

EMUS



[REDACTED]

C O N F I D E N T I A L

Trace 1

[REDACTED]

City of Chicago
Richard M. Daley, Mayor

Board of Ethics

Dorothy J. Eng
Executive Director

Darryl L. DePriest
Chair

Angeles L. Eames
Vice Chair

Eileen T. Corcoran
Emily Nicklin
Martin E. O'Donovan
Michael F. Quirk

Room 303
320 North Clark Street
Chicago, Illinois 60610
(312) 744-9660
(312) 744-2793 (FAX)
(312) 744-5996 (TTY)
<http://www.ci.chi.il.us>

Re: Case No. 97018.Q

Dear Mr. [REDACTED]

In a Memorandum dated [REDACTED], you requested Board staff advice concerning the Bureau of [REDACTED]'s acceptance of expenses, pursuant to contract, for three Bureau employees to go to the [REDACTED] manufacturing facility in [REDACTED] to witness tests of [REDACTED] [REDACTED] controls being manufactured for the City. According to your memorandum, the City's contract calls for on-site witness testing of the [REDACTED] [REDACTED] controls. (You cited section [REDACTED] of specification # [REDACTED].) You enclosed a letter from the manufacturer's representative, [REDACTED] [REDACTED], Inc., which states that expenses of the on-site testing and witnessing "will be covered as per the contract agreement."

As your memorandum suggested, staff contacted [REDACTED] [REDACTED], who confirmed the facts you provided; staff orally advised Mr. [REDACTED] that under the facts presented, it is the opinion of the staff that the acceptance of expenses for on-site witness testing as provided for by contract does not fall within the intended meaning of the gift provisions of the Governmental Ethics ordinance; for this reason, and based on previous cases of the Board, the staff concluded and advised Mr. [REDACTED] that there is nothing in the Ethics Ordinance that would prevent your department from sending representatives, at the contractor's expense, to witness the testing of the [REDACTED] [REDACTED] controls manufactured for the City.

Mr. [REDACTED] asked that we provide a written confirmation of our oral advice; this letter confirms staff's oral advice to him. As staff advised Mr. [REDACTED], the staff opinion in this case is based on the application of the Governmental Ethics Ordinance to the facts stated in this letter. If the facts are



EMUS

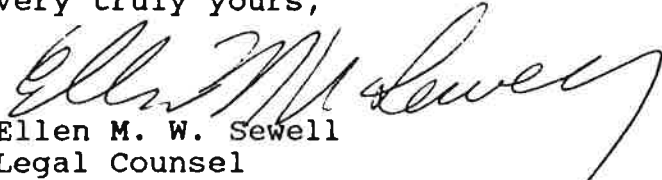
Case No. 97018.Q

Page 2

inaccurate, please notify us, as any change in the facts may alter our opinion.

Thank you for your inquiry. We appreciate your willingness to abide by the standards embodied in the Governmental Ethics Ordinance. If you have any further questions, please contact us.

Very truly yours,


Ellen M. W. Sewell
Legal Counsel

Approved by:


Dorothy J. Eng
Executive Director