

## Chapter 3.08

### CONTRACT PROCEDURES

#### Sections:

- 3.08.010 Purpose.**
- 3.08.020 Application.**
- 3.08.030 Requirements.**
- 3.08.040 Remedies.**
- 3.08.050 Competitive bidding requirements.**

#### **3.08.010 Purpose.**

The purpose of this code of conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with the Federal Office of Management and Budget (OMB) Circular A-102, Attachment O, Paragraph 7 and other applicable federal and state standards, regulations and laws. (Ord. 359 (part), 2002: prior code § 1.0601)

#### **3.08.020 Application.**

This code of conduct applies to all officers, employees, or agents of the city engaged in the award or administration of contracts supported by federal grant funds. (Ord. 359 (part), 2002: prior code § 1.0602)

#### **3.08.030 Requirements.**

No officer, employee, or agent of the city shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- A. The employee, officer, or agent;
- B. Any member of his or her immediate family;
- C. His or her partner; or
- D. An organization which employs, or is about to employ any of the above;

has a financial or other interest in the firm selected for award.

The city officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors. (Ord. 359 (part), 2002: prior code § 1.0603)

#### **3.08.040 Remedies.**

To the extent permitted by federal, state or local laws or regulations, violations of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against the city's officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents. (Ord. 359 (part), 2002: prior code § 1.0604)

**3.08.050 Competitive bidding requirements.**

The city adopts the competitive bidding requirements pursuant to SDCL 5-18. (Ord. 359 (part), 2002)