



Gaston County

Gaston County
Board of Commissioners
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Budget and Purchasing Board Action

File #: 18-243

Commissioner Brown - Budget/Purchasing - To Adopt the Uniform Guidance Purchasing Policy Compliance Statement and Uniform Guidance Conflict of Interest Policy as Attachments to the Gaston County Purchasing Policies and Procedures in Order to Comply with Federal Requirements per 2 C.F.R. Part 200

STAFF CONTACT

Beth B Griffiths - Purchasing Manager

BUDGET IMPACT

N/A

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

Uniform Guidance (UG) sets standards for the award and expenditure of federal financial assistance (grants and loans) and is codified at 2 C.F.R. Part 200. Procurement standards are codified at 2 C.F.R. Subpart D (200.317-326). These federal requirements become effective July 1, 2018. In order to comply, local governments must adopt a written compliance statement and a written conflict of interest policy relative to federal grant or loan funds.

POLICY IMPACT

Uniform Guidance affects all federal funding (grants and loans) including federal funds passing through others to Gaston County, and passing through Gaston County to others. Noncompliance could result in de-obligation of funding.

ATTACHMENTS

Uniform Guidance Purchasing Policy Compliance Statement and Conflict of Interest Policy

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

NO.	DATE	M1	M2	Brown	Fraley	Grant	Hovis	Kelgher	Philbeck	Worley	Vote
2018-157	06/26/2018	TK	DG	A	A	A	A	A	AB	A	U

DISTRIBUTION:

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A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

**Attachment to Gaston County
Purchasing Policies and Procedures
Effective July 1, 2018**

Uniform Guidance Compliance Statement

Contracts funded with federal grant or loan funds must be procured in a manner that conforms with all applicable Federal laws, policies, and standards, including those under the Uniform Guidance (2 C.F.R. Part 200).

**Attachment to Gaston County
Purchasing Policies and Procedures
Effective July 1, 2018**

Uniform Guidance Conflict of Interest Policy

I. Purpose

The purpose of this policy is to establish conflicts of interest guidelines that meet or exceed the requirements under state law and local policy 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).

II. Policy

This policy applies when procuring goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects funded in part or whole with federal financial assistance (direct or reimbursed). This policy also applies to any sub-recipient of the funds.

The employee responsible for managing the federal financial assistance 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 employees, officers, and agents, including sub-recipients, of the requirements of this policy and any additional prohibitions or requirements.

A. Conflicts of Interest. In addition to the prohibition against self-benefiting from a public contract under G.S. 14-234, no officer, employee, or agent of Gaston County may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal award if he or she has 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;
3. his or her partner; or
4. an organization which employs or is about to employ any of these parties.

Any officer, employee, or agent with an actual, apparent, or potential conflict of interest as defined in this policy shall report the conflict to his or her immediate supervisor. Any such conflict shall be disclosed in writing to the federal award agency or pass-through entity in accordance with applicable Federal awarding agency policy.

B. Gifts. In addition to the prohibition against accepting gifts and favors from vendors and contractors under G.S. 133-32, officers, employees, and agents of Gaston County are prohibited from accepting or soliciting gifts, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts. Items of nominal value which fall into one of the following categories may be accepted:

1. promotional items;
2. honorariums for participation in meetings; or
3. 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.

III. Violation

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