



State of New Jersey

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Code of Ethics for Vendors

Viewable online at (<https://www.nj.gov/transportation/business/procurement/ethics.shtm>)

The New Jersey Department of Transportation (NJDOT) considers the maintenance of public trust and confidence essential to its proper functioning. Vendors must be notified of their responsibilities concerning their relationship with Special State Officers or employees and State officers or employees. Executive Order 189 (Kean 1988). Accordingly, NJDOT has adopted this Code of Ethics for Vendors.

"Vendor" means any general contractor, subcontractor, consultant, supplier, lessor, person, firm, corporation, association or organization providing goods and/or services or seeking to do business with the NJDOT. Vendors who supply goods or services, or are seeking to provide goods and services, to NJDOT, must adhere to the standards set forth in this Code of Ethics to avoid conflicts of interest.

This Code of Ethics, originally adopted on December 16, 1987, is based upon the principles established in Executive Order 189 (Kean 1988), the Conflict of Interest Law, and the Uniform Ethics Code and has been established pursuant to the authority of N.J.S.A. 27: 1A, et seq. The Conflict-of-Interest Law, N.J.S.A. 52: 13D-12 et seq., and Uniform Ethics Code which, while not strictly applicable to contractors, prohibit certain actions by State officers or employees and Special State officers or employees when interacting with vendors.

This Code of Ethics is included in each Request for Proposal (RFP) promulgated by the NJDOT and incorporated by reference in every contract and agreement to which the NJDOT is a party. It shall be distributed to all parties who presently do business with NJDOT and posted on the NJDOT's website.

1. No vendor shall employ any NJDOT officer or employee who performs purchasing functions for NJDOT. N.J.A.C. 16:44-11.1(b)(3); Executive Order 189 (Kean 1988).
2. No vendor shall sell or provide any interest in the business of the vendor to any NJDOT officer or employee who performs purchasing functions for NJDOT. N.J.A.C. 16:44-11.1(b)(3); Executive Order 189 (Kean 1988).
3. No vendor shall cause or influence, or attempt to cause or influence, any NJDOT officer or employee in his or her official capacity in any manner which might tend to impair the objectivity or independence of judgment of that NJDOT officer or employee. N.J.A.C. 16:44-11.1(b)(5); Executive Order 189 (Kean 1988).

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4. No vendor shall cause or influence, or attempt to cause or influence, any NJDOT officer or employee to use or attempt to use his or her official position to secure any unwarranted privileges or advantages for that vendor or for any other person. N.J.A.C. 16:44-11.1(b)(6); Executive Order 189 (Kean 1988).
5. No vendor shall offer any NJDOT officer or employee, his/her spouse, immediate family member, partner or associate any gift, favor, service, or other thing of value related in any way to the State official's public duties. N.J.S.A. 52:13D-24; N.J.A.C. 16:44-11.1(b)(1); Uniform Ethics Code, Section III, page 6; Executive Order 189 (Kean 1988). This includes, but is not limited to, meals, discounts on goods and services, tickets to events, and clothing.

There exist certain narrow exceptions to the State or New Jersey's zero tolerance policy on the acceptance of gifts. A NJDOT officer or employee may accept the following items of minimal or nominal value.

- a. Snacks of minimal monetary value, such as coffee or donuts, provided during the course of a meeting, conference, or other occasion where the officer or employee is properly in attendance.
 - b. Unsolicited small items of nominal value such as pens, pencils, or other trivial logo items that are offered to the general public.
 - c. A trophy, plaque, or certificate.
6. Vendors who violate this code may be subject to debarment procedures set forth at N.J.A.C. 16:44-11.1 et seq.

This Code of Ethics shall supplement, not replace, Executive Order 189 (Kean 1988), N.J.S.A. 52:13D-12, et seq., N.J.A.C. 19:61-1.1, et seq.; and Uniform Ethics Code (February 2011).

Please also see the, New Jersey Department of the Treasury's "Business Ethics Guide" (<https://www.nj.gov/treasury/purchase/ethics.shtml>) which provides a guide to ethical conduct for persons and/or entities doing business with the State. To the extent that there is any conflict between the NJDOT Code of Ethics for Vendors and Treasury's Business Ethics Guide, the latter shall govern.

Any questions regarding what is or is not acceptable or what constitutes proper conduct for a NJDOT officer or employee should be referred to the NJDOT's Ethics Liaison Officer at 1035 Parkway Ave. Trenton, NJ 08625, (609) 963-1958 or DOT.Ethicsforms@dot.nj.gov.