

Marietta College Policy for Conducting Business with Employees

Preamble

The purpose of this policy is to:

- avoid any real or perceived conflicts of interest between and among Marietta College; and,
- avoid the consequences of IRS Intermediate Sanctions as they pertain to business transactions between employees and their employers.

This policy applies to active Marietta College employees, that is, persons who are on the College payroll, but not to former employees. The use of the terms “person” and “employee” in this policy applies to active College employees.

Policy

Some employees of Marietta College are also providers of products and/or services to the general public. The person, who is a College employee, may be a product vendor or may possess special skills or training that is marketable to the general public. Providing these products and/or services to the general public is unrelated to the person’s employment at Marietta College.

From time to time, the College may have a need for the products and/or services provided by these persons. When that situation occurs, the College is not prohibited from procuring the products and/or services from the person because (s)he is a College employee. However, should the college wish to procure products and/or services from the person, the College must first secure written bids from the person and from at least two other competitor providers of the product and/or service being considered. The College must then proceed to procure the product and/or service from the most responsive bidder. If the most responsive bidder is not the lowest priced bidder, the College must defend in writing its rationale for procuring from the higher-priced bidder. All required information must be in writing and must be reviewed and approved by the appropriate department head and senior administrator. Approved information must be attached to procurement requests (purchase orders, check requests, contracts) as they are processed through the College Business Office.

In cases where the product and/or service being considered is so specialized as to prohibit the acquisition of competitive bids, the transaction with the person must be approved in advance by the Vice President for Administration and Finance.

END

DCBryant 05Nov02

Approved by Cabinet 18Nov02