

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Tuesday, February 07, 2012 10:43 AM
To: Destinoble, Davidson (MDFR)
Cc: Centorino, Joseph (COE)
Subject: Contracting with the County (INQ 12-28)

Mr. Destinoble,

You asked if you could bid on a County contract to provide cafeteria services to the Fire Rescue Department through your privately owned company, D.S.D. & Family Food Corp. You are currently employed by the Fire Rescue Department as a food service manager. When cafeteria services for the Fire Rescue Department are turned over to an outside vendor, you anticipate that you will lose your County job with Fire Rescue.

The Ethics Code would allow you to respond to the County's request for cafeteria services while you are presently employed by the County, as long as you will be separated from the County by the time the contract goes into effect.

Please be advised, however, that as a current County employee and for two years following your County employment, you are not allowed to lobby the County. *See* the County Code at Secs. 2-11.1 (m)(1) and (q).

The County Ethics Commission has interpreted "lobbying" very expansively to include communications, in any form, intended to influence an individual within the County (or anyone working on behalf of the County) to take an official action. In spite of this broad prohibition, the rule does not ban you from responding to a request for a bid and conducting other administrative activities throughout the normal procurement process.

On the other hand, if you were to remain employed by the County Fire Rescue Department in any capacity, you would not be allowed to contract with the Fire Rescue Department through your privately owned company. *See* the County Code at Sec. 2-11.1 (c) (2).

If you have additional questions, please feel free to contact me.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601

Fax: 305 579-0273



19 West Flagler St., Suite 820
Miami, FL 33130

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Destinoble, Davidson (MDFR)
Sent: Tuesday, February 07, 2012 9:11 AM
To: Frigo, Victoria (COE)
Subject: RE: Please contact me at your convenience

Good morning

Thanks for taking the time to reach out and talk to me in regards to the ethics questions I had. I felt that it was very helpful for me, that I was able to speak to you instead of mailing letters and waiting for a response. Do I need any note from your office to attach my application?

Thank you

From: Frigo, Victoria (COE)
Sent: Monday, February 06, 2012 11:33 AM
To: Destinoble, Davidson (MDFR)
Subject: Please contact me at your convenience

Your request for an ethics opinion has been forwarded to me. Please contact me at your convenience to discuss details related to your question.

Thanks,

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601

Fax: 305 579-0273

miamidade.gov 

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