

‘Give me the list of consultants. They are contributors. They know they have to contribute. The public should recognize this is pervasive, and we need systemic changes.’

Paul Tipps, a former chairman of the Ohio Democratic Party

ODOT

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ODOT director, and the department, which spends billions of dollars on engineering and construction contracts, is a plum, Mr. Tipps said.

“Unless we change the system, we’re going to get the same results. If we elected all Democrats — same system, same results,” he added.

In fact, with the hit Ohio GOP has taken in recent months because of the Tom Noe rare-coin scandal swirling at the Ohio Bureau of Workers’ Compensation, some companies are beginning to shift their political giving to include Democrats as well as Republicans.

Records show that 16 of the engineering and design firms that work for the ODOT recently contributed \$134,000 to Democrat Mike Coleman, the Columbus mayor who is running for governor. That represents more than half of all the money the firms have given to Democrats in the last decade.

Two of the three Republican candidates for governor — Attorney General Jim Petro and Auditor Betty Montgomery — have received \$110,000 and \$96,000, respectively, from the firms.

The two other announced candidates — Republican Secretary of State J. Kenneth Blackwell and U.S. Rep. Ted Strickland, a Democrat — have each received less than \$10,000 from the firms.

Overall, the 20 firms that received the most work in the last five years from ODOT have contributed more than \$700,000 to politicians, political parties, and political action committees, known as PACs. Top officials from the firms often show up en masse at fund-raisers, each bringing anywhere from \$500 to \$1,000.

Those same 20 firms have received nearly 60 percent of all the money spent by ODOT on consultants in the last five years. A dozen of those firms gave another \$336,000 to the Republican Governors Association, a political group whose fund-raising was controlled for a time by Gov. Bob Taft’s former chief of staff, Brian Hicks, now a powerful Columbus lobbyist.

Mr. Tipps said “pay-to-play” is ingrained in state government in departments like ODOT that dole out contracts for professional services.

“Give me the list of consultants. They are contributors. They know they have to contribute. The public should recognize this is pervasive, and we need systemic changes,” Mr. Tipps said.

But ODOT Director Gordon Proctor dismisses claims that politics has any influence on the decisions he makes. He wonders why firms hire lobbyists.

“We don’t know. Honest to God, we don’t know,” Mr. Proctor said.

He said engineering and design firms are chosen based on merit and on quality rankings that his agency establishes.

Mr. Tipps, whose former lobbying firm represented a company that received ODOT contracts, said Mr. Proctor “sounds like the piano player in the house of ill repute.”

The ODOT process

Three times a year, high-ranking officials of the Ohio Department of Transportation pore over rankings of engineering firms that want to design roads and bridges.

The ODOT officials talk about the firms’ strengths and weaknesses and review how they’ve done on previous jobs.

They consider the recommendations of the 12 districts throughout the state and then reach a consensus. Mr. Proctor makes the final call.

In fact, Mr. Proctor said it was only recently that he learned so many firms with ODOT contracts gave to Ohio politicians. One night, he said, he got on the secretary of state’s Web site. He said he scrolled through the fields to see which firms gave to political candidates and found “every firm was on there.”

“So I thought, ‘OK, they all contribute,’” Mr. Proctor recalled.

Although many firms donate, not all of them give the same amount nor receive the same-sized ODOT contracts.

But state records show some of the biggest campaign donors are among the biggest winners in terms of engineering contracts. At Burgess & Niple, which has offices throughout Ohio and in six other states, top employees routinely make donations.

Since 1995, the firm’s employees have given \$167,850 to candidates for statewide office and the General Assembly and to state and county political parties. In addition, high-ranking officials of the firm contributed

CONTRACTS AND CONTRIBUTIONS

Burgess & Niple is among the most generous firms when it comes to political donations. In the last five years, the firm is second in receiving contracts from the Ohio Department of Transportation. The company chairman, however, said the firm does not expect to get work because of the contributions by its employees.

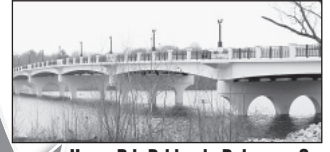
BURGESS & NIPLE

Burgess & Niple is an engineering and architecture firm headquartered in Columbus.

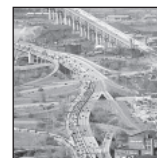
ODOT PROJECTS BY BURGESS & NIPLE



High-Main Street Bridge in Hamilton, Ohio



Home Rd. Bridge in Delaware Co.



Cleveland Innerbelt

Contributed \$11,775

to political-action committee run by its lobbyist, Richard Hillis.



