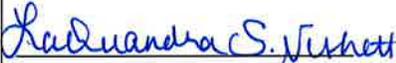


District of Columbia Department of Health <h2 style="text-align: center;">Conflict Attestations for Contracts and Grant Agreements</h2>		PROCEDURE 810.000 Implementing Office: Office of the Director Training Required: Yes Originally Issued: JUN 06 2017 Revised/Reviewed:
Approved by:  LaQuandra S. Nesbitt MD, MPH; Agency Director	Review by Legal Counsel:  Phillip Husband, Esq.; General Counsel	Effective Date: 6/6/17 Valid Through Date: JUN 06 2020

I. Authority	Reorganization Plan No. 4 of 1996; Mayor's Order 97-42
II. Reason for the Policy	The Department of Health (DOH) relies upon agreements with private vendors and grantees ("recipients") to accomplish its mission through the purchase of essential supplies and equipment, as well as the provision of a wide array of services. As such, it is essential that the process for developing, awarding, and managing these agreements be carried out according to the highest ethical standards. This SOP lays out the means by which those responsible for managing contract and grant agreements will be pre-screened for actual or perceived conflicts of interest, and re-screened on an annual basis, to minimize ethics violations.
III. Applicability	This SOP shall apply to all DOH employees who are, or are designated to be, a formalized point of contact on any solicitation or eventual agreement between DOH and a private vendor/recipient, either a contract procurement, or a grant agreement.
IV. Policy Statement	DOH administrations are responsible for assigning points of contact for managing implementation, compliance and performance per the terms of executed contractual or grant agreements. The Contract Administrator (CA), Grant Monitor (GM) and Project Officer (PO) that are assigned these areas of responsibility must complete the Conflict Attestation Form prior to starting the assignment. This requirement shall also apply to those who are reassigned to at least one new vendor/recipient, or are being temporarily assigned to a vendor/recipient for 30 days or longer. The Deputy Director for Operations (DDO) of each

administration shall be responsible for ensuring all requirements for the initial conflict attestation are completed for employees assigned to contracts and grants. The form shall be submitted to a designated employee within the Office of Contracts and Procurement (OCP) for a contract agreement, or the DOH Office of Grants Management (OGM) for a grant agreement. The DOH Ethics Counsel is responsible for evaluating all disclosed outside relationships with a vendor or recipient to determine whether the pre-existing relationship constitutes an actual or perceived conflict of interest. The DOH Ethics Counsel may, at his/her discretion, request follow-up information from the employee if the disclosed information is insufficient to make this determination. If the DOH Ethics Counsel determines that an actual or perceived conflict of interest is present, he/she has the authority to direct the lead administration to assign a different employee to the CA/grant monitor role. The DDO is responsible for implementing any reassignments promulgated by actual or perceived conflicts of interest.

Re-Attestation shall occur annually for staff assigned to contracts and grants whose project periods occur for multiple years or if there is a reassignment. Within 20 business days after the start of each FY, the DDO shall submit to the OCP and OGM, a list of all active CA, project officer and grant monitor relationships in place. Every employee appearing in the report shall complete the Conflict Attestation Form. The employee shall complete the form disclosing any outside relationship with all vendors or recipients that he/she monitored at any point during the preceding year. OCP and OGM are responsible for compiling the disclosures to their respective offices and routing all forms containing a disclosed relationship to the DOH Ethics Counsel for evaluation (see above). If an actual or perceived conflict of interest is identified by the DOH Ethics Counsel, the lead administration is responsible for proposing a new CA/grant monitor who shall complete an initial attestation.

The lead administration's DDO, the DOH-assigned Contract Officer, the Chief of OGM, or the DOH Ethics Counsel may request an employee complete an ad hoc attestation at any point during the fiscal year if documentation creates reasonable suspicion of an actual or perceived conflict of interest. An ad-hoc conflict attestation must be requested in writing. The reason for the request shall be included, and the employee's supervisor shall be copied.

	<p>OCP and OGM are responsible for retaining Conflict Attestation Forms on file in accordance with the DOH Records Retention Schedule.</p> <p>Conflict attestations completed in compliance with this policy shall not be interpreted as satisfying any annual financial disclosure required by the Board of Ethics and Government Accountability (BEGA). Any employee who refuses to complete a Conflict Attestation Form (initial or annual), fails to disclose pertinent information about an outside relationship with a vendor, falsifies a disclosure, knowingly enters into a conflict of interest with a vendor, or acts upon a conflict of interest with a vendor in a manner detrimental to the interests of DOH or the public, shall be subject to disciplinary action up to, and including, termination. As some actions in this area violate District and federal laws, DOH reserves the right to report evidence of potentially illegal actions to the relevant authorities.</p>
<p>IV. Definitions & Acronyms</p>	<p>BEGA- Board of Ethics and Government Accountability</p> <p>CA- Contract Administrator. The employee formally assigned to monitor a vendor’s performance, ensure deliverables are met according to the terms of the contract agreement governing the vendor relationship, and intervene where those deliverables are not met.</p> <p>Conflict of Interest- A situation with the potential to undermine the impartiality of a person due to the possibility of discordance between that individual’s self-interest and that of the organization or the public.</p> <p>DDO- Deputy Director for Operations</p> <p>OCP- District of Columbia Office of Contracts and Procurement</p> <p>OGM- Department of Health Office of Grants Management</p> <p>Grant Agreement- A formalized arrangement with a private recipient to produce specified deliverables. In such agreements, DOH is the primary recipient of dollars from an outside grantor, dollars which are spent funding the agreement with the private recipient. The term is sometimes interchanged with “Subgrant</p>

