

December 27, 2006

Neil Hall
President and CEO
The Hall Group, Inc.
5582 N.E. 4th Court
Suite 7B
Miami, FL 33137

RE: REQUEST FOR ADVISORY OPINION RQO 06-59

Dear Mr. Hall:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on December 21, 2006 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether your firm may provide architectural and engineering services related to the renovation of the Historic Hampton House Hotel. The Hall Group previously provided work related to the historic designation.

In your request, you advised the Commission that the Office of Capital Improvements recently issued a Notice to Professional Consultants to provide AE services for the Hampton House Hotel. The hotel's renovation is one of the designated projects under the GOB bond program. The Hampton House was a social and cultural hub for Miami's black community during the civil rights era. The building received historic designation by the Office of Historic Preservation in 2002.

The scope of services consists of AE services for the restoration of two-story 22,000 square foot property and includes defining the scope of work, cost estimating,

preparation of construction contract documents, permitting, contract administration and processing contractor payments and change orders. The primary focus of the work is preserving the visual and historic aspects of the property while converting it to present-day use as a cultural center for the surrounding community.

The Hall Group previously provided services to the Historic Hampton House Trust. The Historic Hampton House Trust is a non-profit organization that has worked on renovating and rehabilitating the site. The Hall Group did the architectural review for the historic preservation report. The work entailed the preparation of as-built drawings, photo log of existing conditions and architectural features and a historic analysis of the building. The work was paid for by a state grant.

The Commission found The Hall Group may perform AE services related to the renovation of the Historic Hampton House. The firm's previous work for the Historic Hampton House Trust does not conflict with the scope of services under this contract.

The NTPC required all prime consultants to "identify whether they or any of their subconsultants or team members have participated in any way in the preparation of the Historic Preservation Report submitted to the Historic Hampton House Trust, Inc., the 40-year Re-Certification Inspection Report or in any report, study, study or analysis of any kind related to the Historic Hampton House. The prime consultant must also identify how the current work is different from the any previously performed work."

Pursuant to Section 2-11.1(v), the Ethics Commission has jurisdiction over contractors and vendors. Section 2-11.1(j) restricts persons covered by the Conflict of Interest

and Code of Ethics ordinance from doing work that conflicts with their independence of judgment in performing their County responsibilities. Pursuant to that section of the Conflict of Interest and Code of Ethics ordinance, the Ethics Commission has delineated certain areas including overlapping responsibilities that would impair a contractor's independent judgment in the performance of its duties for the County.

The Hall Group's prior work on the historic designation report and the 40 year Re-Certification Report does not conflict with the proposed scope of work for the renovation of the Hampton House. The scope does not require the firm to review any of their previous work nor does the firm have any overlapping responsibilities. Therefore, the Hall Group does not have a conflict under the Ethics Commission's prior opinions and may perform the proposed scope of services.

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 this opinion, please call the undersigned at (305) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 350-0616.

Sincerely Yours,

ROBERT MEYERS
Executive Director

cc: Christopher Mazzella, Inspector General
Fernando Ponassi, OCI

