

MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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Via First Class Mail
and email at: jawrigh@miamidade.gov

June 1, 2015

James B Wright
Address withheld*

*Please submit this letter to
the Procurement
Department. The Ethics
Commission does not submit
this letter on your behalf*

Re: INQ 15-100, Limitations on Doing Business with the County

Dear Mr. Wright:

Wright Worldwide Protection, LLC (WWP) may enter into contracts with Miami-Dade County but not with the Miami-Dade County Water and Sewer Department (MDWASD).

This opinion is based on the following facts and legal analysis:

On May 28, 2015 you asked about limitations in doing business with the County through your privately owned company, WWP. You are employed as a Security Supervisor, working at MDWASD.

OUTSIDE EMPLOYMENT

Work conducted for your privately owned company constitutes outside employment. The Ethics Code prohibits County employees from engaging in conflicting outside employment. You will be required to obtain permission to engage in outside employment annually from your supervisor and file related financial disclosure forms every year. Conflicting employment is sometimes created when a County employee comes in contact with the same or similar people or entities in both his outside employment and in his County job or when he uses the same or similar resources in his outside employment as he uses in his County work. See the County Code at Secs. 2-11.1 (g) and (j).

Please note that this letter does not grant you permission to engage in outside employment. You must obtain permission to engage in outside employment annually from your supervisor and file related financial disclosure forms every year.

CONTRACTING WITH THE COUNTY

Once you have been granted permission to engage in outside employment, you may enter into a County contract through your privately owned company, WWP, as long as the contract does not interfere with the full and faithful discharge of your duties to the County. *See the County Ethics Code at Secs. 2-11.1 (c)(2) and (d).*

This includes the condition that you may not participate in determining the contract requirements or in awarding the contract. Additionally, none of your job responsibilities and job descriptions may require you to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance. Finally, you may **not** work in any County department that would enforce, oversee or administer this contract.

Consequently, WWP may not enter into contracts with MDWASD.

LOBBYING

Additionally, you may not lobby the County. In this case, you may not contact anyone within the County in an attempt to influence a decision about the contract you are seeking. *See the County Ethics Code at Sec. 2-11.1 (m)(1).*

This opinion construes the Miami-Dade County Ethics Code as it applies to County employee-vendors at Secs. 2-11.1 (c)(1),(d), and (m)(1) only. It is not applicable to any conflicts under other sections of the County Code or to issues related to state or federal laws.

If any of the facts you have presented change or if you have further questions, please feel free to contact me at 305 350-0638.

Sincerely,



Gilma Diaz-Greco
Staff Attorney

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, June 01, 2015 9:08 AM
To: Sanchez, Rodzandra (COE)
Subject: FW: James Wright, Security Supervisor, WASD, Limitations on Contracting wiht the County- INQ 15-100
Attachments: INQ 15-100 Wright.pdf

INQ 15-100 Wright

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, June 01, 2015 8:39 AM
To: Wright, James (WASD)
Subject: James Wright, Security Supervisor, WASD, Limitations on Contracting wiht the County- INQ 15-100

Dear Mr. Wright:

Attached is the Limitations on Doing Business with the County Ethics Opinion letter. Please note that it indicates that Wright Worldwide Protection, LLC may enter into contracts with Miami-Dade County but not with the Miami-Dade Water and Sewer Department.

You may print this letter and submit it to the Procurement Department. I will send you the original letter via regular mail.

Please contact me if you have further questions.

Sincerely,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.