

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, September 20, 2016 3:26 PM
To: Sanchez, Rodzandra (COE)
Subject: Neil Singh, Acting Commission Auditor (Voting Conflict re: OCA - E16-WASD-03) INQ 16-214
Attachments: OCA - E16-WASD-03.pdf

INQ 16-214 Martinez

From: Centorino, Joseph (COE)
Sent: Tuesday, September 20, 2016 3:21 PM
To: Martinez, Angie (OCA) <Angie.Martinez@miamidade.gov>; Valin, Pablo (ISD) <Pablo.Valin@miamidade.gov>; Singh, Neil R. (OCA) <Neil.Singh@miamidade.gov>; Marsellos, Bia (OCA) <Bia.Marsellos@miamidade.gov>
Cc: Singer, Miriam (ISD) <SINGER@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: INQ 16-214 Neil Singh, Acting Commission Auditor (Voting Conflict re: OCA - E16-WASD-03)

Ms. Martinez:

You forwarded to us, on behalf of the Neil Singh, Acting Commission Auditor, for the Miami-Dade County Commissioner, information concerning the background check on members of the Selection Committee for the above-named project. You noted that one of the members of the selection committee, James Ferguson, stated on the Neutrality/Disclosure Form that his former supervisor at Miami-Dade Water and Sewer Department, is now employed by A& P Consulting Transportation Engineers Corp., which is a respondent to the solicitation. You did not indicate the name of the supervisor or whether that individual is playing any role in the solicitation. For the purposes of this response I will assume that the individual is employed by the Respondent, but not connected to the presentation team and not involved in any interaction with the County on this project. If that is not the case, please let me know that information, which could raise other issues outside of the scope of this opinion.

The former supervisory relationship between a selection committee member and an employee of a responding company involved in the solicitation does not by itself raise any prohibited voting conflict under Section 2-11.1(v) of the County Ethics Code inasmuch as it is not an enumerated conflict and does not indicate that Mr. Ferguson himself would, in any way, be affected by the vote on this solicitation. However, given the prior relationship and the need for procurements in the County to be free of appearances of improper influence, it would probably be wise for Mr. Ferguson to not serve on this particular committee. In this regard, I am in agreement with Miriam Singer, Assistant ISD Director.

Sincerely,

Joe Centorino

Joseph M. Centorino

Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
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From: Martinez, Angie (OCA)
Sent: Friday, September 16, 2016 11:28 AM
To: Valin, Pablo (ISD) <Pablo.Valin@miamidade.gov>
Cc: Singh, Neil R. (OCA) <NSINGH@miamidade.gov>; Marsellos, Bia (OCA) <BIA@miamidade.gov>; Singer, Miriam (ISD) <SINGER@miamidade.gov>; Centorino, Joseph (COE) <CENTORI@miamidade.gov>
Subject: OCA - E16-WASD-03

This email is being sent to you on behalf of Mr. Neil R. Singh, Acting Commission Auditor.

Angie Martinez, Executive Secretary

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**BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**

M E M O R A N D U M

TO: Pablo Valin, Non-Voting Chairperson
ISD Procurement Management

FROM: Neil R. Singh, CPA
Acting Commission Auditor

A handwritten signature in blue ink, appearing to read "Neil R. Singh", is written over the name and title in the "FROM:" field.

DATE: September 16, 2016

SUBJECT: Selection Committee for Miami-Dade Water and Sewer Department Request to Advertise for Design Services for Wastewater Treatment Plants Related to the Ocean Outfall Legislation- Project No. E16-WASD-03

On May 6, 2014, the Board of County Commissioners adopted Resolution No. R-449-14, directing the Office of the Commission Auditor (OCA) to conduct background checks on members serving on evaluation/selection committees.

The Commission Auditor is directed to submit results of the background checks to the Internal Services Department (ISD) or other County department overseeing and administering the competitive solicitation and contract award that used the selection committee members at issue and to the Commission on Ethics. In accordance with this Resolution, we are submitting this report with the results.

Pursuant to R-449-14, the OCA completed background research regarding the Selection Committee for Miami-Dade Water and Sewer Department Request to Advertise for Design Services for Wastewater Treatment Plants Related to the Ocean Outfall Legislation- Project No. E16-WASD-03.

The Selection Committee members are: Pablo Valin; James Ferguson; Manuel Moncholi; Ivette Newland; Marie Hall Olga Cordero; Humberto Codispoti; and Victor Mendez. The OCA completed background research and there were no relevant findings that came to our attention for the Selection Committee members. *However, James Ferguson, stated on the Neutrality/Disclosure form that his former supervisor at Miami-Dade Water and Sewer Department, is now employed by A & P Consulting Transportation Engineers Corp., which is a respondent to this solicitation.*

c: Miriam Singer, Assistant Director, ISD Procurement Management
Joseph Centorino, Executive Director, Commission on Ethics & Public Trust