

## CODE OF BUSINESS CONDUCT

**Introduction:** Procurement Services is responsible for ensuring that the City of Portland's (hereafter "City") procurement and contracting processes are fair, efficient, effective, and accountable for our Contractors and service providers. City elected and appointed officials, employees, and volunteers at all levels are committed to the highest standards of ethical and legal behavior, treating their offices as a public trust, and recognizing the importance of taxpayer resources. We conduct business with honesty and integrity by avoiding any unethical or compromising practices, appearances, actions, or communications in order to merit the respect and inspire the confidence of the organization and public we serve. A copy of the Code of Ethics for Procurement Services can be found at the following web link: <http://www.portlandoregon.gov/bfrs/article/508776> .

This Code of Business Conduct<sup>1</sup> contains principles and conduct standards that Contractors as well as their employees must adhere to as they provide goods and services to the City. We expect our Contractors, consultants, suppliers, and vendors (hereafter "Contractors") to share this commitment. Contractors are responsible for ensuring:

1. This Code is shared with all individuals assigned to perform work on, for, or on behalf of, the City;
2. Any work performed for the City shall be conducted in full compliance with this Code, all applicable laws, regulations, and in accordance with the highest standards of ethical business conduct; and
3. Any work performed for the City is done by trained individuals with the skills, expertise and certifications necessary to complete the job in a safe, compliant, and workmanlike manner.

**Principles and Standards of Ethical Contractor Conduct:** The City expects its Contractors to follow the Principles and Standards of Ethical Business Conduct as provided herein.

1. **Compliance with Applicable Laws and Regulations.** Obeying the law, both in letter and in spirit, is the foundation on which the City's ethical standards are built. Contractors must comply with applicable laws, rules, and regulations at all levels of government in the United States and in any other jurisdiction in which the Contractor conducts business.
2. **Conflicts of Interest.** Ensure that any personal, business, or other activity does not conflict with the lawful interests of your employer. A conflict of interest exists when a Contractor's representative's financial interest is inconsistent or interferes with the best interests of the City. The City and employees of the City serve the public trust and are required to fulfill their responsibilities using sound professional judgment, reasonable care, and exercise only the authority granted them for the sole purpose of advancing the City's best interests. The integrity and best interest of the City must be protected at all times. To avoid potential conflicts, Contractors shall disclose to the City any direct or indirect financial interests in a Contractor's business held by any employee of the City, if known. Any Contractor of the City must ensure there is no appearance or perception of unethical behavior by its employees in its dealings with the City.
3. **Confidentiality.** Contractors must maintain the confidentiality of proprietary information entrusted to them in performing the work. Confidential information includes all non-public information that might be harmful to the City or the City's interests if disclosed. The obligation to preserve confidential information continues even after a Contractor's formal business relationship with the City ends.

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<sup>1</sup> This Code of Business Conduct is not a contract. It does not confer rights on any Contractors nor does it impose obligations on the City of Portland. In case of any conflict between the Code of Business Conduct and your Contract, the terms of the Contract shall prevail.

Additionally, any information provided to the City pursuant to the Contractor's work shall be subject to public disclosure pursuant to Oregon public records laws ORS 192.410 to 192.505 and 5.33.470. There should be no expectation of privacy when using City of Portland work space, computers, voicemail, or systems to create, access, transmit, or store information.

