

**SUBJECT: CONFLICT OF INTEREST FOR FEDERAL AWARDS**

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**I. Purpose:**

This policy establishes conflicts of interest guidelines that meet the requirements under state law, NRS 332.800, NRS 281A.400, NRS 281.230, Storey County codes, and other local policies when procuring goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects paid for in part or whole by federal funds and required under 2 C.F.R. § 200.318(c)(1). This policy also applies to any Storey County subrecipients of federal awards.

The county employee responsible for managing the federal award shall review the notice of award to identify any additional conflicts of interest prohibitions or requirements associated with the award, and shall notify all relevant parties, including subrecipients, of the requirements of this policy and any additional requirements.

**II. Conflict of Interest:**

In addition to the prohibition against self-benefiting from a public contract, no officer, employee, or agent of Storey County may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal award if they have a real or apparent conflict of interest. A real or apparent conflict exists when any of the following parties has a financial or other interest in or receives a tangible personal benefit from a firm considered for award of a contract:

1. The employee, officer, or agent involved in the selection, award, or administration of a contract;
2. Any member of his or her immediate family within the third degree of consanguinity or affinity;
3. His or her partner; or
4. An organization which employs or is about to employ any of these parties.

**III. Gifts:**

1. In addition to the prohibition against accepting gifts and favors from vendors and contractors, officers, employees, and agents of Storey County are prohibited from accepting or soliciting gifts, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts. A “gift” is anything that has monetary value that is obtained for less than market value.

2. Exclusions, or items not perceived as gifts:
  - a) Modest items of food and non-alcoholic refreshments such as soft drinks, coffee, and donuts, not offered as part of a meal.
  - b) Greeting cards and items of little intrinsic value such as plaques, certificates, or trophies, which are intended primarily for presentation.
  - c) Prizes in contests open to the general public.
  - d) Commercial discounts available to the general public or to all employees.
  - e) Commercial loans, pensions, and similar benefits on terms available to the general public.
  - f) Anything for which you pay fair market value.
  - g) Anything that is paid for by the Government.
  - h) Free attendance provided by the sponsor of an event to which you have been assigned to present information on behalf of the agency.
3. Items of nominal value that may be valued at less than \$50 which fall into one of the following categories may be accepted:
  - a) Promotional items;
  - b) Honorariums for participation in meetings; or
4. Meals furnished at banquets. Any officer, employee or agent who knowingly accepts an item of nominal value allowed under this policy shall report the item to his or her immediate supervisor and complete a new *Conflict of Interest and Disclosure* form.
5. An employee/committee member may never accept cash, gift cards, or checks made out to the employee/committee member or anyone within the third degree of consanguinity or affinity of the employee/committee member.

#### **IV. Disclosure:**

All members of the evaluation committee shall complete the *Conflict of Interest and Disclosure* form whether they have a potential conflict of interest or not.

1. Evaluation committee members and/or employees are to update the form within 30 days of any change of status.
2. Potential Conflicts of Interest (PCOI) and Conflicts of Commitment (real or perceived) must be reported at the following times:
  - a) Employees planning to apply for a grant or contract must disclose their significant financial interest (and those of their partner or immediate family member within the third degree of consanguinity or affinity) prior to the time of application for the grant.
  - b) Employees must certify whether they, their partner, or a family member within the third degree of consanguinity or affinity, have a significant financial interest prior to proposal submission.

- c) Once a grant or contract has been awarded, all grant related personnel shall certify whether they, their partner, or a family member within the third degree of consanguinity or affinity, have a significant financial interest at the time of hiring, assignment to the position, and annually thereafter for the duration of the grant or contract.
- d) Grant Managers and/or Project Coordinators are responsible for coordinating the submission of Conflict of Interest and Disclosure forms by all employees/evaluation committee members working on their grant or involved with their grant with the Grant Compliance Officer, updating forms as needed and maintaining copies in the project files.
- e) If a change occurs at any time during the annual grants Conflict of Interest (COI) reporting period, such changes must be reported within 30 days of discovering, acquiring, or committing to a new financial interest or commitment.

**V. Violation:**

Employees violating this policy will be subject to discipline, up to termination. Contractors violating this policy may result in termination of the contract and may not be eligible for future contract awards.

**VI. Responsibility for Review:**

This policy will be reviewed every five years or as needed by the Grants Manager.