

June 25, 2016

Louisiana Ethic Administration Program  
P.O. Box 4368  
Baton Rouge, LA 70821

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Louisiana Board of Ethics,

I am requesting an advisory opinion from the Louisiana Board of Ethics relative to the two year post employment rules of the Code of Governmental Ethics. I am a professional engineer currently employed by the State of Louisiana, Department of Transportation and Development (DOTD). I plan to leave state employment and go to work for Arcadis, a private engineering consulting firm.

My current position (Engineer 7 DOTD) is a supervisory, non-appointing authority, non-section head position within Section 34 (Project Management Section) of DOTD. As a supervisor, I exercise supervision over a group of Project Managers (Engineer 6 DCL). In my current role I also function as a Project Manager. My duties as a Project Manager are to coordinate the efforts of the personnel (DOTD or Contracted consultant staff) involved in performing the functions of design, environmental evaluation, utility relocation coordination, and real estate acquisition; and to manage the overall scope, schedule, and budget on DOTD projects such as roadway widening, intersection improvements, bridge replacements, traffic signal improvements and access management improvements for specific locations or individual projects throughout the state. The project manager's role includes overseeing contracts related to consultant activities on these projects, and approving and submitting invoices for payment on those contracts. In overseeing the contracts, I coordinate between the consultant and DOTD staff in reviewing the consultant's work effort, ensuring the consultant is meeting the contract requirements and schedule, and approving the consultant's progress for payment. Additionally, I function as program manager over the Transportation Infrastructure Model for Economic Development (TIMED) Program and DOTD State Surplus Program, and one of the project manager's that I supervise is the program manager on the Americans with Disability Act (ADA) program. Program Managers work with department staff in regards to planning project schedules and costs within their programs and are responsible for coordinating the funding for a group of specific projects assigned to their programs. I have served in my current role since June of 2015.

Prior to that, between February 2014 and June 2015, I held the position of Project Development Engineer (Engineer 6 DCL) in the Road Design Section (Section 24) of DOTD. This was a non-supervisory, non-section head, non-appointing authority position. My duties in Road Design were program management over the Surplus and TIMED Programs as describe in the above paragraph, and project management and roadway design oversight of specific DOTD roadway design projects under contract to engineering consultants. The Road Design oversight duties on those specific projects consisted of reviewing consultant design plans and studies for adherence to DOTD Design and Plan Development Guidelines and coordinating with the consultant engineers and the DOTD project manager related to the development of the roadway construction plans and design studies. Another function of the road design oversight responsibilities was to develop scope and man hour estimates for roadway design work on specific DOTD projects being designed under consultant contract.

The work for the private consulting firm, Arcadis, will consist of design and development of plans and studies for roadway projects, review of roadway plans and studies for quality control/assurance, developing project scopes and budgets and managing schedules for roadway design projects. Interaction with the client will be part of this role. This differs from the work performed at DOTD because all of my Project Management and Roadway Design Oversight duties at the Department were for specific DOTD Projects. It is important to make the distinction that each and every specific DOTD project is unique and separate and apart from any other; completely distinct from one another. Project management duties, roadway design oversight duties, as well as the consultant

June 25, 2016

engineering contracts are all specific to each unique project. To my knowledge, Arcadis does hold a contract on one specific project that I was involved in at DOTD and it is their intent that I will be working with DOTD on specific DOTD projects. However, it is my intent that for the first two years employed with Arcadis, I will not have any involvement in the Arcadis project that I was previously involved in or on any other specific projects that I was involved in while employed with the Department of Transportation and Development. In addition while I was at the Department, I did not have direct oversight responsibility over any contract between Arcadis and the Department.

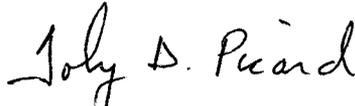
I am requesting an opinion of the board regarding the above as it relates to the two year post employment rules.

My contact information is:

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If any additional information or discussion is required, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Toby D. Picard".

Toby D. Picard, P.E.