



NEWS RELEASE

From New York State Acting Inspector General
Catherine Leahy Scott

FOR IMMEDIATE RELEASE:
September 28, 2012

INSPECTOR GENERAL FINDS LAX POLICY PAVED THE WAY FOR DOT ENGINEER TO GET BARGAIN PRICED BLACKTOP FOR HIS DRIVEWAY

DOT Has Agreed to Strengthen Policy to Avoid Similar Occurrences

Acting Inspector General Catherine Leahy Scott today announced that a New York State Department of Transportation official, whose job it was to inspect highway paving work by contractors, hired one of those contractors at a deeply discounted price to pave his driveway. The investigation also found that lax policy at DOT allowed this transaction to occur.

“State employees should not use their position to obtain discounts from people they are supposed to be overseeing,” said Inspector General Scott. “This is a terrible breach of trust that should never occur at DOT or any state agency.”

The Inspector General recently received a complaint that in 2004, DOT Assistant Resident Engineer David Dingman of Jefferson County arranged for Barrett Paving Materials, Inc. – a company that conducts millions of dollars of construction work for the state – to pave his driveway. The Inspector General found that Dingman could have paid from \$2,000 to \$3,000 for the job – far above the \$1,517.79 he was actually charged.

He was not charged labor, and charged significantly less than he should have for delivery of more than 66 tons of asphalt to his home. Barrett Paving informed the Inspector General that Dingman saved anywhere from \$500 to \$750 in labor. However, a consultant engineer retained by the Inspector General has indicated labor costs could have been much higher – up to \$1475.

The Inspector General found that DOT lacked procedures to assess the propriety of employees who hire DOT contractors or vendors for personal projects. Although Dingman disclosed his use of a DOT contractor to his supervisor, he provided only limited information, and due to a lack of procedures, no meaningful supervisory review occurred.

DOT has agreed to amend its policy, instituting an absolute ban on hiring current DOT contractors or vendors for personal business and requiring Commissioner’s approval of requests to hire any individual or business that contracted with DOT in the prior five years.

The Inspector General will provide the findings to the New York State Joint Commission on Public Ethics for review.

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DOT maintains approximately 1,000 lane-miles of roads in Jefferson County, and awards approximately \$3.5 million in paving contracts annually to maintain these roads. Several paving contractors bid on DOT projects in this region, including Barrett Paving. In 2011, the company was awarded over \$17 million in state contracts, of which more than \$7 million were DOT projects.

A copy of the report can be found online by clicking [here](#).

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