



South Carolina  
Department of Transportation

Christy A. Hall, P.E.  
Acting Secretary of Transportation  
(803) 737-1312 Fax (803) 737-2038

## MEMORANDUM

**TO:** All SCDOT Employees

**FROM:** Christy A. Hall, Acting Secretary of Transportation

**DATE:** August 13, 2015

**RE:** Post-Employment Restrictions

Initials  
Redacted

In order to prevent a real or perceived favoritism in SCDOT's selection of firms represented by former SCDOT employees, SCDOT is implementing a bright line rule which will disqualify firms who present proposals that include employees who have been employed by SCDOT within one year.

This rule shall apply to any agency administered, qualifications based procurement for which the selection process considers the credentials (names, experience, résumé, etc.) of specific individuals as part of the evaluation and award process.

Effective immediately, the following language will be included and enforced in new solicitations and contracts that are procured based on qualifications or have a qualification based component:

*CURRENT AND FORMER SCDOT EMPLOYEES: To avoid the appearance of any real or perceived favoritism, unfair advantage, undue influence, or conflict of interest, a proposal that names, identifies, or includes in any way a current or former SCDOT employee who was employed by SCDOT within 365 days of the submittal will be disqualified. No communication or appearance shall be made by such current or former employee with SCDOT on such proposal, or the proposal will be disqualified. In addition no current or former employee may work on or invoice for direct services performed on this project within 365 days after their last day of employment with SCDOT.*

This action is not intended to impinge on a current or former employee's post-employment opportunities. Rather, it is simply removing the grey area during the first year after employees leave the agency. It is intended to strengthen the Ethics Act and Code of Conduct to ensure that there is no unfair advantage, undue influence or a conflict of interest.

I have charged our Deputy Secretary for Finance & Procurement Mr. Brian Keys to take the lead in implementing this bright line rule. Please contact him at 803-737-1240 if you have any questions.

ec: SCDOT Commission

