

February 26, 2008

Via First Class Mail
and
Fax at 305.359.5162

Priscilla Alexander, President
Alexander Air & Heating, Inc.
P.O. Box 924568
Miami, FL 33092

Re: INQ 08-25

No Jurisdiction over Board of Education Employees, as per Miami-Dade
Co. Conflict of Interest & Code of Ethics at §2-11.1 (a)(6)

Dear Ms. Alexander:

Through your consultant, Kenneth F. Conwell, you asked for a legal opinion to show that your company, Alexander Air & Heating, Inc., has no conflict of interest to register as an air conditioning contractor with Miami-Dade County. We understand that the County Procurement Department is requesting this statement to be filed with your Small Business Application.

As per the Miami-Dade County Conflict of Interest & Code of Ethics at §2-11.1 (a)(6), the Ethics Commission has jurisdiction to comment on the vendor applications of all "salaried personnel employed by the County."

You are employed by the County Board of Education, a state entity distinct from Miami-Dade County. The Commission on Ethics does not have jurisdiction over Board of Education employees. Furthermore, your consultant has stated that you have no immediate family members employed by the County. Consequently, the jurisdiction of the Ethics Commission is not invoked, either, when the County is not contracting with relatives of County employees.

If any of the facts you presented are incorrect, or if you have further questions, please do not hesitate to contact our office at 305.579.2594.

Sincerely,

ROBERT MEYERS
Executive Director

copy: Kenneth F. Conwell, C & A Consulting Co.
Fax: 305.359.5162