

CHAIRMAN:
Josh Fredrickson, Public Works Director
Kittitas County
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LEAD AGENCY:
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Quad County RTPO CODE OF ETHICS

Quad County Regional Transportation Planning Organization (QUADCO) maintains this written code of ethics, or standards of conduct, that shall govern the performance of its officers, employees, board members, or agents engaged in the award and administration of contracts supported by Federal or State assistance.

This code of ethics provides that QUADCO officers, employees, board members, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from any present or potential contractor or subrecipient. QUADCO officers, employees, board members, or agents may accept gifts where the financial interest is not substantial, and the gift is an unsolicited item of nominal intrinsic value. Items with a value of over \$50 will not be accepted under any circumstances.

This Code of Ethics prohibits the QUADCO officers, employees, board members, or agents from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain. As permitted by State or local law or regulations, violation of this code by an QUADCO officer, employee, board member or agent, or by subcontractors or subrecipients or their agents shall result in penalties, sanctions, or other disciplinary actions, up to and including discharge.

QUADCO has adopted the procedure shown below for identifying and preventing real and apparent organizational conflicts of interest.

Personal Conflict of Interest. This Code of Ethics prohibits QUADCO employees, officers, board members, or agents from participating in the selection, award, or administration of a contract supported by Federal or State funds if a real or apparent conflict of interest would be involved. Such a conflict arises when any of the parties set forth below has a financial or other interest in the firm or entity selected for award:

- a. The employee, officer, board member, or agent;
- b. Any member of his or her immediate family;
- c. His or her partner; or
- d. An organization that employs, or is about to employ, any of the above.

Board members and subrecipients who have financial interests (outside employment and other financial holdings) of their own, or the financial interest of anyone listed in which are imputed to them, must disclose any conflict and must work with the organization to obtain a waiver or authorization, or be disqualified from participating in particular matters concerning the outside entity.

Organizational Conflict of Interest. An organizational conflict of interest exists when the nature of the work to be performed under a proposed third-party contract may, without some restrictions on future activities, result in an unfair competitive advantage to the third-party contractor or impair its objectivity in performing the contract work. This can be identified into three general categories:

- a. Unequal access to information
- b. Impaired objectivity
- c. Biased ground rules

Organizational conflict of interest arises when there is unequal access to information. This occurs when a contractor gains non-public information from one contract that gives them an unfair competitive edge in bidding for another contract.

Impaired objectivity happens when a contractor's role in one government contract requires them to evaluate their own work or that of a related entity, which could undermine their ability to provide impartial advice to the government due to the conflict of interest.

Biased ground rules occur when a contractor influences the rules of a competition for a contract, potentially skewing the process in their favor.

Identification and Prevention. Upon acceptance of a position with QUADCO as an employee, officer, board member or agent, it is the responsibility of the individual to immediately disclose any potential, real or apparent conflicts of interest. It is the policy of QUADCO that all employees, officers, board members, or agents, during the course of their affiliation with QUADCO, take steps to avoid the appearance of a conflict of interest and report any potential conflict immediately to the Chair of Council for appropriate action. It is the responsibility of all associated with QUADCO to report any activity that is suspected to be in violation of the basic principles of this Code of Ethics.

Penalties for Violation of Code of Ethics Policy

We treat all potential Code violations with the utmost seriousness. Violations may result in disciplinary action appropriate to the severity and context of the infraction, which can include suspension or removal from the board. If the violation involves illegal activity, it may lead to fines or criminal prosecution.

Suspension and Debarment

QUADCO will not award contracts to contractors or subcontractors who are debarred or suspended. The Suspension and Debarment process helps protect QUADCO from fraud, waste, and abuse by preventing business dealings with irresponsible contractors.

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Each QUADCO Board member and subrecipient must certify that they:

1. Are not currently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency;
2. Have not, within the three years preceding this certification, been convicted or had a civil judgment entered against them for fraud or criminal offenses related to obtaining, attempting to obtain, or performing a public transaction, contract, or subcontract, including violations of federal or state antitrust laws, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not currently indicted or charged criminally or civilly by any governmental entity (federal, state, or local) for any of the offenses listed in paragraph (2) above; and
4. Have not had any public transactions (federal, state, or local) terminated for cause or default within the three years preceding this certification.