

INDIANA
STATE ETHICS COMMISSION

JUN 30 2017



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

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) Werner	Name (first) Lynetta	Name (middle) K.
Name of office or agency Indiana Department of Transportation (LaPorte District)		Job title Design and Environmental Manager
Address of office (number and street) 315 East Boyd Blvd.		City LaPorte
		ZIP code 46350
Office telephone number (219) 325-7530	Office e-mail address (required) lwerner@indot.in.gov	

Describe the conflict of interest.

I am the Design and Environmental Manager for INDOT's LaPorte District Office. Part of my responsibilities is to assist in the design and development of construction projects in the State of Indiana. This includes my support of the LaPorte District and the INDOT Contracts Administration Division by evaluating letters of interest submitted by consultants and then rating the various consultants to be selected by INDOT for professional service contracts. Additionally, inquiries are submitted to my department to provide technical advice relating to design and environmental matters relating to INDOT projects.

My husband, Tim Werner, started as an employee for consultant RQAW on May 22, 2017. RQAW is an engineering consultant firm that provides transportation engineering services for INDOT and local public agency projects in Indiana.

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

Mark Tidd, INDOT's Ethics Officer, has established the following screen for me with the concurrence of the INDOT

Commissioner, my supervisor Lyndsey Quist, Capital Program Management Director for the LaPorte District, and

Lisa Shrader, Consultant Services Manager for the LaPorte District:

In the event that any matter involves scoring of letters of interest or otherwise involving potential contracts, or any other matter that could have a direct financial impact on RQAW Corporation, the following procedures will be followed:

1. The matter will immediately be referred to Lyndsey Quist, Capital Program Management Director for the LaPorte District, for handling; and

2. Director Quist will be solely responsible for handling the matter, including all communications and all decision-making associated with the matter. If Director Quist is unable to handle a particular matter that would be covered by this screen, it will be the obligation of Director Quist to find someone else to handle the matter and she will assign such matter without discussing it with me.

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)

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

Lynette K. Werner, P.E.

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)

Printed full name of ethics officer

Mark J. Tidd

Tidd, Mark

From: Werner, Lynette K
Sent: Tuesday, June 13, 2017 4:19 PM
To: McGuinness, Joe
Cc: Tidd, Mark
Subject: FW: Apparent Conflict of Economic Interest under IC 4-2-6-9
Attachments: 20170526135955651.pdf

Dear Commissioner,

This email and the attached letter constitute notice to you as the appointing authority that I have a potential conflict of interest under IC 4-2-6-9.

I have corresponded with Mark Tidd via email and in response will be executing a written disclosure statement as permitted as one option under the referenced section of the Indiana Code.

Thank you,

Lynette

Lynette K. Werner, P.E.
Design and Environmental Manager

INDOT - LaPorte District
315 East Boyd Blvd.
LaPorte IN 46350
Office: 1-219-325-7530
Cell: 1-219-877-9546
Email: lwerner@indot.in.gov



From: Werner, Lynette K
Sent: Friday, May 26, 2017 2:18 PM
To: Tidd, Mark <MTidd1@indot.IN.gov>
Cc: LQuist@indot.IN.gov; Shrader, Lisa (LSHRADER@indot.IN.gov) <LSHRADER@indot.IN.gov>
Subject: Apparent Conflict of Economic Interest under IC 4-2-6-9

Dear Mark,

As of Monday, May 22, 2017, my husband has started as an employee for RQAW a firm that provides consultant services to INDOT.

I have written the attached letter in order to seek an advisory opinion per the referenced Indiana Code section.

