



**State of Vermont**  
Contract Administration  
One National Life Drive  
Montpelier VT 05633-5001  
<http://vtrans.vermont.gov/>

**Agency of Transportation  
Finance & Administration**  
[phone] 802-828-2641  
[fax] 802-828-5545

October 5, 2017

Dear VTrans Contractor,

In order to ensure high standards of ethical conduct in procurement processes, VTrans has been reviewing processes and requirements related to former VTrans personnel obtaining employment with VTrans contractors. This review has made VTrans aware that in many instances contractors are not complying with contractual clauses requiring VTrans approval when employing certain former VTrans employees.

The following specification from the Agency of Transportation *Procedures for Selecting Contractors and Specifications for Contractor Services, Including Customary State Contract Provisions*, August 2008, is usually included in VTrans contracts for services.

**203.2 PERSONNEL REQUIREMENTS AND CONDITIONS.** The contractor shall employ only qualified personnel to supervise and perform the work. The State shall have the right to approve or disapprove key personnel assigned to administer activities related to the contract.

The contractor shall supply resumes for staff proposed to work on assignment and/or under retainer contracts for State review and acceptance or rejection. This requirement may be waived if the proposed staff has worked on similar projects for the State in the past. The State retains the right to interview the proposed staff.

Except with the approval of the State, during the life of the contract, the contractor shall not employ:

- (a) Personnel on the payroll of the State who are directly involved with the awarding, administration, monitoring, or performance of the contract or any project that is the subject of the contract.
- (b) Any person so involved within one (1) year of termination of employment with the State.

While it is not uncommon for there to be a movement of personnel between the State and contracted firms, and this movement is not discouraged, adherence to ethics rules and contract specifications is of the utmost importance to avoid conflicts of interest or the appearance of such conflicts. Therefore this letter serves as notice that VTrans will be requiring strict compliance with this specification, and that failure to comply may make a firm subject to administrative contractual remedies.

Thank you for your cooperation in ensuring ethical procurement practices.

Kind Regards,

A handwritten signature in black ink, appearing to read "Michelle Anderson", with a long horizontal line extending to the right.

Michelle Anderson  
Chief of Contract Administration