

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, December 11, 2017 11:39 AM
To: Sanchez, Rodzandra (COE)
Subject: INQ 17-261 Amado Gonzalez, A/E Consultant Selections Coordinator, Miami-Dade County Internal Services Department (ISD) OCA - Project No. DB17-WASD-01 - Facility Consent Decree Project 2.27 (Voting Conflict, Section 2-11(v), Appearance of Impropriety)
Attachments: Project No. DB17-WASD-01- Facility Consent Decree Project 2.27.pdf

[INQ 17-261 Gonzalez](#)

From: Ethics (COE)
Sent: Thursday, November 16, 2017 10:21 AM
To: Gonzalez, Amado (ISD) <Amado.Gonzalez@miamidade.gov>; Martinez, Angie (OCA) <Angie.Martinez@miamidade.gov>; Cordero, Olga (Seaport) <Olga.Cordero@miamidade.gov>
Cc: Davis, Thomas (OCA) <Thomas.Davis@miamidade.gov>; Edwards, Phillip G. (OCA) <Phillip.Edwards@miamidade.gov>; Uppal, Namita (ISD) <Namita.Uppal@miamidade.gov>; Johnson, Jannessa (OCA) <Jannessa.Johnson@miamidade.gov>; Palmer, Donna S. (OCA) <Donna.Palmer@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: INQ Amado Gonzalez, A/E Consultant Selections Coordinator, Miami-Dade County Internal Services Department (ISD) OCA - Project No. DB17-WASD-01 - Facility Consent Decree Project 2.27 (Voting Conflict, Section 2-11(v), Appearance of Impropriety)

Mr. Gonzalez:

This opinion is provided pursuant to Miami-Dade County Resolution No. R-449-14 in connection with OCA – Project No. DB17-WASD-01-Facility Consent Decree Project 2.27. It is prompted by the attached memorandum wherein it was disclosed that one of the Selection Committee members for this project, Ms. Olga Cordero, was previously employed by Wolfberg/Alvarez and Partners, a vendor for this project, during 1995-1997. I have reviewed the memorandum and spoken with Ms. Cordero concerning this matter.

In order for there to be a prohibited voting conflict of interest under Section 2-11.1(v) of the County Ethics Code, the individual committee member must be directly affected by a vote as well as have one of several enumerated relationships with the entity affected by the vote. This provision does not apply in this situation since Ms. Cordero has had no employment relationship or other association with Wolfberg/ Alvarez since 1997.

Due to the sensitivity of the procurement process and the need to sustain public confidence in it, this agency has also opined concerning whether there may be an appearance of impropriety in a given situation that would justify the removal of a member of an appointed selection committee. See COE Rules of Procedure, Section B.2.1(b). In this regard, I have been assured by Ms. Cordero that she has had no business or other professional relationship with the company since she completed her work for Wolfberg/Alvarez as a consultant shortly after the termination of her employment from the company on an amicable basis in 1997. According to Ms. Cordero, the individual to whom she reported no longer works at the company, and she has no business, professional, social or other relationship with any current employee at the company. She also feels that she can be completely fair and objective in assessing the qualifications of the competing firms.

Under the foregoing circumstances, where Ms. Cordero's employment with the vendor ended 20 years ago on an amicable basis, and she has no business, professional or social relationship with any current member of the firm, it is my opinion that her prior employment there would not create any appearance of impropriety or in any way detract from the County's conducting a fair and objective evaluation for this project. I see no reason why Ms. Cordero should not serve on this committee.

Sincerely,

Joe Centorino

Joseph M. Centorino

Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
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From: Martinez, Angie (OCA)
Sent: Tuesday, November 14, 2017 6:01 PM
To: Gonzalez, Amado (ISD) <Amado.Gonzalez@miamidade.gov>
Cc: Davis, Thomas (OCA) <Thomas.Davis@miamidade.gov>; Edwards, Phillip G. (OCA) <Phillip.Edwards@miamidade.gov>; Uppal, Namita (ISD) <Namita.Uppal@miamidade.gov>; Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Johnson, Jannesha (OCA) <Jannesha.Johnson@miamidade.gov>; Palmer, Donna S. (OCA) <Donna.Palmer@miamidade.gov>
Subject: OCA - Project No. DB17-WASD-01 - Facility Consent Decree Project 2.27

This email is being sent to you on behalf of Mr. Thomas B. Davis, Esq., Director of Policy and Legislation Division.

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: Amado Gonzalez, Internal Services Department
ISD Procurement Management

FROM: Thomas B. Davis, Esq., Director
Policy & Legislation Division

A handwritten signature in blue ink, appearing to read "Thomas B. Davis".

DATE: November 14, 2017

SUBJECT: Appointment of Selection Committee for Miami-Dade Water and Sewer Department Request to Advertise for Design-Build Services for the Construction of the Central District Wastewater Treatment Plant Oxygen Production Facility Consent Decree Project 2.27 – Project No. DB17-WASD-01

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 results of the background checks will be submitted to the Internal Services Department or other County department(s) overseeing and administering the competitive procurement process and to the Commission on Ethics, if applicable.

The voting members of the Selection Committee are Vincent Morello, WASD; James Ferguson, WASD; Franklin Stirrup, MDAD; Olga Cordero, Seaport; Jacquelyn Llano, RER; Huren An, WASD; and Marie Hall, RER. The non-voting chairperson is Amado Gonzalez, ISD.

Pursuant to the Resolution, the OCA completed the required background research noting no adverse findings for the Selection Committee members. *However, Olga Cordero's resume states that she previously worked for Wolfberg/Alvarez and Partners (1995-1997). Wolfberg/Alvarez and Partners are listed as a vendor for this project.*

c: Namita Uppal, Chief Procurement Officer, ISD Procurement Management Services Division
Joseph Centorino, Executive Director, Commission on Ethics & Public Trust