

EXHIBIT D – POLITICAL CONTRIBUTION DISCLOSURE

Sec. 20-69. Political contributions.

- (a) It is in the public interest to provide for maximum disclosure of political contributions. It is the purpose of this section to identify owners, officers, and persons with interests in companies and individuals doing business with the city so that information regarding political contributions may be more readily accessible in the city clerk's office. Failure to provide the required information in a timely fashion shall render any bid or proposal to which this section applies not responsive. However, nothing contained in any documents submitted in response to this section will be considered in evaluating the acceptability or merit of any bid or proposal. This section shall not apply to city contracts with other governmental agencies.
- (b) Purchase orders and bid award contracts. In accordance with subsection (f) below, every bidder shall provide on a separate, detachable page of each formal bid, as defined at section 20-63, D.R.M.C., which requires the payment by the city of over one hundred thousand dollars (\$100,000.00), the information as required in subsection (d) below.
- (c) Regularly executed written contracts. All regularly executed written contracts which concern:
 - (1) Contracts for professional or personal services which will exceed twenty-five thousand dollars (\$25,000.00); or
 - (2) All proposals for use of real property of or by the city, the duration of which is one (1) year or longer and which exceed twenty-five thousand dollars (\$25,000.00) in revenue or cost; or
 - (3) All proposals for concession agreements for the use of city facilities or property; or
 - (4) Contracts which require the payment by the city of over one hundred thousand dollars (\$100,000.00);

shall, on a separate detachable page, provide the information as required in subsection (d) below.

- (d) Information required. The information required to be submitted in response to this section shall be:
 - (1) The name of any officer, director, owner or principal of the business entity and his or her spouse, and children, if any, under eighteen (18) years of age or the name of any officer, director, owner or principal of the business entity, and a statement that he or she or his or her spouse, or children, if any, under eighteen (18) years of age have or have not made a contribution, as defined at section 15-32, D.R.M.C., or a contribution in-kind as defined at section 15-32 D.R.M.C. to a candidate, as defined at section 15-32, D.R.M.C. during the five-year period preceding the date of such statement and identifying by name himself or herself or any spouse or child under the age of eighteen (18) who has made such a contribution or contribution in-kind to a candidate;

- (2) The identity of the shareholder who owns or controls five (5) percent or more of the business entity and his or her spouse, and children, if any, under eighteen (18) years of age, or the identity of the shareholder who owns or controls five (5) percent or more of the business entity and a statement that he or she or his or her spouse, or children, if any, under eighteen (18) years of age have or have not made a contribution, as defined at section 15-32, D.R.M.C. or a contribution in-kind as defined at section 15-32, D.R.M.C., to a candidate as defined at section 15-32, D.R.M.C. during the five-year period preceding the date of such statement and identifying by name any spouse or child under the age of eighteen (18) who has made such a contribution or contribution in-kind to a candidate;
 - (3) The name of any subcontractors or suppliers whose share of the bid exceeds one hundred thousand dollars (\$100,000.00) of the contract or formal bid amount; and
 - (4) The names of any unions with which the bidder has a collective bargaining agreement.
- (e) The detachable page, which accompanies the bids and proposals, will be sent to the office of the city clerk where the information will be on file and available for public inspection for four (4) years.
- (f) The information required to be submitted in subsection (d) above shall be provided at the time of submittal for all bids and proposals covered by subsections (b) and (c) above, except that such information from the apparent successful bidder on proposed contracts and formal bid awards over one hundred thousand dollars (\$100,000.00) and less than five hundred thousand dollars (\$500,000.00) will be submitted in a timely fashion, but in all cases, prior to award. All bids and proposals for contracts or formal bids of five hundred thousand dollars (\$500,000.00) and over must include the required information for the bidding firm prior to, or at the time of, bid opening. Information concerning subcontractors and unions shall be provided in a timely fashion by the apparent successful bidder, but in all cases, prior to award. A bidder or proposer who has submitted the information required by subsection (d) above need not provide such information with a second or subsequent bid or proposal unless such information has changed from its latest submission. It shall be the responsibility of each bidder and proposer to see that current information required by subsection (d) above is submitted to the city and on file with the city clerk.

