



April 22, 1999

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Robert Woodson
President
Rainbow World Learning Center
520 N.W. 103 Street
Miami, Florida 33150

Dear Mr. Woodson:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on April 22, 1999 and rendered its decision based on the facts stated in your letter.

You requested an advisory opinion as to whether you are precluded from contracting with the county to provide day care services because you and your wife are county employees.

In your letter, you advised the commission that The Rainbow Learning Center is seeking a contract with the Department of Child Development Services to serve as a subsidized child care provider. You serve as the president and sole officer of the corporation. You also work for the county as a Fingerprint Technician 2 with the Miami-Dade Police Department. Your wife works for the county as a Quality Assurance Specialist with the Department of Child Development Services. You have already completed the initial assessment process and want to know if your county employment prevents you from being awarded the contract to provide child-care services.

The commission found that the Conflict of Interest and Code of Ethics ordinance prohibits Rainbow Learning Center from

contracting with Miami-Dade Child Development Services to provide subsidized child-care services. Section 2-11.1(d) of the Miami-Dade County Code provides that a county employee may not enter into any contract or transact any business through a firm, corporation, partnership or business entity in which he or any member of his immediate family has a controlling financial interest, direct or indirect, with Dade County or any person or agency acting for Dade County and any such contract, agreement or business engagement entered in violation of this subsection shall render the transaction voidable. Since you are a county employee, you may not contract with the county through Rainbow Learning Center to provide child-care services.

Therefore, the Conflict of Interest and Code of Ethics ordinance prohibits Rainbow Learning Center from contracting with the county to provide subsidized child-care services.

If you have any questions regarding the opinion, please call Robert Meyers, Executive Director at (305) 579-2954 or Ardyth Walker at (305) 579-2653.

Sincerely Yours,

ROBERT MEYERS
Executive Director

Enclosure