

CONFLICT OF INTEREST SCREEN FOR JOSEPH ("JOE") MCGUINNESS

February 10, 2022¹

INDIANA
ETHICS COMMISSION

FEB 11 2022

I. RECITALS

WHEREAS, Joseph ("Joe") McGuinness is Commissioner for the Indiana Department of Transportation ("INDOT" or "Department"); and

WHEREAS, Joe McGuinness is considering potential employment with Avenew, LLC, a startup company partially funded by the Heritage Group; and

WHEREAS, Avenew does not have a business relationship with INDOT, but the Heritage Group is the parent company to several INDOT vendors, including Milestone Contractors, Champaign Asphalt, and Pavement Maintenance Systems, each of which have a business relationship with INDOT; and

WHEREAS, Commissioner Joe McGuinness has not worked with any Heritage Group company as an INDOT employee, and is not subject to the cooling off period with regard to said firms; and

WHEREAS, as INDOT Commissioner, it is possible that Joe McGuinness could, in the future, work with Heritage Group companies or participate in matters in which said companies have an interest; and

WHEREAS, Joe McGuinness's employment negotiations with Avenew created a potential decision and voting conflict of interest under IC 4-2-6-9 with regard to Heritage Group companies requiring disclosure and a formal screen; and

WHEREAS, Joe McGuinness may have learned or had access to confidential information in his position with INDOT and is prohibited from disclosing, replying upon, or otherwise benefiting from such information in his future employment; and

WHEREAS, Joe McGuinness is subject to the particular matter restriction under IC 4-2-6-11(a) and cannot assist future employers, including Avenew, LLC, with any matter he personally and substantially participated in while employed by INDOT.

NOW THEREFORE, Joseph McGuinness, INDOT Commissioner, for his remaining tenure with the Department, or until he discontinues employment negotiations with Avenew, LLC, agrees to in all ways follow, adhere to, and satisfy the terms of the following Conflict of Interest Screen. Joseph McGuinness must adhere to terms three (3) and four (4) regarding the particular matter restriction and protection of confidential information in perpetuity.

II. CONFLICT OF INTEREST SCREEN

1. Joseph McGuinness shall not participate in any decision or vote, or any matter related to such decision or vote, in which any Heritage Group company has a financial interest.
2. Joseph McGuinness should be screened from participating in any present or future contract or other matter involving a Heritage Group company.
3. Joseph McGuinness shall not assist any future employers, including Avenew, LLC, with any matter he personally and substantially participated in while employed by INDOT.
4. Joseph McGuinness shall not divulge, rely upon, or otherwise benefit from confidential information obtained through his employment with the Indiana Department of Transportation.

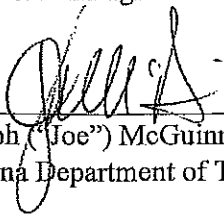
III. EMPLOYEE AFFIRMATION

I have read and understand the terms of the foregoing Conflict of Interest Screen, and will in all ways follow, adhere to, and satisfy the above stated restrictions on my participation in any decision or vote in which any Heritage Group company has a financial interest. I understand that the first two (2) terms of this screen terminate upon my leaving the Department or the discontinuation of negotiations with Avenew, LLC, whichever occurs first. I further understand that terms three (3) and four (4) concerning the particular matter restriction and confidential information apply in perpetuity. I have shared and discussed this Conflict of Interest Screen and its requirements with my appointing authority, Governor Eric Holcomb,

¹ This screen replaces and supersedes the Conflict of Interest Screen executed January 14, 2022 (attached as Exhibit A)

and have made arrangements with my executive staff to cover all decisions and votes within my workflow as Commissioner in which any Heritage Group company has an interest.

Executed and agreed this 10th day of February 2022, by:

A handwritten signature in black ink, appearing to read "Joe McGuinness", written over a horizontal line.

Joseph ("Joe") McGuinness, Commissioner
Indiana Department of Transportation

CONFLICT OF INTEREST SCREEN FOR JOSEPH ("JOE") MCGUINNESS

January 14, 2022

I. RECITALS

WHEREAS, Joseph ("Joe") McGuinness is Commissioner for the Indiana Department of Transportation ("INDOT" or "Department"); and

WHEREAS, Joe McGuinness is considering potential employment with Avenew, LLC, a startup company partially funded by the Heritage Group; and

WHEREAS, Avenew does not have a business relationship with INDOT, but the Heritage Group is the parent company to several INDOT vendors, including Milestone Contractors, Champaign Asphalt, and Pavement Maintenance Systems, each of which have a business relationship with INDOT; and

WHEREAS, Commissioner Joe McGuinness has not worked with any Heritage Group company as an INDOT employee, and is not subject to the cooling off period with regard to said firms; and

WHEREAS, as INDOT Commissioner, it is possible that Joe McGuinness could, in the future, work with Heritage Group companies or participate in matters in which said companies have an interest; and

WHEREAS, Joe McGuinness's employment negotiations with Avenew created a potential decision and voting conflict of interest under IC 4-2-6-9 with regard to Heritage Group companies requiring disclosure and a formal screen; and

WHEREAS, Joe McGuinness is subject to the particular matter restriction under IC 4-2-6-11(a) and cannot assist future employers, including Avenew, LLC, with any matter he personally and substantially participated in while employed by INDOT.

