



INDIANA DEPARTMENT OF TRANSPORTATION

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Room N758
Indianapolis, Indiana 46204

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Mike Braun, Governor
Lyndsay Quist, Commissioner

IC 4-2-6-11

Post-employment waiver

As the Appointing Authority of the Indiana Department of Transportation (INDOT), I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Anthony McClellan in his post-employment with Volkert, Inc.

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of
(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):

☐ IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.

☒ IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.

☐ IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.

☐ IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker.
(Please provide a brief description of the specific particular matter(s) to which this waiver applies below):

FILED

OCT 08 2026

INDIANA STATE
ETHICS COMMISSION

- B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.

1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:

Mr. McClellan is the District Deputy Commissioner for the Indiana Department of Transportation – Seymour District. He supervises the Construction, Operations Support, Maintenance, Capital Program, and Technical Services Departments. In his time at INDOT, Mr. McClellan has had limited interaction with Volkert and did not personally make any selections or any other contract decisions for their pursuits.

Mr. McClellan is the appointing authority for the Seymour District, and he is in a position to advise on and make discretionary decisions on any projects or contracts overseen by employees who report to him. McClellan would have overseen departments that had dealings with Volkert, as well as those that would have made decisions that would impact Volkert. Some of the departments in McClellan's vertical may have made regulatory and permitting decisions involving Volkert.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

In his post-INDOT employment, McClellan will serve as a Vice President – Indiana operations for Volkert, a firm that does business with INDOT. This position will provide leadership for the State of Indiana with responsibility for the success and growth of regional marketing and operations. The Indiana Practice Leader will provide technical direction and lead client-facing teams and support the continued growth of Volkert services through effective business development, marketing, and sales. Mr. McClellan will grow service lines across multiple disciplines within Planning, Environmental, Design, Engineering, Program Management, and Construction Management.

INDOT relies on the private engineering and construction industry to design and build the state's transportation infrastructure. Volkert is a significant player in the field of transportation engineering in the Nation and is looking to provide that same support in the State of Indiana. In his new role, McClellan will be ensuring Volkert's work is compliant with INDOT standards.

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

Volkert, Inc, has at least ten (10) open contracts with INDOT statewide and is pursuing at least two (2) more contracts. Only one (1) of the active contracts is within the Seymour District and under Mr. McClellan's authority. Several of these contracts are on-call consulting contracts that are on-going.

Mr. McClellan anticipates that he will have contact with INDOT personnel. Mr. McClellan anticipates that this interaction will be like the contact of other state leaders for consulting engineering firms without an INDOT background.

Mr. McClellan will be involved in both engineering design and construction inspection pursuits and efforts. McClellan and Volkert understand that he cannot work on any project for Volkert that he participated in while at INDOT.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

Mr. McClellan is a licensed professional engineer in the State of Indiana and has over thirty-two (32) years of experience in the transportation engineering field. Mr. McClellan's knowledge and expertise in transportation engineering, operations, and construction fields would be beneficial to the public because he has a thorough knowledge of what INDOT expects in its construction and design projects and how to efficiently provide that quality of work. His knowledge will ensure INDOT's vision and priorities will continue to be implemented by its private sector partners.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

Mr. McClellan is retiring from INDOT after 29 years with the department. Due to his role at INDOT as a District Deputy Commissioner, there are few roles outside of INDOT that would not require a similar post-employment waiver for Mr. McClellan to be employed within the industry.

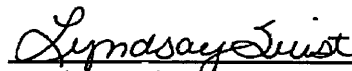
Within INDOT, there are few opportunities for advancement of position and salary for Mr. McClellan. He is a member of the executive team, and any higher position would require him to relocate to Indianapolis. Mr. McClellan would like to use his experience in the private sector, where he can still serve the State of Indiana with his knowledge of the transportation engineering industry.

Mr. McClellan's experience is in the transportation engineering industry, and it is government that builds roads with the assistance of the private sector. Denying the post-employment waiver would require Mr. McClellan to either remain at INDOT, leave the state, enter an entirely new field of engineering, or fully retire, which is not a financial reality at this time for Mr. McClellan.

C. Signatures

1. Appointing authority/state officer of agency

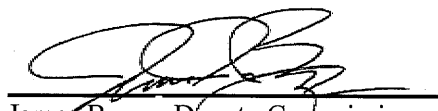
By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.


Lyndsay Quist, Commissioner

10/05/2026
DATE

2. Ethics Officer of agency

By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).


James Boyer, Deputy Commissioner

October 5, 2026
DATE

D. Approval by State Ethics Commission

FOR OFFICE USE ONLY

Approved by State Ethics Commission


Katherine Noel, Chair, State Ethics Commission

10-8-24
Date

Mail to:

Office of Inspector General
315 West Ohio Street, Room 104
Indianapolis, IN 46202

OR

Email scanned copy to: info@ig.in.gov

*Upon receipt you will be contacted with
details regarding the presentation of this
waiver to the State Ethics Commission.*