

INCORPORATED VILLAGE OF HEMPSTEAD

Conflict of Interest Policy effective 2026

Consultants, Contractors, Subcontractors, Suppliers & Vendors

1. Purpose

To protect the integrity, objectivity and reputation of the Incorporated Village of Hempstead by identifying, disclosing and managing actual, potential or perceived conflicts of interest involving consultants, contractors, subcontractors, suppliers and vendors (collectively, "Third Parties").

2. Scope

This policy applies to all Third Parties engaged by the Inc. Village of Hempstead, including individuals and entities providing services, goods or advice on a paid, contractual or contingent basis, and to their employees, agents and subcontractors.

3. Definitions

- **Conflict of Interest:** any situation where a Third Party's personal, financial or other interests could compromise—or appear to compromise—their impartiality, judgment or obligations to the Inc. Village of Hempstead.
- **Financial Interest:** ownership, investment, debt, compensation, commission, or other monetary benefit.
- **Related Party:** family members, close personal relationships, business partners, or entities in which the Third Party or related persons have a significant interest or control.

4. General Requirements

- Third Parties retained to perform services in the Village of Hempstead, shall be authorized to do business in the State of New York and/or filed such documentation, certifications, or other information with the State of county as required in order to lawfully provide such services in the State of New York. In addition, said contractor/vendors shall possess and maintain all professional licenses and/or certifications required to perform the tasks undertaken in connection with the project.
- Third Parties must perform services and supply goods in the best interests of Inc. Village of Hempstead, avoiding actions that create conflicts between personal interests and duties owed to the company.

- Third Parties must not use non-public information obtained from the Inc. Village of Hempstead for personal gain or to benefit a related party.

5. Disclosure Obligations

- At contract initiation and annually thereafter (or when a material change occurs), Third Parties must disclose to the Purchasing Agent/Procurement Officer and the Village Attorney any actual, potential or perceived conflicts of interest, including:
 - Relevant financial interests in competitors, suppliers or customers.
 - Employment or consulting relationships with competitors, suppliers or customers.
 - Family or close personal relationships with Inc. Village of Hempstead employees who have direct or indirect influence over contracting, purchasing or oversight of the Third Party.
 - Disclosures must be timely, accurate and in writing (including via electronic email).

6. Prohibited Conduct Third Parties must not:

- Solicit or accept bribes, kickbacks, secret commissions, or improper payments from anyone in connection with their engagement.
- Influence procurement, contract awards or performance metrics through undisclosed relationships or improper incentives.
- Divert business opportunities discovered through Inc. Village of Hempstead engagement for personal gain unless expressly authorized in writing.

7. Gifts, Entertainment & Hospitality

- Third Parties shall not offer gifts, travel, entertainment or hospitality to Inc. Village of Hempstead employees in exchange for favorable treatment.
- Acceptable token or nominal-value items (e.g., promotional items under \$75.00) may be allowed if disclosed and not likely to influence decisions.
- Any gift or entertainment above the threshold must be pre-approved by Mayor or Village Attorney.

8. Procurement and Subcontracting

- Third Parties must disclose if they plan to subcontract work and must ensure subcontractors comply with this COI policy.
- Subcontractors or suppliers with conflicts must be disclosed and approved in writing before engagement.

9. Confidentiality and Use of Inc. Village Assets

- Third Parties must protect confidential and proprietary information and use company assets only for authorized purposes.
- Confidential information may not be used for the Third Party's own benefit or disclosed to third parties without authorization.

10. Reporting Suspected Violations

- Third Parties and their personnel must promptly report actual or suspected COI violations or unethical conduct to the Village Attorney/Compliance Officer/Hotline] via [email/phone/form]. Reports can be made anonymously where allowed.
- Retaliation against anyone reporting in good faith is strictly prohibited.

11. Investigation and Resolution

- Reported concerns will be reviewed and, where warranted, investigated by the Village Attorney with appropriate confidentiality.
- Remedial actions may include contract modification, repayment of improper gains, mandatory termination of the relationship, suspension, or referral for legal action, depending on severity.

12. Consequences for Non-Compliance

- Non-compliance may result in suspension of work, non-payment, termination of contract, ineligibility for future engagements, and civil or criminal liability where applicable.

13. Certifications and Representations

- As part of onboarding and periodically thereafter, Third Parties shall sign a COI attestation certifying that:
- They have read and understand this policy;
- To the best of their knowledge, no undisclosed conflicts exist; and

- They will promptly disclose any future conflicts.

14. Training and Communication

- The Inc. Village of Hempstead will communicate this policy to Third Parties upon engagement and provide compliance guidance as necessary.
- Third Parties are expected to ensure relevant staff and subcontractors are familiar with and adhere to this policy.

15. Recordkeeping

- Records of disclosures, approvals, investigations and actions taken will be maintained in accordance with the Inc. Village of Hempstead record retention policy and applicable law.

16. Policy Review

- This policy will be reviewed periodically and updated as necessary. The Inc. Village of Hempstead reserves the right to modify this policy and its enforcement procedures at any time.

17. Contact Information For disclosures, questions or to report concerns:

1. Village Attorney
99 James A. Garner Way
Hempstead, NY 11550
(516) 478-6275

Adopted July 7, 2026