NOW THEREFORE, Joseph McGuinness, INDOT Commissioner, for his remaining tenure with the Department, or until he discontinues employment negotiations with Avenew, LLC, agrees to in all ways follow, adhere to, and satisfy the terms of the following Conflict of Interest Screen. Joseph McGuinness must adhere to term three (3) regarding the particular matter restriction in perpetuity, for the life of each particular matter.

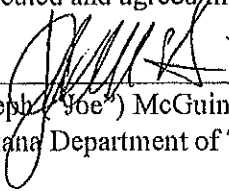
II. CONFLICT OF INTEREST SCREEN

1. Joseph McGuinness shall not participate in any decision or vote, or any matter related to such decision or vote, in which any Heritage Group company has a financial interest.
2. Joseph McGuinness should be screened from participating in any present or future contract or other matter involving a Heritage Group company.
3. Joseph McGuinness shall not assist any future employers, including Avenew, LLC, with any matter he personally and substantially participated in while employed by INDOT.

III. EMPLOYEE AFFIRMATION

I have read and understand the terms of the foregoing Conflict of Interest Screen, and will in all ways follow, adhere to, and satisfy the above stated restrictions on my participation in any decision or vote in which any Heritage Group company has a financial interest. I understand that the first two (2) terms of this screen terminate upon my leaving the Department or the discontinuation of negotiations with Avenew, LLC, whichever occurs first. I further understand that term three (3) concerning the particular matter restrict applies in perpetuity, for the life of each subject matter. I have shared and discussed this Conflict of Interest Screen and its requirements with my appointing authority, Governor Eric Holcomb, and have made arrangements with my executive staff to cover all decisions and votes within my workflow as Commissioner in which any Heritage Group company has an interest.

Executed and agreed this 14th day of January 2022, by:



Joseph ("Joe") McGuinness, Commissioner
Indiana Department of Transportation

Exhibit A



**ETHICS DISCLOSURE STATEMENT
CONFLICTS OF INTEREST – DECISIONS AND VOTING**

State Form 55860 (R / 10-15)
OFFICE OF THE INSPECTOR GENERAL
IC 4-2-6-9

In accordance with IC 4-2-6-9, you must file your disclosure with the State Ethics Commission no later than seven (7) days after the conduct that gives rise to the conflict. You must also include a copy of the notification provided to your agency appointing authority and ethics officer when filing this disclosure. This disclosure will be posted on the Inspector General's website.

Name (last) McGuinness	Name (first) Joseph ("Joe")	Name (middle)	
Name of office or agency Indiana Department of Transportation		Job title Commissioner	
Address of office (number and street) 100 N. Senate Ave.		City Indianapolis	ZIP code 46204
Office telephone number (317) 233-4504	Office e-mail address (required) JMcGuinness@indot.in.gov		

Describe the conflict of interest:
Joseph ("Joe") McGuinness is Commissioner for the Indiana Department of Transportation (INDOT).

Joe McGuinness has accepted an employment position with Avenew, LCC, a startup funded in part by the Heritage Group.

While Avenew is not yet operational, the Heritage Group is the parent company of several INDOT vendors.

Joe McGuinness' employment negotiations with Avenew therefore created a potential decisions and voting conflict of interest under IC 4-2-6-9 with regard to Heritage Group companies, including Milestone Contractors, Champaign Asphalt, and Pavement Maintenance Systems. This disclosure is therefore being filed in anticipation of that potential conflict.

Joe McGuinness is not subject to the mandatory cooling off period (IC 4-2-6-11(b)) with regard to Avenew, LLC, as the company does not have a business relationship with INDOT. Joe McGuinness is subject to the particular matter restriction and will not assist future employers, including Avenew, with any matter he personally and substantially participated in on behalf of INDOT.

This disclosure was provided to Joe McGuinness' appointing authority, Governor Eric Holcomb, on January 13, 2022.

Evidence of said disclosure to Governor Holcomb is filed herewith pursuant to IC 4-2-6-9(b)(2)(D).

Pursuant to IC 4-2-6-9(b)(2), this disclosure was executed and filed with the SEC within seven days (7) of the potential conflict being identified by the below signed ethics officer.

Describe the screen established by your ethics officer: *(Attach additional pages as needed.)*

A formal screen was executed with INDOT's ethics officer preventing Joseph McGuinness from working with any Heritage Group Company in his capacity as an INDOT employee. Said screen prohibits Joe McGuinness from under taking any of his official duties, or otherwise participating in any decision or vote, or matter related to such decision or vote, in which any Heritage Group company has an interest. Joe McGuinness is further screened from assisting any future employer, including Avenew, LLC, with a matter in which he personally and substantially participated in while employed by INDOT. Because Avenew, LCC is not yet operational, there is no possibility that Joe McGuinness will encounter any matter involving Avenew, or any decision or vote in which Avenew has an interest, during the remainder of his time as INDOT Commissioner.

The screen was executed on January 13, 2022, a copy of which was sent to Governor Eric Holcomb along with this disclosure.

AFFIRMATION

Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.

Signature of state officer, employee or special state appointee

Date signed *(month, day, year)*
January 13, 2022

Printed full name of state officer, employee or special state appointee
Joseph ("Joe") McGuinness

FOR ETHICS OFFICER USE ONLY

Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.

Signature of ethics officer

Date signed *(month, day, year)*
January 13, 2022

Printed full name of ethics officer
Christopher B. Serak

