



## EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>		<b>GENERAL MANAGER ACTION REQ'D:</b>		
DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...				
<b>DATE:</b> 11/21/2024      11/26/2024		<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Dennis Markham <b>Dept:</b> Performance & Audit Admin	<b>General Counsel</b>	<b>Controller/Treasurer</b>	<b>District Secretary</b>	<b>BARC</b>
DocuSigned by: <i>D. Markham</i> 8D65AF8B6F63484...	DocuSigned by: <i>Amelia Sandoval</i> 2528C067C44147D...	DocuSigned by: <i>Shirley Gan</i> EE11C8CEEEA04FD...		DocuSigned by: <i>Pamela Herhold</i> 3BB24D65B8724F5...
<b>Signature/Date:</b> 11/22/2024	11/22/2024 [ ]	11/22/2024 [ ]	[ ]	11/22/2024 [ ]

### Amendment to the District Contractor Code of Conduct

#### PURPOSE:

To update the District Contractor Code of Conduct to align with BART's Suspension and Debarment Policy and to modify language regarding post-employment contracting.

#### DISCUSSION:

The District is in the process of adopting a Suspension and Debarment Policy that relates to the District's Contractor Code of Conduct (Code), which was last updated in 2023. This update adds references to the Suspension and Debarment Policy and aligns the definition of a Contractor with the new policy. Adoption of this update is contingent upon the Board adopting the Suspension and Debarment Policy. The Code will also be amended to specify that any former District Official is prohibited from contracting with BART for twelve months after terminating BART employment. The existing language limits the former District Officials to only those that are required to, or should be required to, file a Statement of Economic Interests (Form 700).

#### FISCAL IMPACT:

None.

#### ALTERNATIVES:

Do not adopt the amended District Contractor Code of Conduct, which will leave the 2023 Contractor Code of Conduct in place.

#### RECOMMENDATION:

Staff recommends adoption of the amended Contractor Code of Conduct that provides references to the newly established Suspension and Debarment Policy, aligns the definition of Contractor between the two policies, and amends language regarding former District Officials working on BART contracts.

**MOTION:**

The Board adopts the attached amended District Contractor Code of Conduct, subject to adoption of the Suspension and Debarment Policy.