



South Carolina
Department of Transportation

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American Council of Engineering Companies of SC
c/o Joe S. Jones, Executive Director
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Dear Industry Partner:

As you know, last budget cycle there was a great deal of dialogue about SCDOT's procurement practices. In order to prevent a real or perceived favoritism in SCDOT's selection of firms represented by former SCDOT employees, SCDOT is implementing a bright line rule which will disqualify firms who present proposals that include employees who have been employed by SCDOT within one year.

Effective immediately, the following language will be included and enforced in new solicitations and contracts that are procured based on qualifications or have a qualification based component:

CURRENT AND FORMER SCDOT EMPLOYEES: To avoid the appearance of any real or perceived favoritism, unfair advantage, undue influence, or conflict of interest, a proposal that names, identifies, or includes in any way a current or former SCDOT employee who was employed by SCDOT within 365 days of the submittal will be disqualified. No communication or appearance shall be made by such current or former employee with SCDOT on such proposal, or the proposal will be disqualified. In addition no current or former employee may work on or invoice for direct services performed on a project within 365 days after their last day of employment with SCDOT.

This action is not intended to restrict a current or former employee's right to gain post-employment or a firm's ability to hire former employees. It is intended to remove the grey area during the first year after employees leave the agency and strengthen the Ethics Act and Code of Conduct to ensure that there is no unfair advantage, undue influence or a conflict of interest.

I trust that the ACEC members can understand the need for the agency to establish this bright line rule and I welcome the opportunity to discuss this with ACEC.

Sincerely,

Christy A. Hall, P.E.
Acting Secretary of Transportation

ec: SCDOT Commission