Richard Hillis

Contributed \$30,000

to Republican Governors Association, of which Gov. Bob Taft was vice chairman in 2003 and chairman in 2004. During Mr. Taft’s year as chairman, Brian Hicks, the governor’s former chief of staff, was the RGA’s top fundraiser. Mr. Hicks is currently a lobbyist in Columbus.



Brian Hicks

Contributed \$167,850

to politicians and political parties, including nearly \$40,000 to Governor Taft. Its employees recently donated \$19,000 to Columbus Mayor Mike Coleman, a Democrat, for his 2006 bid for governor.



Gov. Taft



Mike Coleman

Top ODOT officials make 78 telephone calls to the offices of Burgess & Niple’s Columbus lobbyist, Richard Hillis. All but one of the calls comes from the desk of Andrew Gall, the chief of staff to ODOT Director Gordon Proctor.



SOURCE: Ohio Department of Transportation and Ohio Secretary of State

43 telephone calls are made over the past three years from top ODOT officials to the Columbus lobbying firm of Hicks Partners. The calls came from ODOT Director Gordon Proctor, Assistant Director Richard Martinko, and Chief of Staff Andrew Gall.



Gordon Proctor



Richard Martinko

ODOT pays Burgess & Niple \$39.1 million in fees for work over the last five years.

nearly \$12,000 to the PAC run by its lobbyist, Richard Hillis.

That money was distributed to candidates for a number of state and local offices, including county engineers and mayors.

Burgess & Niple has done work throughout Ohio and is the lead firm designing a solution to the tangled web of interstates in southeast Cleveland.

Ron Schultz, the company’s chairman, said the company makes the political contributions to candidates who support “positive public works” policies. The firm does not try to influence the awarding of contracts.

“I don’t believe there has ever been a case of a state or local contract that we’ve got because we gave a contribution,” Mr. Schultz said.

And since the firm is known for its political generosity, it gets many more requests for donations than it honors, said Mr. Schultz, who has given \$8,550 to five candidates and the Republican Party since 1997.

“Personally, I couldn’t afford to give to everybody who asks,” he said.

Approaches to giving

Engineering firms have different approaches to how they contribute to candidates.

Some donate primarily through their top executives.

Others rely on small contributions from lots of employees. One former midlevel manager of DLZ — a Columbus-based engineering and consulting firm that has designed numerous bridges and roads in Ohio — said that when he received bonuses in the 1990s, company officials expected him to use part of the money for political contributions.

“They would come in and say, ‘Could you do \$250 for this fundraiser?’” said the former manager, who spoke on condition of anonymity because he works for another firm that also competes for ODOT consultant contracts.

He said he didn’t object to having his bonus directed to politicians because other company officials also gave.

After leaving DLZ to work for another firm, the former manager said he researched political contributions and ODOT consultant contracts to determine why his new employer wasn’t getting contracts from the state transportation agency.

“It’s pay-to-play,” the former manager said.

A DLZ executive did not respond to messages seeking comment.

DLZ’s lobbyist, William Antonopoulos, whom the Bush campaign last year named as a Pio-

TOP GIVERS AMONG BIGGEST ODOT FIRMS

Over the past 10 years, many of the engineering and design firms which have received work from the Ohio Department of Transportation have given generously to politicians. Here are the top 20 firms based on ODOT contracts they’ve received, and their political contributions:

| Rank | ODOT Fees | Company | To candidates, parties, PACs | To Republican Governors Association | Total political giving |
|------|--------------|---------------------------|------------------------------|-------------------------------------|------------------------|
| 1 | \$47,604,101 | HNTB | \$21,600 | \$81,090 | \$102,690 |
| 2 | \$39,186,713 | Burgess & Niple | \$167,850 | \$30,000 | \$197,850 |
| 3 | \$34,728,377 | URS | \$57,250 | | \$57,250 |
| 4 | \$32,617,507 | ms consultants | \$74,174 | \$25,000 | \$99,174 |
| 5 | \$30,215,089 | Parsons Brinkerhoff | \$15,950 | \$42,165 | \$58,115 |
| 6 | \$25,155,945 | TranSystems | \$18,000 | \$20,790 | \$38,790 |
| 7 | \$21,502,042 | CH2M Hill | \$14,675 | \$41,090 | \$55,765 |
| 8 | \$21,142,545 | Baker & Associates | \$3,300 | | \$3,300 |
| 9 | \$19,273,958 | Figg | \$3,500 | \$3,500 | |
| 10 | \$19,267,743 | DLZ | \$104,750 | \$31,000 | \$135,750 |
| 11 | \$15,035,108 | Glaus, Pyle | \$74,264 | | \$74,264 |
| 12 | \$14,649,570 | LJB | \$4,475 | | \$4,475 |
| 13 | \$13,095,986 | Richland Engineering | \$2,530 | | \$2,530 |
| 14 | \$12,812,506 | RD Zande | \$15,000 | | \$15,000 |
| 15 | \$11,394,968 | Mannik and Smith | \$66,940 | \$20,000 | \$86,940 |
| 16 | \$10,253,755 | Gannett Fleming | \$13,755 | \$10,000 | \$23,755 |
| 17 | \$8,682,234 | Resource International | \$32,925 | \$25,000 | \$57,925 |
| 18 | \$8,471,481 | ME Companies | \$11,545 | \$5,000 | \$16,545 |
| 19 | \$8,383,075 | ME Turn Key Services | | | |
| 20 | \$7,618,393 | E.L. Robinson Engineering | \$6,500 | | \$6,500 |

