

BOARD OF ETHICS

City of Stamford
888 Washington Boulevard
P.O. Box 10152
Stamford, Connecticut 06904-2152

June 17, 1997

Mr. G. Patrick Tully
Chief of Police
City of Stamford
805 Bedford Street
Stamford, CT 06901

Dear Chief Tully:

You have requested an advisory opinion regarding whether a local vendor who volunteers to assist the Police Department formulate a long-range technology plan would be excluded from bidding on any future MIS acquisitions. Along with your written request for an advisory opinion, you submitted Attorney Thomas Cassone's memorandum dated March 31, 1997. This memorandum contains statements upon which the Board of Ethics relies in making this opinion.

It is the Board's understanding that the volunteer would not be directing the Police Department's future technology towards any unique or specialized hardware or software of which the volunteer is one of limited sources. The Board further understands the volunteer will not steer the Police Department's technology to a market where the volunteer enjoys any type of competitive advantage. Also, the Board understands that the volunteer would not be made privy to any information unavailable to other vendors which would result in the volunteer gaining an unfair bidding advantage. The Board further assumes any future purchase would be made through open competitive bidding.

In light of the foregoing, the Board is of the opinion that the volunteer would not be precluded from participating as a vendor in any future MIS acquisition. The Board recommends the volunteer provide an up-front representation of which software and/or hardware vendors he represents in order to avoid possible future conflicts.

In accordance with §14C(1) or ordinance 706 supplemental, this opinion is binding upon the Board and yourself unless amended or revoked. Reliance upon this opinion in good faith is an absolute defense in any action or proceeding brought under the provision of the Code of Ethics.

Mr. G. Patrick Tully
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June 17, 1997

The Board thanks you for taking the time and effort to request an advisory opinion in advance of securing the services of this volunteer.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy J. LiVolsi".

Amy J. LiVolsi

AJL:sjm
cc: Lois PontBriant, Town Clerk
Mr. Louis M. Pasquino
Mr. David Daley
Mr. Mel Grove

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