(Ord. No. 629-93, § 1, 8-9-93; Ord. No. 155-95, §§ 1--3, 3-6-95; Ord. No. 515-02, §§ 1, 2, 7-1-02)

15-32. Definitions

(4) Contribution shall mean a gift, loan, pledge or advance of money; guarantee or endorsement of loan; or letter of credit or line of credit made by any person for the purpose of influencing any election. "Contribution" includes, but is not limited to:

- a. A transfer of money between one (1) political committee and another (which shall be a contribution to the committee which receives the money);
- b. A gift of money to or for any incumbent in an elected Charter

office, the purpose of which is to compensate the person for public service or to help defray expenses incident thereto, but which are not covered by official compensation;

c. The payment by any person of compensation for the personal services of another person which are rendered to a political committee;

d. A payment made to a third party at the request of or with the prior knowledge of a candidate or political committee or agent of either;


e. A payment made after an election to meet any deficit or debt incurred during the course of a campaign;

f. A loan, other than a commercial loan, to a candidate or political committee, up until the time when the loan is fully paid. An unsecured loan shall be a contribution from the lender. A secured or guaranteed loan shall be a contribution from the guarantor or person whose property secures the loan; and

g. An unpaid financial obligation which is forgiven.

"Contribution" does not include services provided without compensation by any individual who volunteers on behalf of a candidate or political committee. "Contribution" does not include any commercial loan.

(5) Contribution in-kind shall mean a gift or loan of any item of real or personal property, other than money, made to or for any candidate or political committee for the purpose of influencing an election or for the purpose of disseminating newsletters related to the scope of duties of an incumbent. "Contribution in-kind" does not include services provided without compensation by any individual who volunteers on behalf of a candidate or political committee or an endorsement of candidacy or issue by any person. In determining the value to be placed on contributions in-kind, a reasonable estimate of the fair market value shall be used.



BIDDER/CONTRACTOR/VENDOR/PROPOSER DISCLOSURE FORM

Bidding Entity's Proposer's Name

Date this form was completed

Address

Area Code and Telephone Number

City, State, Zip Code

Signature of Officer/Owner

Section 20-69, D.R.M.C. requires the disclosure of the name of each officer, director, or shareholder who owns or controls 5% or more of the business entity, principal, and owner of each bidding or proposing entity, AND either (1) disclosure of the names of the spouses of those individuals and the names of their children under the age of eighteen (18), or (2) a statement in lieu of the disclosure of the names of such spouses and children as set forth below in the "Certified Statement in Lieu of Disclosure." The names of officers, directors, 5% shareholders, principals and owners must be disclosed in either event. Required disclosures also include the names of any subcontractor/supplier receiving more than \$100,000.00 of work and the names of any unions with which the bidder/proposer has a collective bargaining agreement. This page may be photocopied if additional space is required.

The individuals listed below are disclosed as having the noted relationship with the business entity/proposer listed above. Show appropriate letter in the box to the left. Use center box for relationship to another line number: A = Officer, B = Director, C = Principal, D = Owner, E = Controller of 5% or more of the stock, F = Spouse, G = Child under age 18, H = Subcontractor, I = Supplier, J = Union. Identify with an asterisk (*) all listed persons, who have made a contribution or contribution as defined by in-kind, as defined by Section 15-32 D.R.M.C., within the last five years.

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|------------------|-------------------|
| 1. [] [] _____ | 9. [] [] _____ |
| 2. [] [] _____ | 10. [] [] _____ |
| 3. [] [] _____ | 11. [] [] _____ |
| 4. [] [] _____ | 12. [] [] _____ |
| 5. [] [] _____ | 13. [] [] _____ |
| 6. [] [] _____ | 14. [] [] _____ |
| 7. [] [] _____ | 15. [] [] _____ |
| 8. [] [] _____ | 16. [] [] _____ |

**BIDDER/CONTRACTOR/VENDOR/PROPOSER CERTIFIED STATEMENT
IN LIEU OF DISCLOSURE OF NAMES OF SPOUSES AND CHILDREN**

I hereby certify that, except as identified by an asterisk above, no officer, director, shareholder who owns or controls 5% or more of the business entity, principal, or owner or his or her spouse or child under eighteen years of age has made a contribution, as defined at Section 15-32 D.R.M.C., or a contribution in kind, as defined at Section 15-32 D.R.M.C., to a candidate, as defined at Section 15-32 D.R.M.C., during the last five years.

Signature of Officer/Owner of Bidding/Proposing Entity