SOURCE: Ohio Department of Transportation, Ohio Secretary of State

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neer for raising at least \$100,000 for the President’s re-election campaign, didn’t return messages seeking comment.

Firms often have the same group of employees who give to the same candidates.

Nineteen members of Burgess & Niple contributed a total of \$20,000 to Ms. Montgomery in January, and a dozen of the firm’s employees attended a fund-raiser for Mr. Petro in January, 2004, each contributing \$1,000.

Earlier this summer, 19 members of the firm gave \$1,000 each to Mr. Coleman’s campaign for the Democratic nomination for governor. Mr. Schultz said the firm has known Mr. Coleman for years and has worked with him as the mayor.

“We do support the local officials with whom we work,” Mr. Schultz said.

At times, a firm’s contributions come from employees who work outside of Ohio. Over the years, nearly \$160,000 has come from consultants’ employees in 23 other states.

One of them was from Larry Bennett, a retired vice president for DLZ, which operates in dozens of states, including Michigan, where Mr. Bennett worked. He contributed \$1,000 to Mr. Petro in 2003. Overall, DLZ’s employees have contributed more than \$135,000 to Ohio politicians and party committees.

Mr. Bennett said he was at a corporate meeting in Columbus when other DLZ executives began talking about Ohio politics. “I just said, ‘Hey, if it’s going to be helpful, I can make a donation,’” he said.

He doesn’t believe that ODOT or any other public body makes

its decisions based on political contributions. The firm supported candidates who it believes will establish a better business climate, he said. “I would have to say that generally speaking, it doesn’t have any bearing on who gets work,” he said.

One former engineering firm executive contributed to candidates routinely.

Richard DeWitt, a retired URS executive, said he gave through a company PAC. Records show he contributed \$3,000 to URS’ Build Ohio PAC from 1993 to 2000.

Asked if he still supports the PAC, he replied: “No, I don’t work at the company anymore.”

A closely held list

After months evaluating consultants’ proposals, ODOT develops a contract list. Its release is eagerly anticipated.

For the winning firms, it can mean millions of dollars. For the losing firms, it can lead to hand-wringing and what-ifs.

Before the final list is announced, however, Mr. Proctor has one more place to take it: the governor’s office. Because the list is so secretive and sensitive, e-mail and fax machines are avoided; an ODOT official drives it over for review.

But neither Mr. Taft nor his subordinates approve the list or ever change it, Mr. Proctor said.

Mr. Proctor said the list of winning contractors was provided to Mr. Hicks when he was the governor’s chief of staff and is now given to Jon Allison, Mr. Taft’s current chief of staff, about 24 hours before it’s posted on the ODOT Web site.

The ODOT director said he alerts the governor’s office about the list to provide advance warning of impending complaints from losing bidders.

Mr. Tipps doesn’t believe the contact between ODOT and the governor’s office is a simple “heads-up.”

“Did Gordon make a decision based on the political realities?” Mr. Tipps asked. “Not in his mind. He made them on the technical capabilities. Who did he call? The political guys. Did Brian Hicks ever tell Gordon Proctor about the technical expertise of these companies? It’s all denial and rationale.”

Mr. Hicks, who was convicted in a Columbus court earlier this year of criminal ethics violations for accepting reduced-cost vacations at the Florida Keys home of Mr. Noe, the former coin dealer who has plunged the Workers’ Compensation Bureau into the worst scandal in its history, did not return calls seeking comment.

A question of politics

Donald Mader, executive director of a trade group of engineering companies in Ohio, said that since Mr. Proctor became ODOT director in 1999, he hasn’t seen a “quid pro quo arrangement, where you better contribute to somebody if you want to be considered for a contract.”

“On occasion, are political pressures brought to bear on them? I would guess they probably are, but I believe they try to find the best designer for the project at hand,” Mr. Mader said.

Others are less sure that politics has nothing to do with which firms get the contracts.

“I’d love to believe that,” said Gary Johnson, regional business development manager for Arcadis FPS, a design firm based in Akron.