4. **Protection and Proper Use of City Assets.** Contractors must protect the City's assets and ensure their proper and efficient use. Theft, carelessness, and waste have a direct negative impact on the City's operations and the services it provides to the citizens of the City. The obligation of Contractors to protect the City's assets includes, but is not limited to, its proprietary information, including intellectual property and copyrights, business plans, databases, records, employment information, and any unpublished financial data and reports as well as equipment, buildings, fixtures and furnishings. Unauthorized use or distribution of the City's assets violates City policy and may also be illegal and result in criminal and/or civil liability. The City retains the right to monitor its assets, work environments, services it provides or are provided on its behalf in accordance with applicable federal, state, and local law.
5. **Timely and Truthful Reporting.** Contractors involved in the preparation of financial, sales, payment documents, permits, performance metrics, and other documents submitted to or filed with the City, federal, state or other local authorities are required to make disclosures that are full, fair, accurate, timely, and understandable. They may not knowingly conceal or falsify information, misrepresent material facts, or omit material facts.
6. **Sustainability and Social Responsibility.** The City recognizes that the products and services it purchases have inherent social, human health, environmental and economic impacts. Our Contractors are an integral part of the societies and communities in which they operate. Their influence extends to the employees they depend upon, the environment from which they draw their resources and the marketplace in which they participate. The City seeks to conduct business with Contractors who demonstrate responsible business practices through sustainable and social equity innovations; demonstrating community and environmental stewardship and who:
  - a. Strive to understand and take responsibility for the environmental, social, and economic [ESE] impacts of their operations and those of their supply chains, and utilize sustainability best practices to continuously improve those impacts;
  - b. Strive to provide affordable goods and services that, on a life-cycle basis, generate benefits to society and the economy while minimizing damage to the environment and human health;
  - b. Provide transparent and accurate claims and seek third-party validation of relevant ESE impacts and claims;
  - c. Seek to do business with suppliers and sub-contractors committed to doing business in a socially responsible and sustainable manner;
  - d. Seek to do business with Disadvantaged, Minority-owned, Women-owned, and Emerging Small Businesses (MWESBs) suppliers and sub-contractors; and
  - e. Make efforts to employ a diverse workforce.
7. **Harassment and Discrimination.** The City is committed to a respectful work environment, free of harassment, discrimination and retaliation and other inappropriate conduct. Contractors shall comply with applicable federal, state, and local statutes prohibiting discrimination including harassment based on race, color, religion, age, sex, pregnancy, physical or mental disability, national origin, ancestry, medical condition, veteran status, marital status, sexual orientation, gender identity, genetic information, or any other nonjob-related factor. The City expects its Contractors to conduct themselves in a professional manner and to treat others with respect, fairness, and dignity ensuring every individual the right to work in a professional atmosphere where all individuals are treated with respect and dignity. Further, the City's Human Relations Rule 2.02 covers all City employees as well as all Contractors and subcontractors, who provide services to

the City. The City does not tolerate harassment or discrimination, including behavior, comments, jokes, slurs, e-mail messages, pictures, photographs, or other conduct that contributes to an intimidating or offensive environment. This includes conduct in the form of bullying, workplace hazing, or other activities that can be humiliating or degrading. By signing a Contract or agreeing to provide services to the City, the Contractor affirms compliance with all terms and conditions contained in the Contract including HR 2.02 as further described at: <http://www.portlandonline.com/Auditor/Index.cfm?c=27929>

8. **Gifts and Gratuities and Reciprocity.** City employees are not permitted to receive a personal financial gain or avoid financial detriment that would not otherwise be available but for their position as a public employee. This includes the employee, their household or family members, or any business which the employee or a member of the employee's household or family has a personal financial interest. Accepting or giving a gift in a business setting, regardless how small, creates a sense of obligation or the appearance of an obligation; the City strongly discourages, and state law limits, City employees from accepting gifts. Receipt of gifts by employees is restricted by state law and the City's HR Administrative Rule 4.07.

Conversely, no employee may solicit or receive any gift in anticipation of official action to be taken by the employee in the course of their employment.

9. **Raising Concerns.** This Code of Business Conduct is critical to the ongoing success of the City's relationship with its Contractors. If you encounter questionable activities, you are encouraged to provide your feedback to the City's, Chief Procurement Officer at [christine.moody@portlandoregon.gov](mailto:christine.moody@portlandoregon.gov), or report it to the City's Ombudsman as follows:

- Telephone: 503-823-0144
- [Click here to file a complaint online](#)
- [Email at ombudsman@portlandoregon.gov](mailto:ombudsman@portlandoregon.gov)

You may also complete the [Ombudsman's Office's complaint form](#) which can be submitted via email, in person, or by regular mail. It can serve as a useful guide about the types of questions you might be asked. The form is not required if submitting a complaint to the Ombudsman's Office.

- Mail or in person:  
  
Office of the City Auditor  
Office of the Ombudsman  
1221 SW 4th Avenue, Room 320  
Portland, OR 97204
- To make an **anonymous** report about City government corruption, fraud, waste, abuse of position, misuse of resources, etc. contact the Auditor's OpenCity Tipline:

**Auditor's OpenCity Tipline**  
(formerly Auditor's Fraud Alert)