



## Disclosure Form - Employee Vendor Relationship (Conflict of Interest)

Complete this form to disclose an employee-vendor relationship for purchases of goods or services.

**INSTRUCTIONS, HOW-TO VIDEO, AND INFORMATION FOLLOWS THIS PAGE.**

This form *is not needed* if the employee has been separated for **more than two years**.

**Note:** Goods or services *may not* be provided before the Procurement Department or designee **approves** this form.

VENDOR TO FILL OUT <i>(Upload the completed blue portion to PaymentWorks during onboarding)</i>					
Vendor Name <input style="width: 90%;" type="text"/>					
SELECT TYPE OF EMPLOYEE-VENDOR RELATIONSHIP					
<input type="checkbox"/>	Employee/Vendor proposes to rent or sell goods/services to the University and controls more than 10% interest in the vendor.				
	Employee Name <input style="width: 95%;" type="text"/>	UC Campus & Department <input style="width: 95%;" type="text"/>	Position <input style="width: 95%;" type="text"/>		
	Describe Financial Interest <input style="width: 98%;" type="text"/>				
<input type="checkbox"/>	Former employee (within last 2 years) proposes to rent or sell goods/services to the University.				
	Employee Name <input style="width: 35%;" type="text"/>	UC Retiree? <input type="checkbox"/> Yes <input type="checkbox"/> No	Separation Date <input style="width: 20%;" type="text"/>		
	UC Campus <input style="width: 20%;" type="text"/>	Department <input style="width: 20%;" type="text"/>	Position <input style="width: 20%;" type="text"/>		
<input type="checkbox"/>	Relative of a UC Employee.				
	Employee Name <input style="width: 25%;" type="text"/>	UC Campus & Department <input style="width: 30%;" type="text"/>	Relationship to UC Employee <input style="width: 20%;" type="text"/>		
If vendor is/was the employee: I certify that no University time, material, equipment or facilities have been or will be used in connection with any resulting purchase order or contract.					
Employee/Vendor Signature		Employee Name		Date	

UCI REQUESTING DEPARTMENT TO FILL OUT <i>(Send to <a href="mailto:procurement@uci.edu">procurement@uci.edu</a>; subject: COI Request and Vendor Name)</i>					
Date <input style="width: 95%;" type="text"/>	PO or Requisition # <input style="width: 95%;" type="text"/>			PO Amount \$ <input style="width: 95%;" type="text"/>	
Department Name <input style="width: 95%;" type="text"/>		Contact Name <input style="width: 95%;" type="text"/>			
Phone <input style="width: 40%;" type="text"/>	Email <input style="width: 95%;" type="text"/>				
Describe requested goods/services <input style="width: 98%;" type="text"/>					
Describe in details how <b>(and by whom)</b> the vendor was selected (include any extenuating circumstances) <input style="width: 98%;" type="text"/>					
Are the goods or services available from other sources?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are these goods or services available from University's own facilities?				<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	The Proposed Vendor is a near relative <i>(see definitions on next page)</i> of a University of California Employee.				
	Employee Name <input style="width: 25%;" type="text"/>	Relationship <input style="width: 25%;" type="text"/>	Employee's Department <input style="width: 20%;" type="text"/>		
<input type="checkbox"/>	The Proposed Vendor is a near relative <i>(see definitions on next page)</i> of a University of California Employee and Employee controls more than 10% interest in the vendor.				
	Employee Name <input style="width: 25%;" type="text"/>	Relationship <input style="width: 25%;" type="text"/>	Employee's Department <input style="width: 20%;" type="text"/>		
	Describe Financial Interest <input style="width: 98%;" type="text"/>				
If employee is a near relative to the vendor: I, the Employee, certify that I have not or will not make, influence, participate, or be involved in any way, in the making of the University's decision to purchase the above goods or services from the Proposed Vendor.					
Employee (Relative) Signature		Employee Name		Date	
DEPARTMENT CERTIFICATION (Required if vendor is a current employee or controls more than 10% interest in the vendor)					
I certify that no University time, material, equipment or facilities have been or will be used in connection with any resulting purchase order or contract.					
Department Chair/Supervisor Signature		Name		Date	

PROCUREMENT DETERMINATION		
<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Reason <input style="width: 95%;" type="text"/>	
Signature	Name	Date

# University Policy Regarding Employee-Vendor Relationships

## What constitutes a COI?

- The proposed vendor falls into one of the following Employee-Vendor Relationship\* Categories:
- Current UC Employee\*\*
- Former UC Employee\*\*
- Near Relative of UC Employee\*\*\*

*If the employee has been separated for more than two (2) years, the COI DOES NOT apply.*

## DEFINITIONS

**\*EMPLOYEE-VENDOR RELATIONSHIP** - a relationship in which an employee, or near relative, acts as an independent contractor for the purpose of renting or selling goods or providing services to the University.

**\*\*EMPLOYEE** - any individual who is presently employed by the University.

**\*\*\*NEAR RELATIVE** - spouse, child, parent, brother, sister, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, sister-in-law, and step relatives in the same relationship.

