

THE ROCKEFELLER UNIVERSITY'S GUIDELINES GOVERNING CONFLICT OF INTEREST IN PROCUREMENT

Introduction

The University's Conflict of Interest Policy is set forth in its Code of Conduct ("Conflict of Interest Policy"). Additional guidance is offered in the University's Guidelines on Conflict of Interest in Procurement ("Guidelines"). Together, these texts govern the conduct of the University's employees, officers and agents engaged in the requisitioning process.

Conflict of Interest Policy as Stated in the Code of Conduct

"The Rockefeller community should be sensitive to situations which could raise questions of potential conflicts or the perception of conflicts between personal interests and the University's or the public's interests. As part of the Rockefeller community, we should each consider ourselves to be in positions of trust and conduct ourselves accordingly. In all our dealings, we must act with fairness and the appearance of fairness. We must be particularly aware of situations where there exists a perception of conflict between a person's private interests and official responsibilities. Such conflicts can arise in many areas (for example, government grants and contracts, investments, positions with for-profit companies, and interactions with present or prospective employees or members of the community). Members of the community who have a duty to report regarding conflict of interest must do so faithfully and accept the obligations inherent in the University's policy for managing conflicts, for the protection of our research effort, our investigators and the University itself."

Guidelines regarding Procurement Conflict of Interest

- No employee should participate in the selection, award or administration of a contract or purchase if he or she has a real or apparent *conflict of interest*. Such a *conflict of interest* would arise when an *interested person* has a *significant financial interest* in a vendor or firm considered for a contract.
- Employees of the university must neither solicit nor accept cash gratuities or favors, or any non-cash *item of greater than nominal value* from vendors, contractors or parties to subcontracts.
- Materials Management and Finance Department employees who are part of the approval process of requisitions on federal grants and contracts will be required to complete a *significant financial interest* disclosure form at least annually, to be submitted to the Assistant Director of Research Administration.
- Employees of laboratories or departments who have approval authority in the Rockefeller purchasing hierarchy for requisitions will be required to confirm within each requisition that they have no conflict of interest in their selection of vendor.

Definitions

- *Conflict of Interest.* A conflict of interest may arise if an Interested Person:
 - has a Significant Financial Interest or other interest in, or a tangible personal benefit from, a vendor or firm considered for a federal award.
- *Interested Person.* An “Interested Person” is:
 - An employee, officer or agent who is involved in the selection, award or administration of a contract or purchase supported by a federal award, or
 - His or her immediate family including spouse or partner, or
 - An organization that employs or is about to employ any of the individuals named above.
- *Significant Financial Interest.* A “Significant Financial Interest” means one or more of the following financial interests of an Interested Person:
 - Publicly traded entities:
 - remuneration (e.g., salary, consulting fees, honoraria, paid authorship, other than from Rockefeller, a mutual fund or a retirement account) from every publicly traded entity in the 12 months prior to disclosure; and/or
 - equity in every such entity (e.g., stock, stock options, other ownership interest) that is held as of the date of the disclosure; thatwhen combined (remuneration + equity), exceed \$5,000.
 - Non-publicly traded entities:
 - all remuneration from every non-publicly traded entity in the 12 months prior to disclosure that, when combined, exceeds \$5,000; and/or
 - any equity interest in every such entity.
- *Item of nominal value.* An “item of nominal value” means an item with a fair market value of \$25 or less.

Process for Disclosing Conflict

- Employees who have a real or apparent conflict of interest at the time of submission of a requisition or anytime thereafter, or who question whether they have such a conflict should disclose to and/or contact the Assistant Director of Research Administration (Pete Marttinen pmarttinen@rockefeller.edu) and the Director of Materials Management and Chief Procurement Officer (Christopher Keogh keoghc@rockefeller.edu) for resolution.

Consequences of Violations

Violations of this Conflict of Interest Policy and these Guidelines carry disciplinary consequences, up to and including dismissal.