

# PEPS Fireside Chat Q&A

## Revolving Door Restrictions – September 2024

**Q1: If you did work under a work authorization under a contract does that preclude you from working on that contract or only the work authorization?**

A1: It precludes you from working on that whole contract, not just that work authorization because it is project specific. If you work on any portion of that project you are going to be precluded from working on that project, not just a small portion of that work authorization.

**Q2: With so many projects that the TP&D director is involved in, this pretty much keeps him/her out of that district. Is this statement correct?**

A2: That is essentially correct. The higher up you get in the organization, the more difficulty you have working in your location because you oversee so many of the contracts or the employees that are working on those contracts and have final say on a lot of things that are in your district.

**Q3: Does PEPS or General Counsel have a form to fill out to request a determination?**

A3: PEPS has a form on our internal webpage. TxDOT staff can reach out to your Service Center or via [PEPS\\_COE\\_Process@txdot.gov](mailto:PEPS_COE_Process@txdot.gov) if you need help finding the form.

**Q4: I was involved in the procurement and negotiation process for a specific deliverable contract. I am also the project manager for the project. The project has been paused for FY2025 due to the budget constraints. What would be the rules if the project is not reactivated until FY2026 or FY2027?**

A4: You are going to be precluded from working on that project if you go to work for a consultant. Even though it is paused, it is still the same project when it starts over, so you are going to be precluded from working on that subject matter. If you are looking to go work for the company that gets a contract, it's going to be two years from when the contract is signed.

**Q5: Is a project considered to begin with the execution of the work authorization? What is considered a project? Is an IDIQ considered a project?**

A5: What we are generally looking at as a contract is everything that makes up this one job from beginning to end. It is completing an entire body of work.

**Q6: Are CADD techs above the A17 level? Would they be conflicted if they performed CAD work on a project?**

A6: CADD techs are most likely above the A17 level, as are most employees working on these contracts. Therefore, they would have a conflict with the work they did on the project.

**Q7: What if it is a contractor working as an extension of division staff?**

A7: If it is an extension of staff, the same rules apply because you are still going to be working for a for-profit company. You will not be able to work on the same things you worked on while you were working for TxDOT.

**Q8: You mentioned earlier that the subject matter expert policy does not apply to people who work on high-level planning before a project is formed. How would you consider when the project is established?**

A8: This one is hard to answer, but we get a lot of questions from staff who were on project working groups like the Ports to Plain or I69 interstate committees. In these we are looking at best routes for these roads and planning many years out. There are no concrete plans such as the start of the design work or right of way acquisition just general generic information about possibilities and what we would like to achieve in the future. This would likely not prevent a person from working on a specific project to bring a portion of the road up to interstate qualifications even if it was discussed at those work group meetings. It would all depend on how detailed the discussion in the work groups and how far the plans got during the employees' participation on the committee.

**Q9: So it's more about the contract that you worked on particular subject matter versus the subject matter itself that precludes you from working on that contract?**

A9: Correct. It is the specific subject matter of a contract or project that you are precluded from working on with a for-profit entity. You are not precluded from ever using your general subject matter knowledge and expertise on other projects.