



BEFORE THE MONTGOMERY COUNTY ETHICS COMMISSION

Advisory Opinion No. 10-12-021A

A former public employee must not work on or otherwise assist any party, other than a County agency, in a case, contract, or other specific matter for 10 years after the last date the employee significantly participated in the matter as a public employee. A former employee who served as contract manager for the County's red light and speed camera programs asks if he will violate the ethics law if his current employer successfully bids on the County's request for proposals on these programs. Because this former employee has agreed that he will not work on his present employer's proposal, or any resulting County contract, the Commission concludes that he would not be in violation of the ethics law.

The requestor, a former County employee, served as a contract administrator for the County's red light and speed camera programs before he left County service in September 2009. The County is putting those programs back out for contract via the request for proposal procedure (RFP). The former employee's current employer would like to submit a proposal in response to the County's RFP. The former employee states that he has been "segregated by [his current employer] from working on anything to do with the solicitation or a resulting project relating [to] Montgomery County."

Section 19A-13(a) of the ethics law provides that a former public employee must not work on or otherwise assist any party, other than a County agency, in a case, contract, or other specific matter for 10 years after the last date the employee significantly participated in the matter as a public employee. But if the former employee will not work on the RFP or any resulting contract, we can discern no violation of this section.

In reaching this decision, the Commission has relied upon the facts as presented by the requestor.

FOR THE COMMISSION:

December 14, 2010
Date


Nina Weisbroth, Chair