

Conflict of Interest Policy and Disclosure Form

Conflict of Interest Definition

No employee, agent, or contractor who exercise or have exercised any functions or responsibilities with respect to activities funded by the State or a Federal awarding agency (such as HUD or the US Treasury) and administered by NCORR, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have an interest or a benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

In addition, federal, state, and local law prohibit employees, agents, and public officials of the State of North Carolina from participating in a situation in which financial or other personal considerations may compromise, or have the appearance of compromising, that person's judgment in following the rules and policies of NCORR. All State employees must also follow N.C.G.S. § 14-234.1, which can result in criminal prosecution if violated. If there is a conflict between the State or Federal laws governing conflict of interest, the stricter provision shall prevail.

Covered Persons

Conflict of interest requirements apply to any person who is an employee, agent, contractor, consultant, or subrecipient with ties to federal and state funding appropriated, administered by or provided to NCORR, including but not limited to the Community Development Block Grant Disaster Recovery (CDBG-DR), CDBG Mitigation (CDBG-MIT), CDBG Coronavirus (CDBG-CV), U.S. Treasury, and State Disaster Recovery Act (DRA) funds.

Your Responsibilities

If you are aware of an actual or potential conflict of interest, even if not your own, you have a duty to report that conflict of interest. NCORR employees must report the conflict of interest (potential or actual) to their direct supervisor. Covered persons with a potential or actual conflict of interest will be required to complete the NCORR COI Disclosure Form.

Although not every circumstance will be deemed an actual conflict, all covered persons must disclose a potential, actual, real or perceived conflict. It is better to disclose the conflict so that NCORR—if and when applicable—may manage the conflict.

COI Examples

The following are some examples of potential conflicts of interests that require disclosure under NCORR's policy. This list is by no means exhaustive, and is for general reference only:

1. You have a relative employed with NCORR or with an NCORR contractor
2. You apply or applied for an NCORR program, such as HOPE or ReBuild NC
3. You become the recipient of an NCORR benefit, even if you were not the applicant
4. You disclosed NCORR procurement information to a potential contractor when you were not authorized to do so
5. Your relative works for an organization that received CDBG-DR funds

WARNING: Knowingly and willingly making false or fraudulent statements to the State of North Carolina may result in denial of assistance, civil penalties, and/or referral to law enforcement.

Part II: COI Disclosure Form

| INFORMATION ABOUT THE COVERED PERSON (Please add attachments if necessary) | |
|--|---|
| Name | |
| Employer and Title: | |
| Relationship with NCORR: Are you any of the following to NCORR or the State of North Carolina? (You may check all that apply) | <input type="checkbox"/> Employee <input type="checkbox"/> Consultant <input type="checkbox"/> Agent <input type="checkbox"/> Elected or appointed official <input type="checkbox"/> Contractor <input type="checkbox"/> Subrecipient <input type="checkbox"/> Other _____ |
| Describe your position or role (include whether you are responsible for any contracts, financial activities, procurement, or have been part of any procurement selection processes with NCORR) | |
| Do you have any function or responsibilities with respect to any program by NCORR, and/or are in a position to participate on a decision-making process or gain inside information with regard to any NCORR program? If yes, please explain. | |
| Conflict of interest relationship (includes real, apparent, potential or perceived) | <input type="checkbox"/> I am associated by familial ties to a person that is with an organization that contracts, is about to contract, or has in the past contracted with NCORR (either as a contractor or subcontractor). <input type="checkbox"/> I have familial ties to a person that is with an organization that may benefit or is benefitting from NCORR activities. <input type="checkbox"/> I have business ties and/or an interest or role in an entity that may benefit from NCORR activities. <input type="checkbox"/> I have a conflict of interest, potential conflict of interest, or perceived conflict of interest that is not covered by the prompts in this paragraph. <input type="checkbox"/> Other: |
| Information about the Conflict | |
| Please explain the conflict of interest: | |
| When did the conflict of interest begin? (Include approximate date) | |

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| What steps have you taken to avoid, mitigate, or eliminate a conflict of interest, including recusing yourself from that activity? | |
| If the conflict of interest is related to any NCORR procurement or a procurement conducted by a NCORR Subrecipient, please explain what role you had in the procurement process: | |
| Have you shared information about NCORR with a person or entity who could benefit from that information? If yes, specify the information that you shared. | |
| Request for exception: | <input type="checkbox"/> I am requesting that an exception be made, or that NCORR request an exception on my behalf to HUD. |

I have read and understand the Conflict of Interest Disclosure Form ("Form") in its entirety. I have disclosed all information required by this disclosure. I agree to comply with any conditions or restrictions imposed by NCORR to reduce or eliminate actual and/or potential conflicts of interest. I will update this disclosure form IMMEDIATELY if relevant circumstances change, and/or I believe there is an actual or potential conflict of interest related to my duties, my title, or involvement with any person that would subject me to the above conflict of interest requirements. If NCORR, its designee, or awarding agency determine a conflict of interest exists in violation of the applicable laws, NCORR may take any action deemed necessary, including termination or separation from employment or a position. I agree to return any funds or the value of services in connection with the conflict of interest and program(s), as required by the State, NCORR, or HUD. I understand that this is not a confidential document. I understand that completing this Form does not authorize me to engage in a conflict of interest, nor does this absolve me from the conflict of interest or any duty to report an actual or potential conflict of interest, including whether the conflict interest occurred in the past. I certify, under penalty of perjury, that the information I provide and submit with this Form is complete, true, and correct.

The NCORR Legal Office will review the information provided in this Conflict of Interest Form. NCORR Legal will conduct an assessment or investigation, if necessary, to make a determination as to whether a real or apparent conflict of interest exists. This assessment includes interviews and/or reaching out to entities or persons that may have information regarding the conflict of interest. By signing below, you are authorizing NCORR and its agents to complete this assessment to the fullest extent permitted by law, and are agreeing to fully cooperate with NCORR. You also agree to be interviewed by a member of the NCORR Legal Office and/or the Chief Operating Officer, or his/her designee. When the assessment is complete, NCORR may report the assessment to HUD, which may include NCORR's determination as to (i) the steps taken by either NCORR or the covered person to mitigate or eliminate the conflict, (ii) whether the conduct violates State or local law, and (iii) whether NCORR believes an exception should be made. A REQUEST FOR AN EXCEPTION DOES NOT AUTHORIZE YOU TO ENGAGE IN ANY ACTIVITY THAT IS IN VIOLATION OF THE CONFLICT OF INTEREST REQUIREMENTS AND/OR RELATED LAWS AND POLICIES.

Signature

Name (Print)

Date

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