



Miami-Dade Commission on Ethics & Public Trust

Report of Inquiry

**CASE
CLOSED**

Investigator(s): Breno Penichet

Case PI 16-30	Case Name: Cone of Silence Violation	Date Open: June 23, 2016	Date: 10/17/2016
Complainant(s): Amos Roundtree ISD Procurement	Subject(s): Members of Selection Committee for MDPD Towing Contract		

Allegation(s):

Miami Dade-County Assistant Director of Procurement, Amos Roundtree (Roundtree), contacted COE Director, Joe Centorino, in order to discuss a matter concerning a possible violation of the Cone of Silence and Sunshine Law. Roundtree advised that it had come to his attention that two members of the selection committee set up to make a recommendation on the MDPD towing contracts were selected from the same police unit that oversees the towing contracts. As a result of the conversation, the COE Director requested a review of the matter in order to assure that no ethics violation had occurred.

Relevant Ordinances:

Cone of Silence: Miami-Dade County code Section 2-11.1(t)(1)(a)(iii) Prohibits any communication regarding a particular RFP, RFQ or bid between a potential vendor, service provider, bidder, lobbyist or consultant and any member of the Selection Committee.

Investigation:

Interviews / Investigation

Amos Roundtree
Assistant Director
ISD Procurement

COE investigator B. Penichet spoke to Roundtree via telephone regarding this matter. Roundtree voluntarily agreed to be interviewed and provide information concerning the investigation. Roundtree advised that a committee was formed following an RFP for towing contracts to service the MDPD.

Roundtree further stated two members of the police unit that oversee the contracts and are called upon to provide technical advice, were appointed to the committee. According to Roundtree, the unit's Commanding Officer and subordinate, became committee members.

It became apparent that very likely either or both of the officers on the selection committee would have to communicate (in light of their responsibilities at the police unit overseeing the towing contracts) with the towing companies bidding for the contracts; it could become a violation of the Cone of Silence.

Once the mistake was noted, the two officers were removed from the committee. Roundtree advised that no other police officers will be appointed to the committee. Roundtree further advised that the remaining committee members will continue to participate and if a question arises about the contracts, it will be forwarded to the Police unit for a response. Roundtree further stated the two officers only attended the initial meeting, and the evaluation phase had not commenced.

All correspondence will be done through the Clerk of the Board as it is customary.

Document/Audio/Video Review:

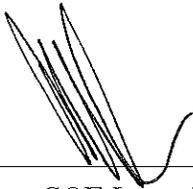
1. Copy of E-Mail dated 6/20/2016.

Conclusion(s):

It appears that Roundtree was following the standard practice of checking all the crucial parts of the committee during the Cone of Silence. This particular situation is very different from previous RFP's due to the fact that two members of the MDPD were appointed to the selection committee. The investigation revealed that once the mistake was discovered, it was corrected and no violations of the Cone of Silence were identified.

All of the above information was turned over to Advocate for review. Case closed.

(Signature)

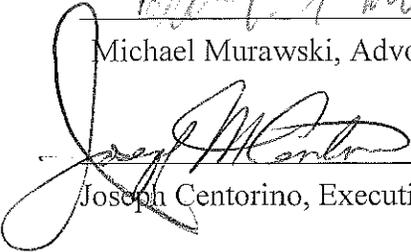


Breno Penichet, COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director

10/17/16
Date