

Conflict of Interest Disclosure Form for Consultants for Local Federal-aid Transportation Projects

Firm Name (Consultant):

Project Owner (LPA):

Project Name:

Project Number:

Project Control Number:

As Consultant's Project Manager for the above local federal-aid transportation project, I have:

1. Reviewed the Conflict of Interest Guidance Document found on the NDOR website; and
2. Reviewed the Conflict of Interest laws, including 23 CFR § 1.33, 49 CFR 18.36 and Neb. Rev. Stat. §§ 49-1401 to 1444 and 49-1493 to 14,104, and in particular, 49-14,101 to 14,103.07; and
3. Reviewed the reverse side of this form, "How Do I Determine Whether I Have a Conflict of Interest?"

And, to the best of my knowledge, determined that, for myself, any owner, partner or employee, with my firm or any of my sub-consulting firms providing services for this project, including family members and personal interests of the above persons, there are:

No real or potential conflicts of interest

If no conflicts have been identified, complete and sign this form and submit to LPA

Real conflicts of interest or the potential for conflicts of interest

If a real or potential conflict has been identified, describe on an attached sheet the nature of the conflict, including the information requested on the reverse side of this form for the type of conflict being reported, and provide a detailed description of Consultant's proposed mitigation measures (if possible). Complete and sign this form and send it, along with all attachments, to LPA.

Print Name:

Title:

Signature

Date

How Do I Determine Whether I Have a Conflict of Interest?

The following Sections are provided as guidance to Consultant in determining whether a real or potential Conflict of Interest (COI) exists and in disclosing details concerning potential conflicts of interest. Please also review “The Law” and “Definitions” sections of the Guidance Document.

Section 1 – Consultant Officer or Employee COI

Is there anyone in your firm or business who is either; (1) employed by, on a full or part time basis; or (2) a public official or agent of, the local public agency (LPA) from whom this Request for Proposal (RFP) has been received?

If yes, please list on an attached sheet; (1) the name, address and phone number of the person(s); (2) the position held by that person(s) with Consultant; (3) the LPA position held by that person(s); and (4) a detailed description of the duties of that person(s) for LPA, including whether that person(s) has any duties for the LPA concerning the negotiating, approving, accepting or administering of any contract or subcontract for LPA’s federal-aid transportation project? (For this document, administering includes any duties of oversight, contract compliance, evaluation, or enforcement, but does not include the duties of paying or processing invoices that are reviewed and approved by others with LPA.)

Section 2 – Persons Associated with LPA, Financial or Personal Interest COI

Section 49 CFR 18.36(b)(3) Procurement, extends the potential for conflicts of interest to persons **associated with** an LPA official, employee or agent. There may be a conflict of interest on a federal-aid project if a person associated with an LPA official, employee or agent has a financial or **personal interest** in a consulting firm or business providing services for a project. These indirect conflicts of interest can extend to the following persons associated with an LPA official, employee, or agent: (a) Any member of his [or her] immediate family; (b) his [or her] partner; or (c) an organization which employs, or is about to employ, any of the above, when that organization has a financial or **other interest** in the firm selected for award. Is there anyone in your firm or business who is **associated with** (as listed in the preceding sentence) an official, employee, or agent of LPA from whom this RFP has been received?

If yes, please list on an attached sheet; (1) the name, address and phone number of the person(s); (2) the position held by that person(s) with Consultant; (3) the person’s relationship to LPA, including the name and LPA position held by the official, employee or agent of LPA; and (4) a detailed description of the duties of the official, employee or agent of LPA, including whether that person(s) has any duties for the LPA concerning the negotiating, approving, accepting or administering of any contract or subcontract for the LPA’s federal-aid transportation project?

Section 3 – Real Estate COI

If Consultant (or a sub-consultant) has an **Interest** in real estate located along or near the project that might be acquired, in whole or in part, for this federal-aid transportation project, which interest is either; (1) through anyone in Consultant’s organization, including a member of immediate family or a sub-consultant, having an ownership interest in; or (2) through a client for whom Consultant has been retained to provide professional services to the owner for that tract of land, then Consultant must disclose such interest and abstain from being involved in any aspect of the right-of-way valuation or acquisition process for the federal-aid transportation project.

If either of these situations exist, please provide on an attached sheet; (1) the name of the owner, the address and legal description of the property, and a description of the Consultant’s interest in the property; (2) a map or aerial photo identifying the location of the property; (3) a description of the potential need or use of this property for the federal-aid transportation project; and (4) a declaration by Consultant that it will comply with the third sentence of 23 CFR Section 1.33.