

**Conflict of Interest Policy for the AQF**

1. Conflict of Interest is hereby understood as a significant outside interest, of a member of a technical commission, evaluation team members and subject matter experts involved in procurement procedures (Susceptible Persons) or members from their immediate family that could directly or significantly affect their responsibilities to the Administrative Fund for Air Quality Monitoring in the Paso del Norte Air Basin (AQF) as established in the “Resolution by the Joint Advisory Committee for the creation of the technical commissions to support the AQF, based in the North America Development Bank”, and in the Procurement Procedure for the Operation of the AQF.
2. The proper discharge of responsibilities could be directly or significantly affected if an employment, service, activity or interest: (1) might tend to influence the way a Susceptible Person performs his or her institutional responsibilities, or the Susceptible Person knows or should know the interest is or has been offered with the intent to influence the employee’s conduct or decisions; (2) could reasonably be expected to impair the Susceptible Persons judgment in performing his or her institutional responsibilities; or (3) might require or induce the Susceptible Person to disclose confidential or proprietary information acquired through the performance of institutional responsibilities.
3. Susceptible Persons should not have a direct or indirect interest, financial or otherwise, that is in substantial conflict with the proper discharge of their responsibilities, including having direct or indirect financial participation in any entities that are awarded AQF contracts.
4. No entity or individual with any actual, apparent, or potential conflict of interest shall take part in determining the goods or services needed, nor have access to information regarding any portion of the scope of work including any proposed contract documents or contract solicitations.
5. Additionally, members of the technical commissions should abide the following rules while discharging their duties to the AQF:
  - a) Gifts: Members of the Administrative Unit and Fund Committee should not accept or solicit any gift, favor, service, or loan that might reasonably appear to influence them in the discharge of their responsibilities.
  - b) Self-Dealing: Members of the Administrative Unit and Fund Committee may not transact any business in an official capacity with any business entity of which he is an officer, agent, or member, or in which he owns a substantial interest.
  - c) Purchases from/by Members: Purchases are not permitted from a member of the Administrative Unit and Fund Committee.
  - d) Benefits for Performing Official Duties: A Members of the Administrative Unit and Fund Committee should not solicit, accept, or agree to accept any benefit for having exercised their responsibilities and duties.
6. Susceptible Persons who participate in the definition of the scope of work, evaluation of vendor bids and proposals or review of submissions are required to sign and abide by a Conflict of Interest Statement following the structure of **Annex I** and a Confidentiality Agreement that applies specifically to the solicitation being evaluated. They should disclose in writing any actual, apparent,

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or potential conflicts of interest, including but not limited to disclosure of any consulting fees or other compensation paid to members of the technical commissions, or members of their immediate families, by current or potential contractors, subcontractors or subrecipients of the AQF. Evaluation team members must sign a separate statement and agreement for every bid/proposal they are asked to evaluate.

7. Any violations of this Policy shall be reported to the Fund Committee, the institutions which the members represent, and to NADB.

**Annex I.**

**CONFLICT OF INTEREST AND NON-DISCLOSURE STATEMENT FOR THE ADMINISTRATIVE FUND FOR AIR QUALITY MONITORING IN THE PASO DEL NORTE AIR BASIN,**

Procurement of [\_\_\_\_\_]

Participant Name and Title: [\_\_\_\_\_]

I am acting at the request of the AQF as a participant in the development and/or award of a contract in connection with the subject procurement. By signing below, I affirm the following:

- a) I have not been the recipient of any present or future economic opportunity, employment, gift, loan, gratuity, special discount, trip, favor, service, or any other form of compensation from or in connection with any potential vendor. Note any exceptions: [\_\_\_\_\_]
- b) I will not disclose or otherwise divulge any information pertaining to the contents or status of this procurement and its development to anyone other than team members without prior authorization from the Administrative Unit.
- c) I agree to perform any and all tasks related to the solicitation in an unbiased manner, to the best of my ability, and with the best interest of the AQF paramount in all decisions.
- d) I understand that, prior to the signing of a contract resulting from this solicitation or a decision by the Fund Committee not to award such a contract, all information pertaining to the development of or evaluation of the responses to the solicitation is confidential. Prior to such a decision, I will not discuss any such information with anyone other than members of the Administrative Unit or Fund Committee staff or NADB staff. I will take all steps necessary to protect the confidentiality of any response or offer in my possession during this period of time.
- e) I will promptly notify the team leader of any event or circumstance that may affect the accuracy of this statement.

[\_\_\_\_\_]

Signature

Date: [\_\_\_\_\_]