

Staff Report

TO: Board of Directors
FROM: Jennifer Hanson, General Manager
DATE: May 13, 2026
SUBJECT: **Conflict of Interest Policy for Design Build Arrangements
(Consent)**

ADMINISTRATION

RECOMMENDATION:

Adopt a resolution Establishing a Conflict of Interest Policy for Design Build Projects.

BACKGROUND:

Federal and State statutes require that the District adopt a Conflict of Interest Policy specific to Design Build Arrangements. NID does not currently have such a policy. The need for this policy is prompted by the pending Chicago Park Powerhouse GSU Transformer Replacement (Project No. C0019), which includes setting design parameters for bidders, design for the new transformer per the District requirements for approval, and fabrication and installation of the approved transformer.

The intent of the policy is to prevent a firm from acting as both the owner's representative/consultant and the designer/builder on the same project without disclosure and mitigation, if allowed at all. In the case of the current transformer project there is a very low risk of conflict because in-house subject matter experts are responsible for developing the project design parameters. The selected manufacturer will design the transformer details and build the transformer according to those District provided parameters.

Organizational Conflict of Interest Disclosure Form. The proposed form, to be included with design build contract documents, is provided below.

Attachments: (3)

- Resolution No. 2026-22
- Draft Policy 1030 – Conflict of Interest Policy for Design Build Projects
- Draft Organizational Conflict of Interest Disclosure Form for the Chicago Park Powerhouse GSU Transformer Replacement (Project No. C0019)

NEVADA IRRIGATION DISTRICT

Organizational Conflict of Interest Disclosure Form

Project: _____

Instructions to Proposers

1. **Mandatory Submission:** This form must be completed and submitted by the lead Design-Build entity on behalf of its entire team, including all sub-consultants and subcontractors.
2. **Separate Submission:** To avoid any unfair taint of the selection process, this form shall be submitted in a separate sealed envelope from the technical proposal. It will not be provided to the selection committee members during technical ranking.
3. **Ongoing Duty:** Proposers have a continuing duty to monitor for and report any conflicts discovered after submission or contract award.

Section I: Proposer Team Information

Lead Entity Name: _____

Authorized Representative: _____ **Title:** _____

List of Sub-consultants/Subcontractors covered by this disclosure:

Section II: Conflict of Interest Questionnaire

Please check the appropriate box for each question. If "Yes" is checked, you must provide a detailed explanation in Section III.

1. **Bridging/Preliminary Design:** Has any member of your team provided "bridging" services, preliminary design services, or technical specifications for this specific Project?
 Yes **No**
2. **Procurement Assistance:** Has any member of your team assisted NID in managing this procurement, including drafting RFP language, evaluation criteria, or selection procedures?
 Yes **No**

3. **Project Oversight:** Is any member of your team currently under contract with another entity to perform oversight, inspection, or auditing on this specific Project?
 Yes No
 4. **Non-Public Data:** Has your team had access to non-public data relevant to this procurement that provides an unfair advantage over other proposers?
 Yes No
 5. **Financial Interests:** Do any principals of your team own real property or have business interests that could be positively or adversely impacted by the designs or recommendations required by this contract?
 Yes No
 6. **NID Relationships:** Do any team principals have a blood or marriage relationship with, or a business arrangement with, any current employee or Board Member of NID?
 Yes No
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Section III: Disclosure and Mitigation Plan

*If you answered "Yes" to any question in Section II, describe the nature of the potential conflict and the specific measures proposed to **avoid, neutralize, or mitigate** it (e.g., use of firewalls, personnel substitutions, or data isolation).*

(Attach additional sheets if necessary)

Section IV: Certification and Signature

The undersigned, acting as the authorized representative of the Proposer, hereby certifies under **penalty of perjury** under the laws of the State of California that:

- a. The information provided on this form is true, correct, and complete to the best of my knowledge.
- b. I acknowledge that this disclosure constitutes a **material representation** for the award of the contract.

- c. I understand that failure to disclose a known conflict, or providing false information, may result in disqualification of the bid, termination of the contract for default, and liability for District costs.

Signature: _____ **Date:** _____

Printed Name: _____ **Phone:** _____



RESOLUTION NO. 2026-22
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**ESTABLISHING ADMINISTRATIVE POLICY
1030 - CONFLICT OF INTEREST FOR DESIGN BUILD PROJECTS**

WHEREAS, the Nevada Irrigation District intends to establish and revise from time to time, administrative policies to guide operations and management of the District; and

WHEREAS, Federal and State statutes require that the District adopt a Conflict of Interest Policy specific to Design Build Arrangements; and

WHEREAS, the purpose of such a policy is to prevent a firm from acting as both the owner's representative/consultant and the designer/builder on the same project without disclosure and mitigation, if allowed at all; and

WHEREAS, Nevada Irrigation District does not currently have such a policy.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Nevada Irrigation District hereby adopts the following policy updates as attached, and shall be incorporated herein:

#1030 – Conflict of Interest for Design Build Projects

BE IT FURTHER RESOLVED, that the attached policy shall be incorporated into the District Policy Manual, and the Board Secretary is hereby authorized to assign and revise policy numbers, and format and reformat the attached, as needed for an organized, comprehensive, policy manual.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 13th day of May, 2013, by the following vote:

AYES:	Directors:
NOES:	Directors:
ABSENT:	Directors:
ABSTAINS:	Directors:

President of the Board of Directors

Attest:

Secretary to the Board of Directors

Nevada Irrigation District

POLICY MANUAL

POLICY TITLE: Conflict of Interest for Design Build Projects

POLICY NUMBER: 1030

1030.1.1 The purpose of this policy is to prevent a firm from acting as both the owner's representative/consultant and the designer/builder on the same project without disclosure and mitigation.

1030.1.2 Pursuant to Federal and State statutes, the District is required to have a Conflict of Interest Policy specific to Design Build Arrangements.

1030.1.3 Lead Design-Build entity is required to complete and submit to the District an Organizational Conflict of Interest Disclosure Form for all design build projects.

Adopted: May 13, 2026 via Resolution No. 2026-22