

1805.0300 CONFLICT OF INTEREST.

Subpart 1. **Employment.** A licensee or certificate holder shall not accept a project where a duty to the client or the public would conflict with the personal interest of the licensee or certificate holder or the interest of another client. Prior to accepting a project, the licensee or certificate holder shall disclose to a prospective client such facts as may give rise to a conflict of interest.

Subp. 2. **Compensation.** A licensee or certificate holder shall not accept compensation for services relating or pertaining to the same project from more than one party unless:

- A. there is a unity of interest between or among the parties to the project;
- B. the licensee or certificate holder makes full disclosure; and
- C. the licensee or certificate holder obtains the express consent of all parties from whom compensation will be received.

Subp. 3. **Gifts.**

A. Without the knowledge and approval of the client or the employer, a licensee or certificate holder shall not, directly or indirectly, solicit or accept any compensation, gratuity, or item of value from contractors, their agents, material or equipment suppliers, or other persons dealing with the client or employer in connection with the work for which the licensee or certificate holder has been retained.

B. A licensee or certificate holder shall neither offer nor make any payment or gift to a government official, whether elected or appointed, with the intent of influencing the official's judgment in connection with a prospective or existing project in which the licensee or certificate holder is interested or involved.

Subp. 4. **Interpretations.** When acting as the interpreter of project contract documents or as the judge of contract performance, a licensee or certificate holder shall render decisions impartially, using the professional judgment of their licensed or certified discipline.

Statutory Authority: *MS s 326.06*

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