



**ETHICS DISCLOSURE STATEMENT
CONFLICTS OF INTEREST – DECISIONS AND VOTING**
State Form 55860 (R / 10-15)
OFFICE OF THE INSPECTOR GENERAL
IC 4-2-6-9

FILED

MAY 24 2024

INDIANA STATE
ETHICS COMMISSION

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) McNair	Name (first) Bradly	Name (middle) T.
Name of office or agency Department of Transportation		Job title Highway Maintenance Director
Address of office (number and street) 5333 Hatfield Road		City Fort Wayne
Office telephone number (260) 969-8214		ZIP code 46808
Office e-mail address (required) bmcnair@indot.in.gov		
Describe the conflict of interest: Bradly McNair is a Highway Maintenance Director for the Indiana Department of Transportation - Fort Wayne District. Bradly McNair recently accepted employment with Burgess & Niple (B&N). B&N has a business relationship with INDOT, including active contracts with the Department. Bradly McNair's employment negotiations with B&N therefore created a potential decisions and voting conflict of interest under IC 4-2-6-9. This disclosure is therefore being filed in anticipation of that potential conflict.		
Bradly McNair is not subject to the mandatory cooling off period (IC 4-2-6-11(b)) with regard to Burgess & Niple.		
Bradly McNair is subject to the particular matter restriction and will not assist future employers, including B&N, with any matter he personally and substantially participated in on behalf of INDOT. This disclosure was provided to Mr. McNair's appointing authority, Commissioner Michael J. Smith, on May 23, 2024.		
Evidence of said disclosure to Commissioner Smith is filed herewith pursuant to IC 4-2-6-9(b)(2)(D). Pursuant to IC 4-2-6-9(b)(2), this disclosure was executed and filed with the SEC within seven (7) days of the potential conflict being identified by the below signed ethics officer.		

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

Area with horizontal dashed lines for describing the screen established by the ethics officer.

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

Bradly T. McNair

Date signed *(month, day, year)*

5/23/2024

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

Bradly T. McNair

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

Michele Steele

Date signed *(month, day, year)*

5/23/2024

Printed full name of ethics officer

Michele Steele

CONFLICT OF INTEREST SCREEN FOR BRADLY MCNAIR

May 23, 2024

I. RECITALS

WHEREAS, Bradly McNair is Director of Highway Operations for the Indiana Department of Transportation-Fort Wayne District ("INDOT" or "Department"); and

WHEREAS, Bradly McNair recently accepted employment with Burgess & Niple ("B&N"); and

WHEREAS, B&N has a business relationship with INDOT, including active contracts; and

WHEREAS, as Director of Highway Operations for INDOT Fort Wayne District, it is possible that Bradly McNair could be assigned to participate in matters in which B&N has an interest as part of his regular duties; and

WHEREAS, Bradly McNair's employment negotiations with B&N created a potential decision and voting conflict of interest under IC 4-2-6-9 requiring disclosure and a formal screen; and

WHEREAS, Bradly McNair is subject to the particular matter restriction (IC 4-2-6-11(a)) and cannot assist future employers, including B&N, with any matter he personally and substantially participated in for INDOT; and

WHEREAS, Bradly McNair may have obtained confidential information in the course of his employment with INDOT and has an affirmative duty to protect such information from disclosure and to refrain from relying on such information for the benefit of himself or future employers.¹

NOW THEREFORE, Bradly McNair, Director of Highway Operations for INDOT, for his remaining tenure with INDOT, or until he discontinues employment negotiations with Burgess & Niple, agrees to in all ways follow, adhere to, and satisfy the terms of the following Conflict of Interest Screen. Bradly McNair must adhere to terms three (3) and four (4) regarding the particular matter restriction and confidential information in perpetuity.

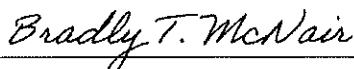
II. CONFLICT OF INTEREST SCREEN

1. Bradly McNair shall not participate in any decision or vote, or any matter related to such decision or vote, in which B&N has a financial interest.
2. Bradly McNair is screened from participating in any present or future contract or other matter involving B&N.
3. Bradly McNair shall not assist any future employers, including B&N, with any matter he personally and substantially participated in while employed by INDOT. This restriction applies in perpetuity, for the life of the particular matter.
4. Pursuant to his duty under Ind. Code 85-14-3-10, Bradly McNair shall not disclose or otherwise rely upon information classified as confidential under Ind. Code 85-14-3-4. This restriction applies in perpetuity, so long as the subject information is deemed confidential.

III. EMPLOYEE AFFIRMATION

I have read and understand the terms of the foregoing Conflict of Interest Screen, and will in all ways follow, adhere to, and satisfy the above stated restrictions on my participation in any decision or vote in which Burgess & Niple has a financial interest. I understand that the first two (2) terms of this screen terminate upon my leaving the Department or the discontinuation of negotiations with B&N, whichever occurs first. I further understand that terms three (3) and four (4) regarding particular matters and confidential information respectively, apply in perpetuity, for the life of each matter and so long as the subject information is deemed confidential. I have shared and discussed this Conflict of Interest Screen and its requirements with my supervisor.

Executed and agreed this 23rd day of May 2024, by:



Bradly McNair, Director of Highway Operations
Indiana Department of Transportation- Fort Wayne District

¹ State employees have an affirmative duty under Ind. Code 85-14-3-10 to protect from disclosure and to refrain from relying upon information defined as confidential under Ind. Code 85-14-3-4.

Baker, Nathaniel P

From: Steele, Michele
Sent: Friday, May 24, 2024 10:31 AM
To: Smith, Michael J
Subject: Conflict of Interest Disclosure - Bradley McNair
Attachments: Ethics Disclose Statement - COI- B. McNair.pdf; COI Screen- B. McNair.pdf

Commissioner Smith,
This email is to notify you that a conflict of interest screen and ethics disclosure statement will be filed for Nathaniel Whitacre, an INDOT employee, with the State Ethics Commission.

Thank you,

Michele Steele, J.D., LLM
Director of Compliance and Ethics Officer
Indiana Department of Transportation
100 N. Senate Avenue – Room N758-PQ
Indianapolis, IN 46204
Office: (317) 719-6624
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