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March 3, 2003

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ADVOCATE

Parsons
7600 Corporate Center Drive
Suite 500
Miami, Florida 33126

ARDYTH WALKER
STAFF GENERAL COUNSEL

RE: REQUEST FOR ADVISORY OPINION 03-29

Dear Mr. Nuevo:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on February 27, 2003 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding any conflicts between Parson's current work as a subcontractor to Lea and Elliot and serving on a team for the Aviation Department's Miami Intermodal Center project.

In your request, you advised the Commission that the Aviation Department and the Florida Department of Transportation are currently involved in the development of the Miami Intermodal Center. The program will link various forms of transportation, including a rental car facility, rail stations and passenger parking in the area of Miami International Airport. The Florida Department of Transportation is responsible for roadway improvements, the MIC Core, the Rental Car Facility and land acquisition. The Aviation

Department is responsible for the Automated People-Mover (APM) and maintenance and operation of the Rental Car Facility.

Parson Transportation Group has served as a subconsultant to Lea and Elliot. Lea and Elliot serves as the system consultant to Dade Aviation Consultants and the Aviation Department. Lea and Elliot has provided design services for the aviation department portion of the project. Specifically, Parsons has prepared the preliminary schematic design that will be incorporated into the Aviation Department's Request for Proposals.

The airport is currently preparing to issue a solicitation for a firm or a joint venture to design, build and operate the MIC facility. Phase 1 of the project will require the selected firm to complete design, analysis and construction of the Automatic Train System, vehicles, communications system and guideway equipment. The firm will also be responsible for design and construction of fixed facilities including the guideway facilities, all trackwork, central control facilities and power distribution systems.

The Commission found that Parsons Transportation Group may serve as a member of a team for the MIC Mover APM System if it relinquishes its current subconsultant contract with Lea and Elliot. The work already done by Parsons does not create a conflict with the scope of work under the proposed solicitation because the designs will be distributed to all proposers. However, the firm may not simultaneously serve as a subconsultant to Lea and Elliot and a member of the APM team because they would serve as manager and contractor.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you

have any questions regarding possible
conflicts under state law.

If you have any questions regarding the
opinion, please call the undersigned at (305)
579-2954 or Ardyth Walker, Staff General
Counsel at (305) 350-0616.

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