



August 1, 2011

ETHICS COMMISSIONERS

Dawn Addy, CHAIR
Charlton Copeland, VICE CHAIR
Nelson Bellido
Judge Seymour Gelber
Kerry E. Rosenthal

Joaquin Perez
Principal
Bolton Perez and Associates
7205 Corporate Center Drive
Suite 201
Miami, Fl 33126

REQUEST FOR ADVISORY OPINION-RQO 11-20

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

Dear Mr. Perez:

MICHAEL P. MURAWSKI
ADVOCATE

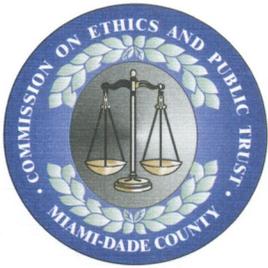
On July 26, 2011, the Ethics Commission ratified the preliminary draft opinion that was previously provided to you. Please find attached the final formal opinion that was approved.

ARDYTH WALKER
STAFF GENERAL COUNSEL

If you have any questions regarding this opinion, please call the undersigned or Ardyth Walker, Staff General Counsel at (305) 579-2594.

Sincerely Yours,

ROBERT MEYERS
Executive Director



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ARDYTH WALKER
STAFF GENERAL COUNSEL

August 1, 2011

Joaquin Perez
Director of Engineering
Bolton, Perez and Associates
7208 Corporate Center Drive
Suite 201
Miami, Fl 33126

RE: REQUEST FOR ADVISORY OPINION-RQO 11-20

Dear Mr. Perez:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on July 26, 2011 and rendered its opinion based on the facts stated in your letter.

The Seaport recently issued a solicitation for Construction Engineering and Inspection Services for the Wharf Strengthening Program. The Wharf Strengthening project is a multiphase project for strengthening the existing cargo wharves and bulkheads to provide additional capacity for future dredged depth of fifty feet or more. The project must be completed in advance of the federally-funded Phase III dredging project and construction is slated to begin in August.

Bolton Perez is serving as a subconsultant to URS in its capacity as Bond Engineer for the Seaport. In that capacity, Bolton Perez has assisted URS with compiling the annual bond engineering report which includes providing recommendations and approvals for necessary capital improvements, review of rate and tariff schedules and other tasks which may be assigned by the Port. Bolton Perez is also

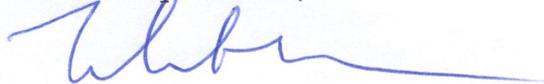
assisting URS with other miscellaneous projects including a bridge study and 40 year recertification.

The Ethics Commission has previously opined that the bond engineer may not provide CEI services even though it is only contractually restricted from providing design services because it may be required to provide recommendations and services related to the wharf strengthening program. Since Bolton Perez is serving as a member of the bond engineering team, Bolton Perez is also prohibited from providing CEI services for the wharf strengthening program.

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: Mike Ramos, Office of Capital
Improvements