

The background of the page features a large, light gray seal of Lake County, Illinois. The seal is circular with the words "LAKE COUNTY ILLINOIS" around the perimeter. In the center is a stylized sunburst or starburst design.

Lake County Health Department and Community Health Center Purchasing Policies and Procedures

ADOPTED JUNE 22, 2011

AMENDMENT #1 September 27, 2017

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ARTICLE 13 – ETHICS IN PUBLIC PURCHASING/CONTRACTING

13-101 STATEMENT OF POLICY

Public employment is a public trust. Proper conduct by Health Department officers and employees inspires confidence in the work of Lake County Health Department. Health Department officers and employees involved directly or indirectly in the Health Department's various procurement activities have a responsibility to perform their duties in a manner that will ensure the integrity of the Health Department purchasing transactions.

This Article is intended to provide principles and guidelines to maintain the highest ethical standards in the Health Department's Purchasing/Contracting Policies, Procedures and Systems.

13-102 APPLICABILITY

The policies and guidelines expressed in this Article shall apply to all employees, officers, and agents of the Health Department involved in any procurement procedure with or on behalf of the Health Department or any of its divisions or departments, excepting in those sections which expressly state to whom the section applies.

13-103 GENERAL ETHICAL STANDARDS

- (1) It shall be unethical for individuals and organizations to use their positions to manipulate the Health Department's Purchasing/Contracting Ordinance, policies and procedures for personal gain or profit.
- (2) It shall be unethical for an individual to attempt to influence any involved individual or organization to violate the ethical standards for Lake County Health Department Purchasing/Contracting activities.
- (3) Individuals involved in Lake County Health Department's Purchasing/Contracting activities shall conduct their activities in good faith and shall use the resources, property, and funds under their control wisely and in accordance with ethical standards and legal requirements.
 - (a) All LCHD/CHC employees and officers shall, at all times, comply with any and all rules and regulations enacted by the County as defined in the Lake County Ethics Ordinance.
 - (b) To the extent that violations of the ethical standards of conduct set forth in this article constitute violations of state statutes, they shall be prosecuted and punishable as provided therein. Such penalties shall be in addition to the civil sanctions set forth in this Article. Criminal, civil and administrative sanctions against individuals, which are in existence on the effective date of this Ordinance, shall not be impaired.
- (4) Individuals involved in Lake County Health Department's Purchasing/Contracting activities shall conduct their activities to avoid the appearance of attempting to influence others or of being influenced by others to violate the ethical and legal standards for Lake County Health Department Purchasing/Contracting standards.
- (5) Contractors who develop, assist or draft specifications including requirements and statement of work for the Health Department, are prohibited from completing and or submitting a proposal to complete work.

13-104 EMPLOYEE CONFLICT OF INTEREST/BIAS

- (1) Health Department employees shall not participate directly or indirectly or influence or attempt to influence any procurement, contract, purchase order or invoice decision when the county employee knows or has reason to know that:
 - (a) the Health Department employee or any member of the Health Department employee's immediate family has a financial interest related to the said procurement, contract, purchase order or invoice, decision or activity; or
 - (b) the Health Department employee or a member of a Health Department employee's immediate family is negotiating for or already has an arrangement concerning employment with an individual or organization involved in the said procurement, decision or activity.
- (2) Health Department employees who discover an actual or potential conflict of interest, relative to a procurement, contract, purchase order, or invoice decision shall immediately disclose said conflict and file a

written statement of disqualification and or acknowledgment with their Department Head and the Materials Management office and shall withdraw from further participation in the transaction.

- (3) Health Department employees involved directly or indirectly in the procurement process shall not become contemporaneous employees of any person or organization with whom the Health Department is contracting.
- (4) The County's Financial and Administrative Committee may grant a waiver from the employee conflict of interest provision (Section 11-104(2); Employee Conflict of Interest) or the contemporaneous employment provision (Section 11-104(3); Contemporaneous Employment Prohibited) upon making a written determination that:
 - (a) the contemporaneous employment or financial interest of the Health Department employee has been publicly disclosed;
 - (b) the Health Department employee will be able to perform his/her procurement functions without actual or apparent bias or favoritism; and
 - (c) the award will be in the best interests of the Health Department.
- (5) Individuals shall not engage in unlawful discrimination or prejudice based on race, religion, national origin, language, gender, political affiliation, disability, or age when involved in a procurement, contract, purchase order or invoice decision.

13-105 GIFTS OR FINANCIAL GAIN

Individuals involved either directly or indirectly in the procurement process are prohibited from the following activities:

- (1) accepting financial gratuities, gifts, offers of employment expense paid trips, private vacations, or other special financial treatment and favors from any person or organization in connection with any direct or indirect involvement in a procurement activity or decision, excluding the acceptance of nominal gifts including, but not limited to, advertising samples.
- (2) participating in or allowing situations in which any form of payment, gratuity or offer of employment is made by or on behalf of any contractor or subcontractor in an effort to influence the award of a contract with the Health Department.
- (3) accepting a commission, percentage, brokerage or contingent fee in exchange for assisting individuals or organizations to secure a Health Department contract, purchase or invoice.
- (4) Individuals involved either directly or indirectly in the procurement process are NOT prohibited from the following activities:
 - (a) accepting food or refreshment not exceeding \$75 per person on a single calendar day in the course of conducting business with an individual or organization with whom the Health Department is involved in business activities, provided the food or refreshment is (i) consumed on the premise from which it was purchased or prepared or (ii) if it is catered.
 - (b) accepting only nominal gifts similar to advertising samples, from an individual or organization with whom Health Department is involved in procurement activities.
 - (c) attending conferences, trainings or professional events at the expense of an individual or organization with whom the Health Department is involved in procurement activities to which all customers or suppliers and/or the general public is also invited,

13-106 CONFIDENTIALITY

- (1) Individuals are prohibited from using confidential or proprietary information received in the course of their jobs to give any other individual or organization unfair advantage in the Health Department's procurement process.
- (2) Individuals are prohibited from using confidential information received in the course of their procurement-related duties for personal gain, including, but not limited to financial gain.

- (3) Individuals have a duty to protect confidential information, gained through procurement activities, from being disclosed to other parties.

13-107 DUTY TO REPORT

- (1) An employee shall immediately report to his or her supervisor or department head any attempt by any other individual or organization to induce him or her to violate any of the ethical principles and guidelines in this Article.
- (2) A non-employee shall immediately report to the Material Manager any attempt by any other individual or organization to induce him or her to violate any of the ethical principles and guidelines in this Article.

13-108 SANCTIONS

- (1) An employee who violates the ethical principles and guidelines of this Article may be subject to discipline up to and including the termination of employment pursuant to the Lake County Health Department and Community Health Center's Employee Policies and Procedures Ordinance. Employees may also be subject to sanctions under the Lake County Ethics Ordinance.