

SBWMA ~~BOARD MEMBER~~ CODE OF CONDUCT
APPLICABLE TO THE ~~CONTRACTOR SELECTION~~ FRANCHISE AGREEMENT
EXTENSION NEGOTIATION PROCESS

1. Ex Parte Contacts Prohibited

From ~~April 1, 2007, and November 17, 2016, to December 31, 2017, or~~ prior to the SBWMA Board and Member Agencies conclusion of the meet and confer process selection of contractors or June 30, 2009 for an award of Franchise Agreements (Agreements) extensions with Recology San Mateo County (Contractor) whichever comes later, SBWMA Board Members ~~(the Board Members)~~, the Franchise Agreement Extension Committee, Technical Advisory Committee, and any SBWMA employee or consultant are prohibited from having any verbal or written communications (ex parte contacts) with any Proposer Contractor, its employees, agents, consultants, lobbyists or other parties or individuals retained for the purpose of developing and supporting the Contractor's proposed extension of the Agreements, (defined as any entity or individual involved in making a submittal to the SBWMA in response to the RFP process to select a contractor or contractors for the collection, processing, and transfer of solid waste, recyclable materials and/or organic materials) except in the course of a legally noticed meeting of the SBWMA Board, ~~or any committee of the Board~~ Franchise Agreement Extension Committee, Technical Advisory Committee meeting, or in conjunction with ~~an ex parte contact arranged by and involving a meeting authorized by the Executive Director which involves~~ SBWMA staff and/or consultants as part of the meet and confer process for a contract extension.

If any such unauthorized ex parte contact occurs, the Board member shall disclose its occurrence at the next meeting of the SBWMA Board that next follows the said ex parte contact.

2. Gift and Compensation Prohibited

From November 17, 2016, to December 31, 2017, or prior to the SBWMA Board and Member Agencies conclusion of the meet and confer process for an award of Agreements extensions, From April 1, 2007, to prior to SBWMA Board and Member Agencies selection of contractors or June 30, 2009 whichever comes later, SBWMA Board Members, the Franchise Agreement Extension Committee, Technical Advisory Committee, and any SBWMA employee or consultant are prohibited from accepting any gift of any monetary value, or compensation of any kind (as defined under the California Political Reform Act) from a Proposer Contractor, its employees, agents, consultants, lobbyists or other parties or individuals retained by Contractor for the purpose of developing and supporting the Contractor's proposed extension of the Agreements (defined above).

~~Any Official who accepts such a gift or compensation may be subject to censure by the SBWMA Board. Please be aware that any Board Member, member of the Franchise Agreement Extension Committee, Technical Advisory Committee or any SBWMA staff or consultant who accepts such a gift or compensation may be subject to censure by the SBWMA Board. Any SBWMA staff member who violates this policy may be subject to discipline including termination and any consultant who violates this policy may be subject to termination of services. If Contractor, its employees, agents, consultants, lobbyists or other parties or individuals retained by Contractor for the purpose of developing and supporting the Contractor's proposed extension of the Agreements violates this policy as to gifts or compensation, the SBWMA Board may terminate further contract extension discussions.~~

3. It is understood that this Code of Conduct is in addition to any other applicable state or local regulations that apply to the conduct of the SBWMA Board, the Franchise Agreement Extension Committee, Technical Advisory Committee, SBWMA employees and consultants.