Conflict of interest supplier declaration

# Supplier declaration – Direct Appointment

This Declaration must be completed by an authorised signatory of the supplier when Waka Kotahi NZ Transport Agency (Transport Agency) directly appoints a supplier, i.e. where a tender process is not required to enter into the contract.

This Declaration must be completed for each contract, prior to execution of the contract, even if the Transport Agency has previously engaged the supplier.

The purpose of this Declaration is to identify conflicts of interest (potential, perceived or actual) that may exist between the supplier and the supplier’s representatives and employees and the Transport Agency at the time of the appointment and thereby protect the supplier and the Transport Agency from allegations of bias or preferential treatment and to assist the Transport Agency to operate in a transparent manner.

This Declaration requires that the supplier identifies organisational level interests (for example previous dealings with the Transport Agency) and, where relevant the personal interests of key staff including: company owner/s, director/s and staff who are directly involved in the contract negotiation, management and delivery of the contract requirements. Suppliers: When determining if a conflict of interest exists consider if your organisation and key staff:

* Has or could be perceived to have any political, legal, financial or personal interest in the contract with the Transport Agency that may affect the Agency’s reputation or the way it is perceived
* Could give the appearance that you might be conflicted with the contract or engagement with the Transport Agency
* Has any obligations, loyalties or bias that could influence or affect the way you deliver the requirements of your contract/engagement with the Transport Agency
* Knows any Transport Agency employee involved in this contract that has an ownership or financial interest in the Supplier you represent. Or that the Transport Agency employee would have a personal financial gain or other benefit from this contract or engagement
* Has engaged a previous employee of the Transport Agency (less than 2 years) to be involved in the delivery of this contract.

For more information on what may constitute a conflict of interest, please refer to the Office of the Auditor General’s Guidance <https://www.oag.govt.nz/2007/conflicts-public-entities/docs/oag-conflicts-public-entities.pdf>

# Conflict of Interest Declaration

Suppliers please complete and return the below Declaration*.*

1. Contract or engagement that this Declaration relates to\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
2. **Details of conflict of interest**: If you think there may be a conflict of interest, in the box below briefly describe the conflict and how you propose to manage it or write ‘not applicable’.

Some options for managing a conflict could include:

* **Restrict** an organisation or individual’s involvement in the process
* **Recruit** an independent third party to oversee part or all of the process
* **Remove** the organisation or individual from the process
* **Relinquish** your private interest that causes the conflict

|  |
| --- |
| [INSERT / not applicable] |

***Guidance. The final decision on management of any conflict declared on this form, will be the Transport Agency’s and all decisions will be subject to the Transport Agencies process for the management of conflicts of interest.***

I/we declare that in submitting this Declaration:

1. the information provided is true, accurate and complete and not misleading in any material respect
2. I/we am/are not aware of any impediments to enter into a contract to deliver the requirements outlined in the contract
3. I/we am/are have no known or foreseen, actual, potential or perceived conflict of interest, other than as outlined in the box above, in entering into a contract to deliver the requirements outlined in the contract
4. I/we understand and agree to report it immediately to the Transport Agency contact identified above if an interest arises during the term of the contract

By signing this Declaration the signatory below represents and agrees that he/she has been authorised by the supplier to make this declaration on its/their behalf.

|  |  |
| --- | --- |
| **Signature:** |  |
| **Full name:** |  |
| **Title / position:** |  |
| **Name of organisation:** |  |
| **Date:** |  |