



April 6, 1999

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Michael C. Pietrzyk
ITS Program Director
Center for Urban Transportation Research
University of South Florida
4202 East Fowler Avenue
Tampa, Florida 33620-5375

RE: REQUEST FOR ADVISORY OPINION 99-10

Dear Mr. Pietrzyk:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on April 5, 1999 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether the Conflict of Interest and Code of Ethics ordinance prohibits the center from responding to a invitation to negotiate issued by the three southeast Florida Metropolitan Planning Organizations and the Florida Department of Transportation while under contract for another project to the Miami-Dade Metropolitan Planning Organization.

In your letter, you advised the Commission that The Center for Urban Transportation Research has been asked to participate in a team that is preparing to respond to an invitation to negotiate for development of an Advanced Traveler Information System to serve the three county area. The system is being developed by the DOT district offices in conjunction with the Metropolitan Planning Offices of Miami-Dade, Broward and Palm Beach County. CUTR is currently under contract with

the Miami-Dade MPO to update plans for Intelligent Transportation Systems (ITS). CUTR has not participated in any way in the development or planning of the Advanced Traveler Information System. However, the Executive Director of the Metropolitan Planning Organization will sit on the evaluation/selection team for the project. CUTR wants to know if your current contractual relationship with the MPO precludes you from bidding on the project.

The Commission found that The Conflict of Interest and Code of Ethics ordinance does not preclude CUTR from serving on a team that is bidding to develop the Advanced Traveler Information System.

Accordingly, CUTR may respond to the Invitation to Negotiate issued by the Metropolitan Planning Organizations and the regional Department of Transportation offices.

If you have any questions regarding the opinion, please call the undersigned at (305) 579-2954 or Ardyth Walker, Staff General Counsel at (305) 579-2653.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", with a long horizontal flourish extending to the right.

ROBERT MEYERS
Executive Director