	<p>Agreement” to make a distinction that the award is made from federal funds received by DOH to pass-through to another entity (i.e. subgrantee).</p> <p>GM- Grant Monitor. The employee formally assigned by a DOH administration to monitor and take appropriate actions regarding a grantee/grant’s fiscal and administrative deliverables, compliance and performance according to the terms of the grant agreement.</p> <p>PO- Project Officer. The employee formally assigned by a DOH administration to monitor and take appropriate actions regarding the grantee/grant’s project implementation and performance, and to ensure deliverables are met according to the terms of the grant agreement.</p> <p>PM- Program Manager. The employee formally assigned to create, manage and oversee broad programmatic areas supported by grants. This role often supervises a team of Project Officers and assigns grants and duties.</p>
<p>V. Procedures</p>	<p>Procedure A: Initial Conflict Attestation</p> <ol style="list-style-type: none"> 1. Prior to the execution of a contract or grant agreement, the lead administration shall designate an employee to be the Contract Administrator, Grant Monitor, or Project Officer. 2. The assigned employee shall complete the Conflict Attestation Form and return it to OCP/OGM within 3 business days of receiving it. 3. If any relationship with the vendor or recipient is disclosed on the Conflict Attestation Form, the form shall be routed to the DOH Ethics Counsel for review by the OCP or OGM designated officials. 4. The DOH Ethics Counsel shall evaluate if the disclosed information in the Conflict Attestation Form constitutes an actual or perceived conflict-of-interest. 5. In the event the disclosed information is insufficient to determine if a conflict-of-interest is present, the DOH Ethics Counsel may request follow-up information to clarify the

	<p>outside relationship. The employee must comply with these requests for follow-up information.</p> <ol style="list-style-type: none"> 6. If the DOH Ethics Counsel determines that an actual or perceived conflict-of-interest is, indeed, present, the lead administration shall appoint a different employee to be the CA/Grant Monitor for that agreement. 7. This procedure shall be repeated for the employee newly designated. <p>Procedure B: Annual Conflict Re-Attestation</p> <ol style="list-style-type: none"> 1. Within 20 business days of the start date of each fiscal year, the DDO of each administration shall submit to the DOH Contracting Officer and the Chief of the Office of Grants Management a list of all existing Contract Administrators, Project Officers and Grant Monitors whose assignment portfolios are continuing into the new fiscal year. 2. Each DDO shall request Conflict Attestation Forms from every employee on the list, covering all contract and grant agreements under his/her purview. 3. Each CA, PO or GM shall complete the Conflict Attestation Form, updating disclosures of any outside relationships with all vendors he/she monitors for the period since the previous form was completed. 4. The DDO shall compile all responses and forward them to OCP and OGM, respectively, by a prescribed deadline. Upon receipt, OCP and OGM are responsible verifying that all reportable disclosures have been submitted for review. 5. OCP and OGM are responsible for identifying all Conflict Attestation Forms for which an outside relationship with a vendor/recipient is identified. All of those forms shall be routed to the DOH Ethics Counsel for review. 6. Follow Procedure A, Steps 4-7.
--	--

	<p>Procedure C: Ad Hoc Conflict Attestation</p> <ol style="list-style-type: none"> 1. This procedure is executed only when documentation exists which creates reasonable suspicion that an actual or perceived conflict of interest exists. 2. The DDO of the lead administration, the DOH-assigned Contract Officer, the Chief of OGM, or the DOH Ethics Counsel may request an ad-hoc conflict attestation. The request shall be made in writing, and shall include the reason for the request. The employee’s supervisor shall be copied. 3. The employee shall return a Conflict Attestation Form within a prescribed deadline. 4. Follow Procedure A, Steps 4-7.
<p>VI. Contacts</p>	<p>Chief of the Office of Grants Management</p> <p>DOH Contracting Officer</p> <p>DOH General Counsel</p>
<p>VII. Related Documents, Forms and Tools</p>	<p>Conflict Attestation Form</p>