



The Grants Gazette

Ohio EMA's Preparedness Grants Updates

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Issue 16

Ethics and Purchasing with Grant Funds

Proper ethical conduct is a crucial element of successfully purchasing equipment and services with grant funds. In Ohio, all employees involved with any aspect of the procurement process, are subject to the ethical laws found in the Ohio Revised Code. The Ohio Ethics Law contains provisions restricting conflicts of interest that involve nepotism, post-employment, confidentiality and supplemental compensation. In addition, the law provides that each public official and employee is prohibited from:

- ◆ Authorizing or using his/her position to secure authorization of a contract for themselves, a family member, or a business associate.
- ◆ Receiving any benefit from a contract entered into by his/her public entity.
- ◆ Hiring or securing any contract benefits for a spouse, parents, grandparents, children, grandchildren or siblings or any relatives living with them.
- ◆ Soliciting or accepting substantial and improper things of value, including gifts, or travel, meals and lodging.
- ◆ Participating in matters where something of value will result for the public official or employee him/herself, his/her family, his/her business associates, or others with whom the public servant has a close tie that could impair his/her objectivity.

REMEMBER

PERCEIVED unethical conduct can have the same impact as actual violations. **As a public employee you hold the trust of the public you serve.** Don't place yourself, your agency and the state into a position of jeopardizing that trust.

The Ohio Ethics Commission provides free advice and assistance to public officials and employees in Ohio. If you have a need for clarification, contact the Ohio Ethics Commission, 30 West Spring Street, L3, Columbus, Ohio 43215-2256. Telephone: (614) 466-7090 Fax: (614) 466-8368 <http://www.ethics.ohio.gov/>

PERSONAL SERVICE CONTRACTS

Personal Service Contracts should be used to purchase services (usually professional), from an individual, nonprofit organization, business, or other entities if the following criteria are met:

- ◆ The Scope of Work contains measurable standards for the performance of the contract; and
- ◆ A contract monitoring process has been established to measure contract performance, costs, service delivery quality, a set of deliverables, and other contract standards.

A personal service contract will address at minimum the following contract provisions:

- ◆ Scope of Work and Deliverables
- ◆ Time of Performance
- ◆ Compensation for Services
- ◆ Independent Contractor
- ◆ Conflict of Interest and Ethics Laws
- ◆ Equal Employment Opportunity
- ◆ Records, Documents and Information
- ◆ Rights in Deliverables, Data and Copyrights
- ◆ Suspension and Termination
- ◆ Breach or Default
- ◆ Amendments
- ◆ Drug Free Workplace
- ◆ Any applicable governing laws of the State, County and/or Federal government

All personal service contracts should be reviewed and approved by your County Prosecutor and grant specialist prior to executing.

Important Dates

- ◆ The performance period for the FY2010 MMRS and UASI grants ends **July 31, 2013.**
- ◆ The new state fiscal year will begin processing cash requests **July 1, 2013.**

HSGP Grant Expenditures

As of May 31, 2013

Grant	Award	Expended	Remaining
FY 2010	\$40,769,989	\$21,600,367	\$19,169,622
FY 2011	\$20,499,771	\$2,839,044	\$17,660,727