



CITY OF SEMINOLE

Memorandum

Date: January 6, 2021

To: All City of Seminole Department Directors and Procurement Employees

From: Ann Toney-Deal, City Manager

Re: Standards of Conduct Governing Procurement Using Federal Grant Funds

These standards are issued pursuant to the authority provided to the City Manager in City Code § 42-301 to adopt administrative procurement procedures not inconsistent with the procurement code, and are required by 2 C.F.R. § 200.318(c) and (d) in order to be in compliance with federal regulations concerning procurement activities using federal grant funds, including but not limited to any grant funds received by the City for CORONA virus relief.

Notwithstanding any other City policy to the contrary, no City employee or agent may participate in the selection, award, or administration of a contract supported by a federal grant award if he or she has a real or apparent conflict of interest.

For purposes of these standards, such a conflict of interest would arise when the employee or agent, any member of his or her immediate family, his or her business partner, or an organization which employs or is about to employ any of the parties just noted, has a financial or other interest in, or a tangible personal benefit from, a firm being considered for a contract.

The City's employees and agents who are or will be participating in the selection, award, or administration of a contract supported by a federal grant award may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Offers of such gratuities, favors, or other gifts must immediately be reported to the City's Finance Director for appropriate action, which may include disqualification of the offending vendor from further consideration.

Procurement activities using federal grant funds, including but not limited to any grant funds received by the City for CORONA virus relief, must avoid the acquisition of unnecessary or duplicative items. Wherever lawful under Florida law and the City's Procurement Code, employees and agents who are or will be participating in the selection, award, or administration of a contract supported by a federal grant award should consider consolidating or breaking out procurements if doing so will provide a more economical (less costly) purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach to using federal grant funds.

Nothing herein shall excuse City procurement activities and personnel from complying with the

City's Procurement Code (Division 4 of Chapter 42 of the City Code), the Florida Code of Ethics for Public Officers and Employees (Florida Statutes Chapter 112, Part 2), and any other applicable administrative rules or procedures governing ethics in procurement the City may promulgate.

City employees are obligated to comply with these standards. Failure to do so will result in the imposition of formal discipline in the manner and at the appropriate level set forth in the City's Personnel Policy.

These standards shall be communicated by each Department Director to all personnel within the department with responsibility for the selection, award, or administration of procurement contracts.

The City's procurement staff shall ensure that all non-employee agents of the City (such as consultants) are made aware of these standards during any solicitation activities where federal grant funds are to be used.

A copy of these standards shall be posted on the procurement home page of the City's website.

Questions concerning the interpretation of these standards shall be directed to the City's Finance Director.



Ann Toney-Deal, ICMA-CM
City Manager
City of Seminole
9199 113th Street North
Seminole, FL 33772

cc: Mayor and City Councilors