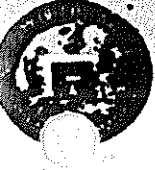


MEH



City of Chicago
Harold Washington, Mayor

August 31, 1987

Board of Ethics
Harriet McCullough
Executive Director

[REDACTED]

Case Number 87057.A

CONFIDENTIAL

Dear [REDACTED]

The Board of Ethics has considered your request for an advisory opinion to determine whether City employees and/or their relatives may obtain City contracts and participate in the set-aside contract procurement programs. The Board concludes that the Ethics Ordinance will permit relatives of City employees to enter into contracts with the City, but that City employees themselves are prohibited from obtaining City contracts and participating in the set-aside contract procurement programs.

The prohibition in the Ordinance against City employees having contracts with the City is absolute, and makes no distinction between contracts obtained through normal City contracting procedures and those obtained through special set-aside programs. Section 26.2-11 states that no City employee shall have a financial interest in any City contract, in his name or in the name of any other person, whenever the expense of the contract is paid for with funds belonging to or administered by the City. And while the Ethics Ordinance does permit relatives of City employees to bid for and obtain City contracts and participate in set-aside contract procurement programs, it imposes the following restrictions on individuals currently employed by the City whose relatives seek any type of City contract:

- (1) Section 26.2-13(b) prohibits an employee from exercising contract management authority over a contract if that contract is with a relative of the



August 31, 1987

employee or with a person who employs a relative of the employee.

- (2) Section 26.2-3 states that the City employee may not in any way use his position to assist a relative in obtaining a City contract. (i.e. The City employee may not use his position to influence the contract award decision.)
- (3) Section 26.2-7 of the Ordinance prohibits a City employee from disclosing any non-public information to a relative while attempting to assist the relative in obtaining a contract.

Please note that in the Ethics Ordinance, a "relative" is defined as a person who is related to an official or employee as spouse or as any of the following, whether by blood or by adoption: parent, child, brother or sister, aunt or uncle, niece or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister, half-brother or half-sister. (See Section 26.2-1(r); attached)

If you have any questions, please contact the Board of Ethics at 744-9660.

Sincerely,


Sol Brandzel
Chairman

MA/jh-