



September 16, 2024

PEPS Fireside Chat Navigating the Revolving Door

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Navigating the Revolving Door



43 TAC §10.6

Particular Matter

A former Department employee whose last salary was at or above the minimum for the State's salary group A17 may not perform work on behalf of a for-profit entity on any matter that the employee worked on while employed with the Department.

**“...any
matter the
employee
worked
on...”**

- made a decision or recommendation on the matter
- approved, disapproved, or gave advice
- conducted an investigation
- took a similar action related to the matter



Participation in Negotiations

A former employee who participated, on or after September 1, 2015, on behalf of the Department in a procurement or contract negotiation involving a person may not accept employment from that person within two years of the signing of a contract or withdrawing of solicitation.

Participation in Negotiations



Participation:

- active part in the original procurement or contract with the prime contract
- approving or performing a step that is materially relevant




Materially relevant:

- opportunity to steer a contract toward a particular vendor
- involves the negotiation of price or contract terms, or
- approval of negotiated prices or terms



Soliciting Business from the Department

An employee who held a position at or above the level of district engineer or division director may not solicit business from the Department or attempt to influence the Texas Transportation Commission on behalf of a for-profit entity within one year of the individual's separation from the Department.



Request a Determination



May request a determination of whether an action would constitute a conflict of interest.



Must be made in writing and contain a concise explanation of the relevant facts.



Requires consultation with the General Counsel Division.



Results in a written determination as soon as practicable.

Resources

Resources

43 Tex Admin Code 10.6 Conflicts of Interest

[Texas Ethics Commission, A Guide to the Revolving Door Provisions](#)

TxDOT Human Resources Manual, Chapter 8, Section 2
– Conduct and Expectations

TxDOT Employee Conduct Handbook, Conflict of Interests



Questions and Discussion

**Send questions to
PEPS_COE_Process@txdot.gov**



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