Arcadis FPS is neither the biggest nor the smallest campaign contributor, having donated roughly \$13,000 over the last 10 years to candidates and PACs.

And Arcadis FPS is neither the smallest nor biggest engineering firm when it comes to getting ODOT work. The \$5.3 million in ODOT fees puts it 27th among consulting firms over the last five years.

That’s nowhere near the \$47.6 million awarded to HNTB or the \$39.2 million paid to Burgess & Niple Inc. Those two firms alone contributed \$300,000 to the political system.

“We’re very much aware of that,” Mr. Johnson said.

Could more political contributions help Arcadis?

“I would hope not, but it certainly could happen. I’m not dumb. You look at Burgess & Niple’s giving, what DLZ and URS [give], and you look at what kind of contracts they get,” Mr. Johnson said. “I don’t know that for a fact but you know somebody from the outside looking at that says, ‘Hey, what gives here?’”

“But then they give you the mantra: ‘It doesn’t have any impact,’” Mr. Johnson added.

The lobbyist factor?

Although ODOT dismisses their impact, lobbyists have swirled around the agency for years. They meet with officials in all of the 12 districts, they arrange breakfast meetings in

Columbus, they make frequent phone calls on behalf of their clients.

Often, the lobbyists are simply asking how their clients can do a better job, Mr. Proctor said. Other times, they complain about not getting enough work.

At times, one lobbyist, Richard Boylan, would drop off documents indicating which projects his clients would prefer to get.

Richard Martinko, assistant ODOT director, recalled seeing a spreadsheet from Mr. Boylan.

“We don’t take it very seriously. We take it with a real grain of salt,” Mr. Proctor said.

Records obtained by The Blade show that ODOT officials in Columbus and the 12 district offices routinely meet with lobbyists and call them frequently.

ODOT telephone records show that the top five officials at the agency have made more than 300 calls to lobbyists’ offices over the last several years, including nearly 200 last year alone.

Dozens of those calls went to the offices of Mr. Hillis, who represents Burgess & Niple.

Many calls from ODOT officials also were made to Doug Talbott, a former high-ranking aide to Gov. George Voinovich and to Governor Taft. Mr. Talbott is now a Columbus lobbyist.

One of his clients is Mannik & Smith, a Maumee firm which received \$11.3 million in ODOT contracts over the past 10 years. Employees of the firm have made \$86,940 in contributions to political candidates and causes in recent years.

Another avenue

There’s another avenue that firms use to get the attention of powerful politicians: the Republican Governors Association.

In 2003, Mr. Taft was vice chairman of the group. He was chairman last year.

During that time, the association hired Mr. Hicks’ lobbying firm, Hicks Partners, to handle its fund-raising.

The governor’s former chief of staff later boasted of raising millions for the group, which funded independent campaigns for Republican gubernatorial candidates throughout the United States.

At the time, Mr. Hicks was just starting out as a lobbyist, fundraiser, and political consultant.

A number of engineering and design firms that work for ODOT gave to the GOP governors’ group during 2003 and 2004, contributing more than \$450,000 to the group, including HNTB, Burgess & Niple, Parsons Brinkerhoff, Mannik & Smith, and others.

Most engineers are aware that their professional organizations have wrestled with political contributions for years. They want to know if it’s wrong to give and what they should give when they are asked for a contribution.

Joseph Smith, a professor of engineering who specializes in ethics at Texas Tech University in Lubbock, Texas, has studied the issue for years.

In one Texas community, he said, officials considering public works projects solved the problem by revealing all of the political giving by the competing engineering firms.

That way, everyone knew what everyone had given, he said.

“Consequently, it makes people a little more honest not just to give it to the largest contributor every time. But I don’t know if that works 100 percent of the time, but it’s better than not having anything transparent,” he said.

Mr. Tipps, the former Ohio Democratic Party chairman and ex-lobbyist, is a supporter of four constitutional amendments on the Nov. 8 ballot that would, in part, lower from \$10,000 to \$2,000 the maximum that individuals can give to statewide candidates per election.

But he said that’s not nearly enough change. He said consultants vying for contracts that aren’t competitively bid should be required to submit an affidavit listing every political contribution they have made over the last two years, who solicited them for campaign cash in the last 90 days, and where that money was going to go.

Mr. Proctor said he didn’t think ODOT would have any objections to that proposal, as long as the agency isn’t required to collect the campaign finance data.

Mr. Smith, the engineering professor at Texas Tech University, said most engineers wrestle with the near-constant political solicitations.

“We don’t want to discourage engineers from making political contributions. What we want to do is make sure that they are not doing it in order to get work,” he said.

Blade staff writers Steve Eder and Joshua Boak contributed to this report.

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