

**\*\*DISCLAIMER: Some RFP's may include additional requirements based on individual contracting rules\*\***

## **IEP Conflict of Interest Policy for Solicited Research Proposal Reviews, Advisors, and Applicants**

To achieve its mission to “provide the best possible scientific information to inform water and environmental decision making in the Delta”, the Interagency Ecological Program (IEP) must take steps to assure the integrity of its work products and processes. To do so, it must take reasonable steps to guard against even the perception of conflict-of-interest. Of course, acts that are banned by State and Federal conflict of interest laws, regulations, and agency policies are prohibited. Actions or activities that could create the perception of bias, favoritism, or unfair funding decisions are the subject of this policy.

Situations that may have conflict-of-interest implications include:

- Reviewing solicited research proposals
- Submitting a solicited research proposal

### **Solicited Research Proposal Reviews**

The IEP avoids financial, professional or personal conflicts-of-interest by selecting reviewers who have no financial, professional or personal connection to the proposals that they review. In addition, the IEP seeks to avoid selecting reviewers for whom there may be a perception of bias. Proposal reviewers are selected based on their scientific and technical expertise, not based on their affiliation with an agency or organization. Because potential conflicts-of-interest are not always apparent, the IEP expects potential reviewers to timely disclose any direct or indirect financial, professional, personal or other connection to a proposal, so that the IEP can make a determination about the suitability of that reviewer for the specific proposals at issue.

A reviewer has a disqualifying conflict-of-interest if the reviewer: a) has assisted in the development of the proposal to be reviewed in any way, b) will receive a direct or indirect financial benefit from the funded project, or c) has a conflict of interest under California law or Federal law.

A reviewer has an institutional, personal, or professional connection to a proposal applicant that may disqualify them if any of the following relationships were applicable during the past four (4) years:

- Collaboration on research
- Co-authorship of publication(s)
- Thesis or post-doctoral advisor/advisee relationship
- Supervisor/employee or independent contractor relationship
- Reviewer and an applicant are employees of the same local, State or Federal agency; university; or private firm -- even if they are in different divisions
- Reviewer and applicant have a close personal relationship

Institutional, personal, or professional connections will not necessarily disqualify the reviewer. The IEP Program Manager, Coordinators Team, and Lead Scientist will review the information submitted regarding such connections to the proposal to determine if the disclosed connections are sufficient to give the appearance of compromising the objectivity of the reviewer. If the evaluation determines that any disclosed connection may result in actual or perceived bias, favoritism, or an unfair funding decision, the IEP will reassign the proposal.

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## **Providing Advice to the Interagency Ecological Program**

Public Contract Code section 10365.5 provides in part as follows:

“(a) No person, firm, or subsidiary thereof who has been awarded a consulting services contract may submit a bid for, nor be awarded a contract for, the provision of services, procurement of goods or supplies, or any other related action which is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract.”

Because of this prohibition, any person, firm or subsidiary thereof who may be acting as an advisor to the IEP should consider whether such advising role would preclude them from subsequently submitting a bid or being awarded a contract. When commenting on topics or priorities for funding programs, IEP contractors, partners, collaborators or participants in IEP committees or work groups may be acting as advisors and should consider how their participation might affect future funding opportunities.

## **Submitting a Solicited Research Proposal**

Any person, agency, or institution that is considering submitting a bid, proposal, or application for funding should disclose their personal, agency, or institution's participation in any IEP committee or workgroup that has provided advice on topics or priorities for funding. To avoid the perception of bias, favoritism, or unfair funding decisions, the IEP may recommend against submittal of the bid, proposal, or application in question.