



FEDERAL TRANSIT ADMINISTRATION

# **2016 SSO Program Workshop**

## **49 CFR Part 674 Certification Conflict of Interest**

**Maria Wright**

**Lead Program Analyst**

**Office of Safety Review**

**Office of Transit Safety and Oversight**

**July 19, 2016**



U.S. Department of Transportation

Federal Transit Administration

# Overview

- Employee Conflict of Interest
- Contractor Conflict of Interest

# Employee Conflict of Interest Certification Guidance

- *Employee conflict of interest* means that the SSO agency may not employ individuals otherwise responsible for the administration of RTAs programs or responsibilities
  - Includes potential conflicts for systems in engineering and construction
  - Exception: Employee may be granted waiver due to service levels

# Employee Conflict of Interest Certification Guidance

- How to demonstrate employee compliance:
  - FTA Waiver (requests will only be approved if service criteria are met)
  - Clear Program Standard language outlining the agency's policy for employee conflict of interest
  - Disclose any conflict of interest (actual, potential, or perceived) and associated mitigation strategy

# Employee Conflict of Interest Certification Guidance

- Employee Compliance Cont'd:
  - Establish annual process to identify and certify employees with potential conflicts of interest
  - Adopt hiring practices and create language that prevent employee conflict of interest
  - Require employees to sign conflict of interest statements and recusals, as appropriate

# Contractor Conflict of Interest Certification Guidance

- *Contractor conflict of interest* means that the SSO agency may not contract with a group or individual otherwise responsible for the RTAs' financial or operational success
  - Includes work performed during engineering and construction

# Contractor Conflict of Interest Certification Guidance

- How to demonstrate prevention of *Contractor Conflict of Interest*:
  - Establish Program Standard language
  - Implement an SSOA conflict of interest policy for contractors
  - Draft language in SOWs/RFPs and contracts prohibiting such conflicts of interests
- *Contractor conflict of interest* can only be waived by the Administrator

# Questions?

Maria Wright  
Lead Program Analyst  
Office of Safety Review  
Office of Transit Safety and Oversight  
202.366.5922  
[Maria.I.Wright@dot.gov](mailto:Maria.I.Wright@dot.gov)