



## **POLICIES AND PROCEDURES**

Policy # 001.3

Subj: Division of Purchasing & General Services' Socializing with Vendors Policy

Effective Date: June 1, 2013

Ref: UCA 63G-6a-2304.5

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### **Purpose:**

The purpose of this policy is to set forth standards of conduct for employees of the Division with the working title of Purchasing Agent, Procurement Officer, Purchasing Technician, Contract Analyst, or any other employee of the Division with duties and responsibilities at any point in the procurement process or contract administration process, regarding socializing with vendors. This policy is intended to further promote the public interest and strengthen the faith and confidence of the people of Utah in the integrity of their government.

### **Policy:**

A. Employees of the Division of Purchasing and General Services are required to read and comply with Utah Code 63G-6a-2304.5 Gratuities – Kickbacks – Unlawful Use of Position or Influence.

B. Employees of the Division with the working title of Purchasing Agent, Procurement Officer, Purchasing Technician, Contract Analyst, or any other employee of the Division with duties and responsibilities at any point in the procurement process or contract administration process, are required to comply with the recommendation by the National Association of State Procurement Officials (NASPO) publication: State & Local Government Procurement – A Practical Guide: Chapter 3, page 29:

### **Section 8: Do Not Socialize with Vendors**

*“Prosecutors prove antitrust and procurement offenses through testimony that establishes that government officials socialized with government vendors. If a procurement officer has social friends who may be bidders, he or she should remove*

*himself or herself completely from every aspect of a procurement process involving them.*

*This guideline applies equally to business associations. If a procurement professional wants to fraternize with a trade association, he or she should get out of the procurement process relating to that area of trade entirely, before any such association occurs.*

*The law in this area often does not go far enough to prevent cronyism, which many courts have held is a breach of the public trust in procurement matters. Managers of procurement processes should adopt stringent internal policies that clearly identify fraternization as improper. . .”*