

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, January 26, 2018 9:31 AM
To: Sanchez, Rodzandra (COE)
Subject: Thomas B. Davis, Esq., Director of Policy and Legislation Division, Office of Commission Auditor (OCA), Miami-Dade County (Voting Conflict - RFP No. MDAD-11-16 (Substitution 1) - 2nd Revision) FW: INQ 18-21
Attachments: OCA -RFP No. MDAD 11-16 - (Substitution 1) - 2nd Revision 01-25-2018.pdf

INQ 18-21 Davis

From: Centorino, Joseph (COE)
Sent: Thursday, January 25, 2018 1:58 PM
To: Davis, Thomas (OCA) <Thomas.Davis@miamidade.gov>
Cc: Martinez, Angie (OCA) <Angie.Martinez@miamidade.gov>; Kosoko, Michael (Aviation) <MKosoko@miami-airport.com>; Edwards, Phillip G. (OCA) <Phillip.Edwards@miamidade.gov>; Uppal, Namita (ISD) <Namita.Uppal@miamidade.gov>; Johnson, Jannesha (OCA) <Jannesha.Johnson@miamidade.gov>; Palmer, Donna S. (OCA) <Donna.Palmer@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: INQ 18-21 Thomas B. Davis, Esq., Director of Policy and Legislation Division, Office of Commission Auditor (OCA), Miami-Dade County (Voting Conflict - RFP No. MDAD-11-16 (Substitution 1) - 2nd Revision)

Mr. Davis,

I have reviewed your memo of January 25, 2018, regarding the Selection Committee on RFP No. MDAD 11-16 (Substitution 1 – 2nd Revision), which disclosed that one of the committee members, Monica Beltran, Assistant Director of Operation for the City of Miami Beach Parking Department, and former Landside Director at Miami-International Airport, has had supervisory oversight or authority over contracts with SP+ in her positions both in Miami Beach and MIA, as well as over First Transit while at MIA. SP+ and First Transit are both respondents to the RFP being considered by the selection committee. It was also disclosed that a nephew of Ms. Beltran is a former employee of SP+ who worked for the company for about a year and left about a year ago. I spoke with Ms. Beltran who indicated that her nephew was employed in a low-level position at SP+ and left freely to seek other employment.

There is no voting conflict under these circumstances pursuant to Section 2-11.1(v) of the County Ethics Code since Ms. Beltran will not be directly affected by the decision of the Committee and because she has none of the relationships with any of the interested parties that would be required for a voting conflict. In fact, her familiarity with the company by virtue of her public position with the City of Miami Beach, as well as her former position at MIA, would enable her to better judge the suitability of those companies for the contract in question. The fact that her nephew worked at one time for one of the companies in a low level position does not create any conflict, nor does it create any appearance of impropriety in my opinion.

Consequently, it is my opinion that Monica Beltran may continue to serve on the selection committee for this RFP.

Sincerely,

Joe Centorino

Joseph M. Centorino

Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
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From: Martinez, Angie (OCA)
Sent: Thursday, January 25, 2018 10:19 AM
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Subject: OCA - RFP No. MDAD-11-16 (Substitution 1) - 2nd Revision

This email is being sent to you on behalf of Mr. Thomas B. Davis, Esq., Director of Policy and Legislation Division.

Angie Martinez, Executive Secretary
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**BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**

M E M O R A N D U M

TO: Michael Kosoko, Non-Voting Chairperson
Miami-Dade Aviation Department

FROM: Thomas B. Davis, Esq., Director
Policy & Legislation Division *Thomas B Davis*

DATE: January 25, 2018

SUBJECT: **Appointment of Selection Committee for Miami-Dade Aviation Department Request for Proposals for Employee and Public Remote Parking Lot Shuttle Bus Service at Miami International Airport (MIA) – RFP No. MDAD-11-16 (Substitution 1) – 2nd Revision**

On May 6, 2014, the Board of County Commissioners adopted Resolution No. R-449-14, directing the Office of the Commission Auditor (OCA) to conduct background checks on members serving on evaluation/selection committees.

The results of the background checks will be submitted to the Internal Services Department or other County department(s) overseeing and administering the competitive procurement process and to the Commission on Ethics, if applicable.

The voting members of the Selection Committee are Lazaro "Ray" Diaz, MDAD; Rene Casellas, MDAD; Monica Beltran, City of Miami Beach; Wade Jones, DTPW; and Raonel Rodriguez, DTPW. The non-voting chairperson Michael Kosoko, MDAD.

Pursuant to the Resolution, the OCA completed the required background research noting no adverse findings for the Selection Committee members.

The OCA issued a revised memo on December 12, 2017; however, this memo serves as a second revision to reflect that on December 14, 2017 Monica Beltran stated that, "SP+ has a management agreement with the City of Miami Beach for parking management. I am the Assistant Director for Operation for the Parking Department, therefore SP+ is under my supervision. At MIA I was the Landside Director and therefore SP+ Parking contract (APA) and First Transit contract were also under my supervision. Currently (as at MDAD), a supervisor handles the contract but it falls under me.

Also, in an abundance of caution, be advised that I have a nephew that used to work for SP+ (Parking). I am not certain when he left the company; I would guess approximately a year, but not sure."

SP+ Corporation and First Transit are respondents on this project.

c: Namita Uppal, Chief Procurement Office, ISD Procurement Management
 Services Division
 Joseph Centorino, Executive Director, Commission on Ethics & Public Trust