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4.0 Policy

4.1 Standard of Conduct and Personal Conflicts of Interest

- (a) It is the policy of VTA that all of VTA's officers, employees, Board members, and agents involved in the Procurement process conduct themselves in accordance with the highest ethical and professional standards. To this end, VTA's officers, employees, Board members, and agents will perform their official duties in accordance with the provisions of the Code of Ethics, Chapter 2, Article VII of the VTA Admin. Code and other personnel or administrative policies as appropriate. VTA's Code of Ethics is attached here to the VTA Procurement Policy as Attachment A and made a part of the VTA Procurement Policy.
- (b) VTA prohibits both real and apparent personal conflicts of interest, which includes the following prohibitions:
 - (i) no VTA employee, officer, agent, or Board member may participate in any selection, award or administration of a Contract if the individual has a conflict of interest, real or apparent. A personal conflict of interest, or at least an apparent conflict of interest, exists when the interests, investments, outside employment or personal enterprises of the VTA employee or a member of his or her immediate family could compromise the VTA employee's duty of loyalty, or otherwise conflict with, or appear to conflict with his or her job performance, objectivity, impartiality, or ability to make fair business decisions in the best interest of VTA. A conflict of interest may arise in any situation in which a VTA employee is in a position where he or she could use his or her contacts or position in the agency to advance the private business or financial interests of the VTA employee or his or her immediate family, whether or not at the expense of VTA. A VTA employee may also have a personal conflict of interest if called upon to make a decision concerning a former employer of that VTA employee or of a member of his or her immediate family;
 - (ii) no VTA employee, officer, agent, or Board member, or their immediate family member, partner, or organization that employs or

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is about to employ any of the foregoing individuals may participate in the selection, award, or administration of a Contract supported with Federal Transit Administration (FTA) assistance if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of those individuals previously listed has a financial or other interest in the firm selected for award;

- (iii) no VTA employees, officer, agent, or Board member may solicit or accept gifts, gratuities, favors, or anything of monetary value from Contractors, Offerors, or parties to subcontracts, except an unsolicited gift of nominal intrinsic value as defined in the Code of Ethics; and
 - (iv) a VTA employee, officer, or Board member shall not take any action or provide any information for or on behalf of any prospective contractor or vendor which interferes with free and open competition for VTA contracts.
- (c) A VTA employee who may have a personal conflict of interest relative to a prospective Contractor, Offeror, or subcontractor shall immediately report the nature of the matter and the existence of a conflict to his or her superior so that the work may be assigned to another.
- (d) Any violation of these standards may be cause for disciplinary action or penalties as set forth in the Code of Ethics, including termination of employment or Contract, as appropriate.