



INDIANA DEPARTMENT OF TRANSPORTATION

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Room N758
Indianapolis, Indiana 46204

PHONE: (855) 463-6848

Mike Braun, Governor
Lyndsay Quist, Commissioner

June 5, 2026

Katherine Noel, Chair
Indiana State Ethics Commission
315 West Ohio Street, Room 104
Indianapolis, IN 46202

FILED

JUN 11 2026

INDIANA STATE
ETHICS COMMISSION

IC 4-2-6-11

Post-employment waiver – Kyanna Wheeler

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 Kyanna Wheeler (“Wheeler”) in her post-employment with E&B Paving, (E&B).

I understand I must file and present this waiver to the State Ethics Commission at its 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): The Midstates Corridor Project, the Safer Drive 65 Project, and the Improve 64 Project.

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:

Wheeler currently serves as the Capital Programs Director for the Indiana Department of Transportation (INDOT) – Seymour District. Wheeler oversees the administration of construction and consulting projects for INDOT's Seymour District, which covers Southeastern Indiana.

Wheeler has had significant interactions with E&B while at INDOT. As a Project Manager in Central Office, she scored E&B's bid for the Safer Drive 65 project where E&B was the only bidder. She also shared office space with E&B employees during the course of that project. She oversaw the process and ensured INDOT's contract requirements were upheld, had communications with E&B related to all phases of upholding the contract, and had the authority to coordinate and bring the right people together to solve issues and get the contract back on track. She was the lead project manager for Safer Drive 65 through the procurement phase and for one (1) year of the design phase after the contract was awarded.

Wheeler had limited interactions with E&B on the Mid-States Corridor Project (MSC). Wheeler is the project manager on MSC, which is still in the environmental phase, and no construction contracts have been awarded. E&B attended a confidential 1:1 meeting with INDOT and other consultants. Wheeler and other INDOT employees attended the meeting. That meeting did not provide any detailed, confidential, or proprietary information. The meeting was mostly for the consultants to provide feedback on timelines for procurement.

Wheeler was the Project Manager for one (1) year through procurement, but E&B was not a proposer/bidder. That project is in the construction phase now, and E&B has been hired as a subcontractor by the prime. Wheeler has had no direct contact with E&B on this project since they are a subcontractor, she has only communicated with the prime contractor. If she were granted a waiver to work on this project for E&B, she would not have direct contact with INDOT on the contract. All contact would be through the prime contractor.

Additionally, Wheeler filed a notice of potential conflict and screening document regarding E&B on May 14, 2026, which has prohibited any contact or review of E&B's consulting work and from scoring Letters of Interest (LOIs) from E&B seeking work with INDOT.

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

In her post-INDOT employment, Wheeler will serve as an Alternative Delivery Manager for E&B. In that role, she will manage strategic and procurement leadership, operation and project execution, pursuit, leadership and stakeholder management, which includes delivery, execution and risk mitigation. She may potentially work with INDOT through the construction and procurement phase on any alternative procurement project the INDOT would put out a Request for Proposals (RFP) for.

If Wheeler were granted a waiver of the Particular Matter Restriction to allow her to work on MSC, Safer Drive 65, and Improve 64 project for E&B, she would be able to lead things from the E&B side to ensure INDOT gets the best project and coordination possible from E&B. In her role at E&B, she would be the Alternative Delivery Manager and would put together project teams for E&B on those projects.

INDOT relies on the private engineering and construction industry to design and build the state's transportation infrastructure. E&B is a significant player in the field of transportation engineering in the state of Indiana and is involved in many transportation projects throughout the state, those funded through INDOT and those funded with local dollars. In her new role, Wheeler will be managing INDOT's projects where E&B is the prime or subcontractor to ensure compliance with INDOT specifications.

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 possible to include matters where the agency has the discretion to make decisions based on the work of the employee:

E&B has several active contracts with INDOT, state-wide. Wheeler anticipates that in her new position she will have contact with INDOT personnel, but she expects that her interaction will be similar to the contact of other Alternative Delivery Managers without an INDOT background.

Wheeler and E&B understand that she cannot work on any project for E&B that she participated in while at INDOT, with the exception of those specifically covered by this waiver. Her INDOT work for E&B on pending projects will be limited to projects covered in this waiver and those outside the Seymour District, and she will not begin work on projects in the Seymour District that are not covered by this waiver until new projects are awarded after her departure from INDOT.

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

Ms. Wheeler has approximately eleven (11) years of experience in the transportation engineering field, all with INDOT. Ms. Wheeler's knowledge and expertise in the transportation engineering and construction fields would be beneficial to the public because she has a thorough knowledge of what INDOT expects in its construction projects and how to efficiently provide that quality of work. Her knowledge will ensure INDOT's vision and priorities will continue to be implemented by its private sector partners.

5. Please explain whether a waiver of the Particular Matter Restriction to allow the employee to work on the Mid-States Corridor Project, Safer Drive 65, and the Improve 64 projects may be beneficial to the state or the public, explicitly stating how the intended employment is consistent with the public interest:

Ms. Wheeler has significant understanding of INDOT's standards, expectations, and goals in regard to these specific projects. Allowing Ms. Wheeler to work on these projects for E&B will help to ensure the best possible project and coordination are provided to INDOT by E&B. Ms. Wheeler's knowledge and involvement in these projects will assist E&B in completing them efficiently and accurately.

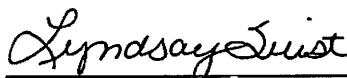
6. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

Within INDOT, there are few opportunities for advancement of position and salary for Ms. Wheeler. Short of joining the executive team, there is no other higher or relevant position for Ms. Wheeler at INDOT. Her 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 Ms. Wheeler to either remain at INDOT or enter an entirely new field of engineering.

C. Signatures

1. Appointing Authority/state officer of the 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 who obtains the waiver before engaging in the conduct that would give rise to a violation.



Lyndsay Quist, Commissioner

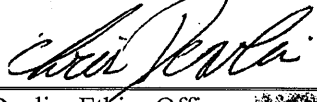
INDIANA DEPARTMENT OF TRANSPORTATION

6/5/2026

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).



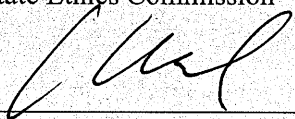
Chris Devlin, Ethics Officer
INDIANA DEPARTMENT OF TRANSPORTATION

6/5/2026
DATE

D. Approval by the State Ethics Commission

FOR OFFICE USE ONLY

Approved by State Ethics Commission



Katherine Noel, Chair, State Ethics Commission

6-11-20

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.