

RESOLUTION NO. 2000-23879

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH REQUIRING THAT CONTRACTORS ADOPT A CODE OF BUSINESS ETHICS PRIOR TO ENTERING INTO A CONTRACT WITH THE CITY OF MIAMI BEACH

WHEREAS, the Greater Miami Chamber of Commerce (“GMCC”) adopted a Model Code of Business Ethics (the “Model Code”); and

WHEREAS, the City of Miami Beach is a member of the GMCC; and

WHEREAS, the Model Code, attached hereto as Exhibit A, is a statement of principles to help guide decisions and actions based on respect for the importance of ethical business standards in the community; and

WHEREAS, the GMCC encourages its members to adopt the principles and practices outlined in the Model Code; and

WHEREAS, the Commission believes that each entity which does business with the City of Miami Beach should be required, as a condition of doing business with the County to adopt a Code of Business Ethics.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

Section 1. Each person or entity that seeks to do business with the City shall adopt a Code of Business Ethics (“Code”) and submit that Code to the City Manager or his or her designee prior to execution of any contract between the contractor and the City. The Code of Business shall, at a minimum, require the contractor to comply with all applicable governmental rules and regulations including, among others, the conflict of interest, lobbying and ethics provisions of the City Code.

Section 2. The Commission urges the Greater Miami Chamber of Commerce to require that all of its members adopt the Model Code of Business Ethics.

Section 3. This resolution shall become effective immediately upon its adoption.

PASSED and ADOPTED this 12th day of April 2000

ATTEST:



MAYOR



CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 4-7-00

City Attorney

GREATER MIAMI CHAMBER OF COMMERCE MODEL CODE OF BUSINESS ETHICS

STATEMENT OF PURPOSE

The Greater Miami Chamber of Commerce ("GMCC") seeks to create and sustain an ethical business climate for its members and the community by adopting a Code of Business Ethics. The GMCC encourages its members to incorporate the principles and practices outlined here in their individual codes of ethics which will guide their relationships with customers, clients and suppliers. This Model Code can and should be prominently displayed at all business locations and may be incorporated into marketing materials. The GMCC believes that its members should use this Code as a model for the development of their organizations' business codes of ethics.

This Model Code is a statement of principles to help guide decisions and actions based on respect for the importance of ethical business standards in the community. The GMCC believes the adoption of a meaningful code of ethics is the responsibility of every business and professional organization.

Compliance with Government Rules & Regulations

- We will properly maintain all records and post all licenses and certificates in prominent places easily seen by our employees and customers;
- In dealing with government agencies and employees, we will conduct business in accordance with all applicable rules and regulations and in the open;
- We will report contract irregularities and other improper or unlawful business practices to the Ethics Commission, the Office of Inspector General or appropriate law enforcement authorities.

Recruitment, Selection & Compensation of Vendors and Suppliers

- We will avoid conflicts of interest and disclose such conflicts when identified;
- Gifts which compromise the integrity of a business transaction are unacceptable; we will not kick back any portion of a contract payment to employees of the other contracting party or accept such a kickback.

Business Accounting

- All our financial transactions will be properly and fairly recorded in appropriate books of account, and there will be no "off the books" transactions or secret accounts.

Promotion and Sales of Products and Services

- Our products will comply with all applicable safety and quality standards;
- We will promote and advertise our business and its products or services in a manner which is not misleading and does not falsely disparage our competitors;

Doing Business with the Government

- We will conduct business with government agencies and employees in a manner which avoids even the appearance of impropriety. Efforts to curry political favoritism are unacceptable;
- Our bids will be competitive, appropriate to the bid documents and arrived at independently;
- Any challenges to contracts awarded will have a substantive basis and not be pursued merely because we are the unsuccessful bidder;
- We will, to the best of our ability, perform government contracts awarded at the price and under the terms provided for in the contract. We will not submit inflated invoices for goods provided or services performed under such contracts, and claims will be made only for work actually performed. We will abide by all contracting and subcontracting regulations.
- We will not, directly or indirectly, offer to give a bribe or otherwise channel kickbacks from contracts awarded, to government officials, their family members or business associates.
- We will not seek or expect preferential treatment on bids based on our participation in political campaigns.

Public Life and Political Campaigns

- We encourage all employees to participate in community life, public service and the political process;
- We encourage all employees to recruit, support and elect ethical and qualified public officials and engage them in dialogue and debate about business and community issues;
- Our contributions to political parties, committees or individuals will only be made in accordance with applicable law and will comply with all requirements for public disclosure. All contributions made on behalf of the business must be reported to senior company management;
- We will not contribute to the campaigns of persons who are convicted felons or those who do not sign the Fair Campaign Practices Ordinance.
- We will not knowingly disseminate false campaign information or support those who do.

Company Name

Corporate Officer

Date



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CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM

TO: LAWERENCE LEVY
CITY MANAGER

FROM: JOSE SMITH *J.S.*
COMMISSIONER

DATE: APRIL 4, 2000

RE: RESOLUTION REQUIRING THAT CONTRACTORS ADOPT A CODE
OF BUSINESS ETHICS BEFORE ENTERING INTO A CONTRACT
WITH THE CITY OF MIAMI BEACH

Please place the attached resolution on the agenda at the next meeting of the Mayor and City Commission on April 12, 2000.

JS/jm

Agenda Item R7P

Date 4-12-00