



**ETHICS DISCLOSURE STATEMENT
CONFLICTS OF INTEREST – DECISIONS AND VOTING**
State Form 55880 (R / 10-15)
OFFICE OF THE INSPECTOR GENERAL
IC 4-2-6-9

FILED

MAR 2 2023

INDIANA STATE
ETHICS COMMISSION

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) Spears		Name (first) Shane		Name (middle)	
Name of office or agency Indiana Department of Transportation			Job title Deputy Commissioner		
Address of office (number and street) 41 W 300 N			City Crawfordsville		ZIP code 47933
Office telephone number (765) 361-5201		Office e-mail address (required) SSPEARS@indot.IN.gov			
Describe the conflict of interest: Shane Spears is Deputy Commissioner for the Indiana Department of Transportation- Crawfordsville District.					
Shane Spears recently entered employment negotiations with RQAW Corporation ("RQAW").					
RQAW has a business relationship with INDOT, including active contracts with the Department.					
Shane Spear's employment negotiations with RQAW therefore created a potential decisions and voting conflict of interest under IC 4-2-6-9. This disclosure is therefore being filed in anticipation of that potential conflict.					
Shane Spears is not subject to the mandatory cooling off period (IC 4-2-6-11(b)) with regard to RQAW.					
Shane Spears is subject to the particular matter restriction and will not assist future employers, including RQAW, with any matter he personally and substantially participated in on behalf of INDOT.					
This disclosure was provided to Mr. Spear's appointing authority, Commissioner Michael J. Smith, on March 1, 2023.					
Evidence of said disclosure to Commissioner Smith 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 Shane Spears from working with RQAW Corporation in his capacity as an INDOT employee. Said screen prohibits Shane Spears from under taking any of his official duties or otherwise participating in any decision or vote, or matter related to such decision or vote, involving RQAW, or in which RQAW has an interest. Shane Spears is further screened from assisting any future employer, including RQAW, with any matter in which he personally and substantially participated in while employed by INDOT.

The screen was executed on March 1, 2023, a copy of which was sent to Commiissioner Michael J. Smith 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)*

March 1, 2023


Printed full name of state officer, employee or special state appointee

Shane Spears

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)*

March 1, 2023

Printed full name of ethics officer

Christopher B. Serak

CONFLICT OF INTEREST SCREEN FOR SHANE SPEARS

March 1, 2023

I. RECITALS

WHEREAS, Shane Spears is a Deputy Commissioner for the Indiana Department of Transportation-Crawfordsville District ("INDOT" or "Department"); and

WHEREAS, Shane Spears entered employment negotiations with RQAW Corporation ("RQAW"); and

WHEREAS, RQAW has a business relationship with INDOT, including active contracts; and

WHEREAS, as Crawfordsville Deputy Commissioner for INDOT, it is possible that Shane Spears could be asked to participate in matters in which RQAW has an interest as part of his regular duties; and

WHEREAS, Shane Spears's employment negotiations with RQAW created a potential decision and voting conflict of interest under IC 4-2-6-9 requiring disclosure and a formal screen; and

WHEREAS, Shane Spears is subject to the particular matter restriction (IC 4-2-6-11(a)) and cannot assist future employers, including RQAW, with any matter he personally and substantially participated in for INDOT; and

WHEREAS, Shane Spears may have obtained confidential information in the course of his employment with INDOT and has an affirmative duty to protect such information from disclosure and to refrain from relying on such information for the benefit of himself or future employers.¹

NOW THEREFORE, Shane Spears, Crawfordsville Deputy Commissioner for INDOT, for his remaining tenure with INDOT, or until he discontinues employment negotiations with RQAW Corporation, agrees to in all ways follow, adhere to, and satisfy the terms of the following Conflict of Interest Screen. Shane Spears must adhere to terms three (3) and four (4) regarding the particular matter restriction and confidential information in perpetuity.

II. CONFLICT OF INTEREST SCREEN

1. Shane Spears shall not participate in any decision or vote, or any matter related to such decision or vote, in which RQAW has a financial interest.
2. Shane Spears is screened from participating in any present or future contract or other matter involving RQAW.
3. Shane Spears shall not assist any future employers, including RQAW, with any matter he personally and substantially participated in while employed by INDOT. This restriction applies in perpetuity, for the life of the particular matter.
4. Pursuant to his duty under Ind. Code §5-14-3-10, Shane Spears shall not disclose or otherwise rely upon information classified as confidential under Ind. Code §5-14-3-4. This restriction applies in perpetuity, so long as the subject information is deemed confidential.

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 RQAW Corporation 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 RQAW, whichever occurs first. I further understand that terms three (3) and four (4) regarding particular matters and confidential information respectively, apply in perpetuity, for the life of each matter and so long as the subject information is deemed confidential. I have shared and discussed this Conflict of Interest Screen and its requirements with my supervisor.

Executed and agreed this 1st day of March 2023, by:



Shane Spears, Deputy Commissioner

Indiana Department of Transportation- Crawfordsville District

¹ State employees have an affirmative duty under Ind. Code §5-14-3-10 to protect from disclosure and to refrain from relying upon information defined as confidential under Ind. Code §5-14-3-4.

Baker, Nathaniel P

To: Serak, Chris (INDOT)
Subject: RE: Executed COI Screen & Disclosure (Shane Spears)

From: Serak, Chris (INDOT)
Sent: Thursday, March 2, 2023 8:26 AM
To: Smith, Michael J <Michael.Smith@indot.IN.gov>
Cc: Shelby, Kate <KShelby@indot.IN.gov>; Spears, Shane <SSPEARS@indot.IN.gov>
Subject: Executed COI Screen & Disclosure (Shane Spears)

Commissioner Smith-

Pursuant to the notice requirements of Ind. Code 4-2-6-9(b), please find the attached conflict disclosure and internal screen executed by INDOT employee Shane Spears. The disclosure and screen will be filed with the Indiana Ethics Commission in satisfaction of the same.

Please let me know if you have any questions.

Chris