May 2, 2022

We have reviewed the concerns cited in your various emails.

We determined Orem City's procurement for the feasibility study appears to fall within the parameters of their procurement ordinance 2-7-6(A) which allows exceptions to the bidding requirements. Therefore, we do not believe a violation of Orem’s procurement ordinance occurred in this case. The State Auditor encourages government entities to utilize a competitive procurement process to the greatest extent possible, even when not required by code, ordinance, or policy, in order to provide taxpayers with a competitive and transparent process.

The relationship you described as a conflict of interest does not appear to us to rise to the level of non-compliance with Utah Code 10-3-13. However, if you believe there is evidence of an ethics violation, you may provide this information to the Political Subdivisions Ethics Commission via ethics.utah.gov.

Lastly, we have referred your OPMA-related concerns to the Attorney General’s Civil Review Committee to determine whether non-compliance with statutory requirements occurred.

Thank you for communicating your concerns to us.

Regards,

Julie M. Wrigley, CPA
Special Projects Manager