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### **Ethics Commission recommends new procedure for contractor conflicts**

The Miami-Dade Commission on Ethics and Public Trust (COE) today updated and clarified the procedures for firms bidding to provide consulting services to the County to handle “organizational conflicts of interest.” Such conflicts occur where companies have a direct or indirect interest at stake, through the firm or a subcontractor, that might improperly influence their actions against what may be in the best interest of the County, or which gives them an unfair advantage in a competitive solicitation. For example, a subcontractor may have written the specifications for necessary work, then later the company bids on completing that work.

The Request for Opinion (**RQO 17-02**) came from Miriam Singer, the head of Miami-Dade County’s Procurement Division. It concerns a highly coveted contract to oversee Miami International Airport’s Terminal Optimization Program (TOP) – a \$1.4 billion, ten-year upgrade of MIA’s E and F terminals, along with other buildings, runways and support facilities, and includes 43 different capital improvement projects. The three top-ranked firms – Heery International, Inc., AECOM Technical Services, and Burns & McDonnell Engineering Company, Inc. – all have an organizational conflict of interest of some type.

Primarily, the revised procedure requires the bidders to disclose in writing any existing or potential conflicts to the contract managers. Bidders must then agree with procurement officials on the measures to be taken to implement firewalls or other protections to mitigate any potential conflict to the satisfaction of the County, the Ethics Commission and the Office of the Inspector General. The procedure will be incorporated into future airport procurement contracts regarding organizational conflicts to provide all bidders a level playing field, and could be utilized elsewhere in the County.

Also today, Ethics Commissioners approved a settlement with Javier Vazquez, who agreed not to contest a count of improper lobbying in the City of Miami and will pay a \$500 fine. The investigation into the complaint (**C 17-08**) found that Vazquez met with city zoning officials in October of 2015 regarding a development known as Battersea Woods LLC, without registering as a lobbyist. Once brought to his attention, he said it was an oversight and immediately filed the appropriate paperwork.

*The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.*

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