

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, March 28, 2018 9:22 AM
To: Sanchez, Rodzandra (COE)
Subject: Thomas B. Davis, Esq., Director, Policy & Legislation Division, Office of Miami-Dade Commission Auditor (OCA) (Voting Conflict Re: Project No. E16-MDAD-08 (Substitution No. 1) - General Special Systems Engineering Services INQ 18-75
Attachments: Project No. E16-MDAD-08 (Substitution No. 1) - General Special Systems Engineering Services 3-20-2018.pdf

INQ 18-75 Martinez

From: Centorino, Joseph (COE)
Sent: Tuesday, March 27, 2018 4:28 PM
To: Martinez, Angie (OCA) <Angie.Martinez@miamidade.gov>; Amores, Cristina (ISD) <Cristina.Amores@miamidade.gov>; Edwards, Phillip G. (OCA) <Phillip.Edwards@miamidade.gov>; Uppal, Namita (ISD) <Namita.Uppal@miamidade.gov>; Johnson, Jannesha (OCA) <Jannesha.Johnson@miamidade.gov>; Davis, Thomas (OCA) <Thomas.Davis@miamidade.gov>
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Subject: INQ 18-75 Thomas B. Davis, Esq., Director, Policy & Legislation Division, Office of Miami-Dade Commission Auditor (OCA) (Voting Conflict Re: Project No. E16-MDAD-08 (Substitution No. 1) - General Special Systems Engineering Services

Ms. Martinez:

This is in response to the memo from Thomas B. Davis, Esq., Director, Policy & Legislation Division, Office of Miami-Dade County Commission Auditor regarding Project No. E-16-MDAD-08 (Substitution No. 1) – General Special Systems Engineering Services. The background check on members of the selection committee, done pursuant to R-449-14 revealed that one of the members, Juan Paan, an employee of Miami-Dade County Aviation Department, was previously employed by Burns and McDonnell Engineering Company, Inc., a respondent on the project, between 1988 and 1991.

I have conferred with Mr. Paan, who indicates that he left the employment with Burns under amicable circumstances; has no close personal or social relationships with anyone at the company; and has no ownership interest in or other formal or financial ties to the company. He did state that he oversees the company in connection with its performance as a subcontractor on a County contract at MDAD.

This agency conducts reviews of these issues under Section 2-11.1(v) of the County Ethics Code, which governs voting conflicts by members of County advisory and quasi-judicial boards. We also consider whether there is an appearance of impropriety created and make a recommendation based on R-449-14 and Ethics Commission Rule of Procedure 2.1(b).

There is no voting conflict for Mr. Paan under Section 2-11.1(v) since the decision on this project will not directly affect Mr. Paan, and Mr. Paan has no relationship with the company that might create a conflict. Additionally, I do not find that there is any appearance of impropriety where Mr. Paan has not been employed by the company since 1991 and has no current personal or business relationships with the company or its employees. The fact that Mr. Paan may supervise or oversee work done by the company at the airport does not create either a conflict or an appearance of a conflict.

Sincerely,

Joe Centorino

Joseph M. Centorino

Executive Director and General Counsel
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From: Martinez, Angie (OCA)
Sent: Tuesday, March 20, 2018 2:34 PM
To: Amores, Cristina (ISD) <Cristina.Amores@miamidade.gov>
Cc: Davis, Thomas (OCA) <Thomas.Davis@miamidade.gov>; Edwards, Phillip G. (OCA) <Phillip.Edwards@miamidade.gov>; Uppal, Namita (ISD) <Namita.Uppal@miamidade.gov>; Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Johnson, Jannesha (OCA) <Jannesha.Johnson@miamidade.gov>
Subject: OCA - Project No. E16-MDAD-08 (Substitution No. 1) - General Special Systems Engineering Services

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: Cristina Amores, Non-Voting Chairperson,
ISD Procurement Management

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

DATE: March 20, 2018

SUBJECT: **Appointment of Selection Committee for Miami-Dade Aviation Department Request to Advertise for General Special Systems Engineering Services – Project No. E16-MDAD-08 (Substitution No. 1)**

Pursuant to Resolution No. R-449-14 dated May 6, 2014, the Office of Commission Auditor (OCA) is directed to conduct background checks on members serving on evaluation or selection committees.

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

The voting members of the selection committee are:

- Juan E. Paan, Jr., Miami-Dade Aviation Department
- Sergio Negreira, Miami-Dade Aviation Department
- Nicolas Perez, Miami-Dade Aviation Department
- Motsa Dubois, Information Technology Department
- David D'Trinidad, Internal Services Department
- Eric Muntan, Department of Transportation and Public Works (*Alternate*)
- Carlos Jimenez, Information Technology Department (*Alternate*)

The non-voting members of the selection committee are:

- Cristina Amores, Internal Services Department, Chairperson

Findings: Pursuant to Resolution No. R-449-14, OCA completed the required background research concluding there were no adverse findings for the voting and non-voting selection committee members. However, Mr. Juan E. Paan, Jr. stated on his Neutrality/Disclosure form that he was previously employed by Burns & McDonnell Engineering Company, Inc. (08-88 / 05-91). Burns and McDonnell Engineering Company, Inc. is a respondent on this project.

c: Namita Uppal, Chief Procurement Officer, ISD
Joseph Centorino, Executive Director, Commission on Ethics and Public Policy