKLFDO VWDQG DUGV RI WKLV \$XVWOLGH RU SU WKH 6XSHULQWHQGHW PD\ LPSRVH DQ\ RQH RU PR D RUDO RU ZULWWHQ ZDUQLQJV RU UHSULPDQGV

F GHEDUPHQW RUEWXS HQFRQWUDRWRU RU VXEFF
XQGHU 'LVWULFW FRQWUDFWV

*Right to Recovery from Non-Employee Value Transferred in Breach of
Ethical Standards*

7KH YDOXH RQVDFUWHG QJQWUJHDFK RI WK
HWKLFDO VWDQGDUGV RI WKLV \$UXQLF IUDSURFH
QRQ HPSOR\HH VKDEO\WKH ULHFRYH QVDFUWHG
5HFHYHU\ RI 9DOXH 7UDQVIHU WKGFDO 5HFHLY
6WDQGDUGV

Right of the District to Debar or Suspend 'HEDUPHQW RU VXVSHQVLRQ