

**Georgia Soil and Water Conservation Commission**

**CONFIDENTIALITY AND CONFLICT OF INTEREST CERTIFICATION**

Contract ID #:

Contract Title: (the "Contract")

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , an employee of hereby certify the following:

**I. CONFIDENTIALITY**

I will maintain, in my current role or any future role, the confidentiality of all information related to the Contract that I gain access to as a result of my work for the Georgia Soil and Water Conservation Commission (GSWCC) unless and until I am released by GSWCC in writing from this confidentiality requirement. This includes, but is not limited to, all interim and project documentation that is not publicly available regarding proposed Best Management Practice evaluation and related information designated confidential by GSWCC and or the product proposer for inclusion to the Equivalent BMP List. This may include technical concepts, proposer qualifications, performance results, or any other documents or information that might be considered sensitive which I have heard, seen or reviewed ("**Confidential Information**").

I will not use the Confidential Information for any purpose other than to facilitate my work for GSWCC in relation to the Contract.

Unless directed by GSWCC or otherwise ordered by a court of competent jurisdiction or an opinion of the Office of the Attorney General of the State of Georgia (the "State"), I will not disclose, publish or divulge any Confidential Information to anyone, including the media or any member of the public.

Internal Confidential Information exchange may be conducted as necessary and appropriate to facilitate my work for GSWCC in relation to the Contract provided that I will only communicate such information to individuals who are authorized to receive such information. If contacted by any member of the public or the media with a request for Confidential Information, I will promptly forward such request to the Contracting Officer at GSWCC. I will also maintain security and control over all documents, computer equipment or storage devices containing Confidential Information in my custody.

**II. CONFLICT OF INTEREST**

I understand that all employees of GSWCC have a duty of trust to the citizens of the State. No employee of GSWCC, or its consultants is permitted to make an improper profit from the exercise of the employee’s duties and responsibilities or from information, knowledge or skills obtained from the performance of those duties and responsibilities. Employees are expected to avoid even the appearance of a conflict of interest and to report any apparent conflict of interest on the part of another employee to their supervisor or the GSWCC Ethics Officer. I agree to comply with the obligations of GSWCC employees with respect to conflicts of interest, regardless of whether I am an employee of GSWCC.

I acknowledge that conflicts of interest may include, but are not limited to, the below:

* A conflict of interest may exist when employees engage in activities which may financially or otherwise benefit themselves, their relatives or individuals with whom they are personally or financially involved as a result of knowledge, information or action taken in an official capacity as employees of GSWCC or their consultants.
* A conflict of interest may exist where there is no actual benefit to the employee. The mere presence of the opportunity may create the conflict.
* A conflict of interest may arise when an employee engages in an outside activity which, while not necessarily incompatible or inconsistent with official duties, nevertheless is or becomes so extensive that it interferes with the proper and full-time performance of official duties for GSWCC.
* Decisions regarding the existence of a conflict and its remedy are to be made by the appropriate GSWCC position in consultation with the GSWCC Ethics Officer.

Appearance of Conflict of Interest:

* I will make every reasonable effort to avoid even the appearance of a conflict of interest.

 I acknowledge that:

* An appearance of conflict exists when a reasonable person would conclude from the circumstances that the employee's ability to protect the public interest or perform public duties is compromised by personal interests.
* An appearance of conflict could exist even in the absence of a legal conflict of interest.

Impartiality: I agree to disqualify myself from participation in any aspect of the Contract in which my impartiality might reasonably be questioned due to my personal or financial relationships with participants in the contract.

Financial or Other Benefit Prohibited: I will not directly or indirectly ask, accept, demand, solicit, seek or receive a financial or other benefit for myself or for others in return for being influenced in the discharge of my official responsibilities. I acknowledge that I may have access to privileged or confidential information through my work that may be of interest to the public. This includes information acquired as a part of official duties and responsibilities, information acquired by interaction with fellow employees and information acquired by access to GSWCC facilities and operations.

No Financial or Other Benefit for Information: I will not use confidential or privileged information in any manner which would result in financial or other benefit, directly or indirectly for myself, my relatives, or individuals with whom I am personally or financially involved.

I will inform the GSWCC Contracting Officer and offer to recuse myself from any involvement in the selection, award and/or administration of a contract in relation to this Contract when I am aware that an actual or apparent conflict of interest exists. I understand that GSWCC may determine that such actual or apparent conflict of interest can be appropriately managed and may choose to allow my participation in the Contract.

I have disclosed any potential conflicts of interest on the attached Disclosure Statement, or alternatively, I hereby certify that to the best of my knowledge, I do not have a conflict of interest, either real or apparent, as a result of a direct or indirect financial interest on my part or that of any member of my immediate family, nor of my employer, nor of any prior employer in the past 24 months, partner(s), or joint venturers, in any firm proposing evaluation of a best management practice. I agree not to solicit or accept gratuities, unwarranted privileges or exemptions, favors, or anything of value from any proposer under consideration for approval to Appendix A-1 in agreement associated with the Contract, and I recognize that doing so may be contrary to statutes, ordinances and rules governing or applicable to GSWCC, or may otherwise be a violation of the law, including, without limitation, the provisions of the State of Georgia Conflict of Interest Law, O.C.G.A. §§ 45-10-20 through 45-10-75.

□ No Disclosure Statement Form Required □ See Attached Disclosure Statement

[The following to be completed in certifications signed by employees of consultants]

Confirmation with respect to prior employment by GSWCC: I confirm the following (check the one that is applicable):

□ I have never been an employee of GSWCC;

□ I was previously an employee of GSWCC but was never involved in the direct negotiation, administration, or management of a contract in which the Consultant was either the primary consultant or sub-consultant;

□ I was previously an employee of GSWCC and was involved in the direct negotiation, administration, or management of a contract in which the Consultant was either the primary consultant or sub-consultant, but my employment with GSWCC ended more than 12 months before I started work on the Contract.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **DISCLOSURE STATEMENT**

This Disclosure Statement outlines potential conflicts of interest, either real or apparent, as a result of a direct or indirect financial interest on my part or that of any member of my immediate family, or of my employer, partner(s), or joint ventures, in any proposer under consideration for an agreement associated with the Contract.

Section I of this Disclosure Statement describes the potential conflicts of interest. Section II of this Disclosure Statement describes the management plan for dealing with the potential conflicts of interests as described in Section I of this form.

I acknowledge that GSWCC may require revisions to the management plan described in Section II of this form prior to approving it and that GSWCC has the right, in its sole discretion, to limit or prohibit my involvement in the Contract as a result of the potential conflicts of interest described in Section I of this form.

SECTION I – DESCRIPTION OF POTENTIAL CONFLICTS OF INTEREST

 SECTION II – MANAGEMENT PLAN FOR DEALING WITH POTENTIAL CONFLICTS OF INTEREST

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***Approved by the Georgia Soil and Water Conservation Commission:***

Signed:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_