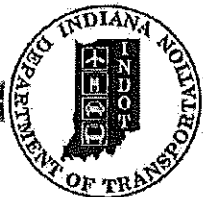
Best regards,

Lynette

Lynette K. Werner, P.E.
Design and Environmental Manager

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Cell: 1-219-877-9546
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INDIANA DEPARTMENT OF TRANSPORTATION

La Porte District
315 E. Boyd Blvd.
La Porte, IN 46350

PHONE: (219) 362-6125
FAX: (219) 325-7498

Eric Holcomb, Governor
Joe McGuinness, Commissioner

May 26, 2017

Mark J. Tidd
Prequalification & Permits Director and Ethics Officer
Indiana Department of Transportation
100 North Senate Avenue - Room N730
Indianapolis, IN 46204
317 - 232 - 5411

Re: Apparent Conflict of Economic Interest under IC 4-2-6-9

Dear Mr. Tidd,

I am the Design and Environmental Manager at the LaPorte District.

As of Monday, May 22, 2017, my husband, Tim Werner, has started as an employee for RQAW. RQAW has made an LOI submittal on RFP 1705 for engineering consulting services, which is scoring now. I have withdrawn as a scorer for RFP 1705. Further, RQAW is a likely submitter on most LaPorte District LOIs.

As my husband is now an employee for a consulting firm that provides services to the INDOT LaPorte District, I have a potential conflict of economic interest as outlined in IC 4-2-6-9 (copy attached). This letter constitutes notification to you as the Indiana Department of Transportation Ethics Officer. I have prepared this letter in order to seek an advisory opinion per the referenced Indiana Code section.

I am providing a copy of this letter to my supervisor, Lyndsay Quist, Capital Program Management Director, and to Lisa Shrader, Consultant Services Manager, both for the LaPorte District.

I would be happy to answer any questions you may have, and I look forward to your response.

Best regards,

Lynette K. Werner, P.E.
Design and Environmental Manager
Office: 1-219-325-7530
Email: lwerner@indot.in.gov

cc: Lyndsay Quist, LaPorte District Capital Program Management Director
Lisa Shrader, LaPorte District Consultant Services Manager

IC 4-2-6-9

**Conflict of economic interests; commission advisory opinions;
disclosure statement; written determinations**

Sec. 9.

(a) A state officer, an employee, or a special state appointee may not participate in any decision or vote, or matter relating to that decision or vote, if the state officer, employee, or special state appointee has knowledge that any of the following has a financial interest in the outcome of the matter:

(1) The state officer, employee, or special state appointee.

(2) A member of the immediate family of the state officer, employee, or special state appointee.

(3) A business organization in which the state officer, employee, or special state appointee is serving as an officer, a director, a member, a trustee, a partner, or an employee.

(4) Any person or organization with whom the state officer, employee, or special state appointee is negotiating or has an arrangement concerning prospective employment.

(b) A state officer, an employee, or a special state appointee who identifies a potential conflict of interest shall notify the person's appointing authority and ethics officer in writing and do either of the following:

(1) Seek an advisory opinion from the commission by filing a written description detailing the nature and circumstances of the particular matter and making full disclosure of any related financial interest in the matter. The commission shall:

(A) with the approval of the appointing authority, assign the particular matter to another person and implement all necessary procedures to screen the state officer, employee, or special state appointee seeking an advisory opinion from involvement in the matter; or

(B) make a written determination that the interest is not so substantial that the commission considers it likely to affect the integrity of the services that the state expects from the state officer, employee, or special state appointee.

(2) File a written disclosure statement with the commission that:

(A) details the conflict of interest;

(B) describes and affirms the implementation of a screen established by the ethics officer;

(C) is signed by both:

(i) the state officer, employee, or special state appointee

who identifies the potential conflict of interest; and

(ii) the agency ethics officer;

(D) includes a copy of the disclosure provided to the appointing authority; and

(E) is filed not later than seven (7) days after the conduct that gives rise to the conflict.

A written disclosure filed under this subdivision shall be posted on the inspector general's Internet web site.

(c) A written determination under subsection (b)(1)(B) constitutes conclusive proof that it is not a violation for the state officer, employee, or special state appointee who sought an advisory opinion under this section to participate in the particular matter. A written determination under subsection (b)(1)(B) shall be filed with the appointing authority.

(Formerly: Acts 1974,