## FORM INSTRUCTIONS

1. Watch the short [Conflict of Interest Instruction Video](#).
2. The top portion (blue section) of the form is completed by the vendor and uploaded to PaymentWorks during the onboarding process.
3. Once completed by the vendor in PaymentWorks, the Vendor Coordinator will forward this form to the onboarding requester to fill out the second portion and route for any additional signatures, if needed.
4. The department is responsible for providing the details at the top of second section, such as date, PO/Requisition number, PO amount (If you don't know the exact amount, please enter an estimated total amount), department contact information, **description of the goods/services, by WHOM at UCI was the vendor selected, and WHY this particular vendor was selected.** This information is vital in determining whether there is a conflict or not. If you don't have enough room on this form, please attach an additional sheet with more details along with the completed COI form.
5. Answer all the yes/no questions on the form.
6. If the vendor's near relative is identified on the form, the near relative employee would be required to fill out this portion of the form and will need to describe their employee relationship with the vendor.
7. They would then need to sign, provide their name and date.
8. If the employee is a near relative\*\*\* to the vendor, they will need to fill out one or both sections (if the employee controls more than 10% interest in the vendor's company) and sign. The Department Chair or Supervisor will also need to sign and date the form.
9. Once the entire form is completed, please forward to [procurement@uci.edu](mailto:procurement@uci.edu).
10. The Procurement Help Desk will then route the form through DocuSign to the designated Procurement signer for final review.
11. The requester and the Vendor Coordinator will get copies of the approved/disapproved form, so the final status and fully signed document can be kept for your records.
12. The Vendor Coordinator will then complete the onboarding in KFS.
13. Contact [procurement@uci.edu](mailto:procurement@uci.edu) for questions.

## POLICY

For more details regarding the Conflict of Interest Policy, please visit:

<https://policy.ucop.edu/doc/1200679/CompendiumCOIPoliciesGuidance>

**SEPARATION OF INTERESTS** - It is the policy of the University to separate an employee's University and private interests, and to safeguard the University and its employees against charges of favoritism in acquisition of goods and services.

**CONFLICT OF INTEREST** - The State of California Political Reform Act prohibits an employee from making or participating in the making of a decision if a financial conflict of interest exists. Requirements governing such decision-making are set forth in the University's Conflict of Interest Code and shall be observed in purchases of goods and services by the University.

**DETERMINATION** - No purchase or lease of goods or contract for services shall be made from any employee or near relative unless there has been a specific determination by the Procurement Director, or designee, that the goods or services are not available either from commercial sources or from the University's own facilities.

## Conflict of Interest Verification

**Source:** BUS-43 Policy (Purchases of Goods and Services; Supply Chain Management)

**Policy Revision Date:** 1/20/2021

**Purpose of Policy:** to maintain a separation of employee's University and private interests, and to safeguard the University of California and its employees from charges of favoritism in the acquisition of goods and services. The rules below apply restrictions on Purchases/Leases/Contracts in the following situations:

### **Employee-Supplier Relationship:**

An employee, acting alone, **proposes** for a consideration to lease or sell goods or to provide services to University of California departments; or an employee who owns or controls more than 10% interest in any business which **proposes** for a consideration to lease or sell goods or to provide services to University of California departments.

→The University may enter into a contract for goods or services with an employee who has teaching or research responsibilities, or a student employee, provided that: the Procurement/Supply Chain Director (or designee) has made a specific determination that the goods or services are not available either from commercial sources or from within the University.

### **Former employee-Supplier Relationship:**

A former employee acting alone, **proposes** for a consideration to lease or sell goods or to provide services to University departments, this includes a former employee or retiree who has had teaching or research responsibilities, when:

1. Less than two years' time has elapsed since the individual separated from University employment, and the individual had been engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract during the period of employment; or
2. Less than one year's time has elapsed since the individual separated from University employment, and the individual had been employed by a department in a policy-making position in the same general subject area as the proposed contract.

→ Nevertheless, the University may enter into a contract for services with a **retiree** immediately following retirement **if the retiree did not participate in any way while serving as an employee, in the making of the contract for services.**

***Note:*** *IRS Rule does not allow an individual to receive a W2 and 1099 in the same tax year, so the employee or retiree cannot be hired as a contractor if they left UCI in the same calendar year.*

### **Near Relative of an Employee-Supplier Relationship:**

The near relative of an employee, acting alone, **proposes** for a consideration to lease or sell goods or to provide services to University departments, when the employee has, in any connections with his or her University employment, any responsibility for or will be involved in any manner, in the department's decision to accomplish or approve the transactions; OR

The near relative of an employee owns or controls more than a 10% interest in a business, which **proposes** for a consideration to lease or sell goods or to provide services to University departments, when the employee has, in any connection with his or her University employment, any responsibility for or will be involved in any manner in the department's decision to accomplish or approve the transactions.

1. University may purchase or lease goods from, or purchase services with the near relative of any employee, provided that the Procurement Director or designee has made a specific determination that the goods or services are not available from the University's own facilities, and
2. the employee: does not have, or has not had any responsibility for, or will be involved in any manner, in the department's decision to accomplish or approve the transaction(s);
3. and, does not have a personal financial interest in the transaction, or does not own or control more than a 10% interest in the business which proposes to lease or sell goods or to provide services to the University.

## PRIVACY NOTIFICATION

The State of California Information Practices Act of 1977 requires the University to provide the following information to individuals who are asked to provide information about themselves:

The principal purpose for requesting the information on this form is to determine any possible conflict of interest which might be involved in a proposed University purchasing transaction. University policy authorizes maintenance of this information.

Furnishing all information required on this form is mandatory - failure to provide such information will delay or may even prevent completion of the action for which the form is being filled out.

Information furnished on this form may be used by various University departments as required in the regular course of business and will be transmitted to the state and federal governments if required by law.

You have the right to review personal information maintained about you in accordance with University policy and may contact the office of record maintaining such information. The official responsible for maintaining the information contained on this form is the Procurement Director, University of California, Irvine, 120 Theory, Suite 200, Irvine, CA 92617.