




To: Ydanis Rodriguez  
Commissioner

From: Eric Beaton   
Deputy Commissioner  
Division of Transportation, Planning and Management

Re: Post-Employment Retention of Arthur Getman as Consultant to DOT  
Conflicts of Interest Board Rule  
Pursuant to Section 1-07(d)(1)

Date: February 9, 2023

I would like to formally request that you approve DOT's retention of Arthur Getman, DOT's Deputy Director of the Data Operations, Systems, and Analysis (DOSAS) team within the Division of Transportation, Planning and Management ("TPM") as a consultant to Research, Implementation, and Safety ("RIS") unit. Mr. Getman left City service on June 8, 2022, to work for Replica which is an enterprise data platform that aggregates data and delivers insights about the built environment for their clients in the Urban Planning / Transportation field. Mr. Getman's role, as a Senior Solutions Engineer at Replica will be to create analyses for clients using Replica's proprietary data.

Under newly adopted COIB Rule 1-07(d)(1) a public servant may continue to serve as a compensated consultant to the agency he/she was formerly employed by and work on matters he/she was personally and substantially involved with at their former agency so long as the following conditions are met:

- (1) the consulting arrangement is made for the purpose of continuing or completing work left unfinished by the former public servant at the time their City service terminated, or for training their replacement, or for filling a vacancy until a replacement can be hired;
  - (2) the duration of the consulting arrangement is no longer than reasonably necessary;
  - (3) the former public servant has technical, professional, or other subject-matter expertise or skills not otherwise available among the agency's employees;
  - (4) the compensation is comparable to what the former public servant last earned at the agency;
- and



(5) within 30 days the written approval of the agency head is disclosed to the Conflicts of Interest Board, which approval will be posted on the Board's website.

It is noted that Mr. Getman will not be performing his consulting work for DOT as an employee of Replica nor will he communicate with Replica about his work for DOT and he will not perform work for Replica on DOT projects that he had substantial or personal involvement with in violation of Section 2604(d)(4) or communicate with DOT for the remaining one year period following his departure from DOT on behalf of Replica in violation of Section 2604(d)(2). Only communications with DOT by Mr. Getman within the otherwise forbidden one year period following his departure from DOT in his role as a consultant pursuant to COIB Rule 1-07(d)(1) and for the purposes intended by this rule shall be permitted. Communications within the otherwise prohibited one year period and beyond initiated by DOT to obtain information from Mr. Getman needed for the operations of the agency are also permitted.

For the reasons set forth below I believe that Mr. Getman's critical work for DOSA plus DOT's current inability, given the City's current hiring and promotion limitations, to either hire a replacement for him or quickly find a replacement for him with current DOT personnel makes him an ideal candidate who fits the criteria for compliance with this new COIB Rule.

Mr. Getman's former duties at the RIS unit, as the Deputy Director for Data Analytics, included leading a team of data analysts, managing research projects, and leading the development, deployment, and management of a number of internal data management applications. In this role, Mr. Getman led the development of the SIP Portal and the SIP PM tool, which are used to manage and track the work for the SIP program. His extensive knowledge of these applications will be impossible to replace in the near term. Continued development and documentation of these tools is critical to the success of the analytic abilities of the SIP program.

Additionally, he led a number of research and analysis projects that require some additional work and follow up, where his expertise is needed. Further training, documentation, and knowledge transfer are needed for the remaining staff to be able to continue the vital data-driven work that supports the Vision Zero program. Mr. Getman's skillsets that argue for his retention as a consultant until his replacement is found are:

- Mr. Getman is the only individual on the team with extensive knowledge of the SIP program's workflow and data tracking system
- He has experience in conducting detailed analysis using advanced statistic and machine learning models that produce data products and analyses critical to the Division's work
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- He has exclusive knowledge of the methodologies and analysis techniques used in a number of recent and ongoing analyses including the Vision Zero Priority geography



update, the SIP equity analysis, the Senior Safety Study, and the SIP treatment safety evaluation

One of Mr. Getman's main goals will be to provide a smooth and expeditious transition for the RIS team from his current role until his replacement is hired. Mr. Getman's consultant's role with the RIS team will enable it to handle the difficult and nuanced nature of solving technical and process issues for ongoing RIS projects (most critically the SIP Portal and PM Tool) as seamlessly as possible, while producing necessary documentation.

At the present moment, the combination of skillsets and experience that Arthur Getman used for his work at DOT is not readily available within the agency. It's a combination of technical experience, design knowledge, and understanding of advanced analytic methodologies critical.

Mr. Getman will be retained using micro-purchase method pursuant to Procurement Policy Board (PPB) Rule 3-08(c)(1)(ii). Arthur Getman will remain at the current pay rate as a DOT employee (\$61.00 per hour; 111,021.19 per year) for the duration of the micro-purchase, which may not exceed \$20,000.00. That equates to approximately 327 hours as stated above and if a candidate to replace Mr. Getman is selected within that time frame and trained sufficiently as per the Senior Director's discretion and direction, then the continuation of the micro-purchase will no longer be necessary

With the existing demands and the complex nature of projects, data requests, and application development and maintenance the team operates leanly; and with Mr. Getman's departure from the DOSA team, the capacity and ability for the team to respond to requests for data and analysis as well as support for critical applications is severely compromised.

It is expressly understood by Mr. Getman and DOT that should Mr. Getman participate at Replica in its potential efforts to gain DOT contract or subcontracts or if Replica is awarded a DOT contract or subcontract, that DOT will immediately terminate its Rule 1-07 consulting agreement with DOT.



For the reasons above I seek your approval for Mr. Getman to be retained as a consultant to DOT.

Approved:

A handwritten signature in blue ink, appearing to read "Ydanis Rodríguez", written over a horizontal line.

Ydanis Rodríguez  
Commissioner

Date: 3/14/23