



EchoWater Project Conflict of Interest Guidelines

(Rev. May 2, 2014)

Sacramento Regional County Sanitation District



May 2014

Program Management Office

Roles	<ul style="list-style-type: none"> • Oversight of entire program. • Extension of Regional San staff. • Coordinate independent as well as interrelated efforts of all Program participants. • Delivery of cost effective and functional projects with a life cycle view.
Principles	<ul style="list-style-type: none"> • No financial interest in the business success or failure of designers, other construction managers, or construction contractors. • Exercise unbiased independent judgment with respect to project decisions and conflicts.
Conflict of Interest Guidelines	<ol style="list-style-type: none"> 1. PMO prime consultants cannot propose as designers for any project identified by the program. 2. PMO subconsultants with a minor role (e.g., geotechnical or surveying) may propose as a subconsultant to a prime design consultant. 3. PMO prime consultants or sub consultants are allowed to propose on construction management services. 4. PMO prime consultant is not allowed to propose on construction services

Design Consultants

Roles	<ul style="list-style-type: none"> • Prepare plans and specifications. • As Engineer of record, serve as Regional San’s representative for design intent for issues during construction and construction dispute resolution.
Principles	<ul style="list-style-type: none"> • No vested interest in exercising judgment and making recommendations during construction that would affect the business success of construction contractors.
Conflict of Interest Guidelines	<ol style="list-style-type: none"> 1. A project designer or subconsultant on one design project may propose as a project designer or subconsultant on another design project. 2. A project designer or subconsultant on one project may propose on a different project for construction management services. 3. A project designer on one project is precluded from proposing as the construction contractor on the same or another project. 4. The sub consultant on a design project is precluded from proposing as a construction contractor or a subcontractor on the same project or a project incorporating the particular design. <p>Allowance of a sub consultant on a design project to also propose as a construction contractor or subcontractor on a different project will be determined on a case by case basis. Determination will be made based on the role and magnitude of participation in each project.</p>

Construction Managers

Roles	<ul style="list-style-type: none"> • Administer the construction contract for the owner. • Lead entity to resolve issues during construction and negotiating construction disputes.
Principles	<ul style="list-style-type: none"> • No vested interest in the business success or failure of designers or construction contractors. • Exercise independent judgment with respect to project decisions and conflicts.
Conflict of Interest Guidelines	<ol style="list-style-type: none"> 1. A construction manager or subconsultant on one project may propose as a designer on a different project. 2. A construction manager or subconsultant on one project may propose as a construction manager on a different project.

EchoWater Project Service Providers with Potential Conflicts Due to External Relationships

Roles	<ul style="list-style-type: none"> • Varies
Principles	<ul style="list-style-type: none"> • Exercise unbiased and independent judgment with respect to project decisions, for a firm working for Regional San and on projects for an entity that may have views in opposition to Regional San.
Conflict of Interest Guidelines	<ol style="list-style-type: none"> 1. Allowance of a consultant with a role (lead or sub) on a project for another client with an adversarial position to Regional San, to propose on any Regional San project will be evaluated on a case by case basis. If allowed, the consultant will be required to establish a well-defined firewall between the staff and project documents for each of the two clients.

EchoWater Project Service Providers with a Personal Relationship with Regional San Staff

Roles	<ul style="list-style-type: none"> • Varies
Principles	<ul style="list-style-type: none"> • Exercise unbiased and independent judgment with respect to project decisions and conflicts while the firm or members of the firm have a personal relationship to a Regional San employee with influence on Regional San decisions.
Conflict of Interest Guidelines	<ol style="list-style-type: none"> 1. A service provider to Regional San with a personal relationship to a Regional San employee with influence on Regional San decisions may propose on projects; however, a clear separation between opinions and actions related to matters that impact the service provider will have to be established.

Determinations and Appeals

On a Program of this size and duration not every conflict of interest scenario can be foreseen, therefore these Guidelines will be revised as necessary to address issues not currently identified. If a potential conflict of interest is not addressed by these guidelines or an appeal to these guidelines is desired, a written request for determination must be submitted in writing to Vick Kyotani, EchoWater Project Program Manager, at kyotaniv@sacsewer.com. The request must include information describing the potential conflict and why a determination is being requested.

Should a Regional San service provider not agree with the Program Manager's determination, the service provider may appeal the decision to Prabhakar Somavarapu, District Engineer.