



Via First Class Mail and
email at SFACCP@gmail.com

February 16, 2012

ETHICS COMMISSIONERS

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GENERAL COUNSEL

MICHAEL P. MURAWSKI
ADVOCATE

MIRIAM S. RAMOS
DEPUTY GENERAL COUNSEL

Magali E. Fernandez
SO. FLA. ASSOCIATION FOR CHILD CARE PROVIDERS, INC.
1393 SW 1st St., Suite 430
Miami, FL 33135

Re: INQ 12-33, Limitations on Doing Business with the County

See also, INQ 12-02, provide to Magali E. Fernandez on behalf of AME ENTERPRISES, INC., on January 5, 2012

Dear Ms. Fernandez:

On February 15, 2012, you asked about limitations in doing business with the County through your privately owned company, SO. FLA. ASSOCIATION FOR CHILD CARE PROVIDERS, INC., which we assume provides childcare services. Your son, Edgar G. Fernandez, is a Senior Assistant Government Affairs officer with the Miami-Dade County Water & Sewer Department.

The County Ethics Code at Sec. 2-11.1 (c) allows your company to enter into a contract with Miami-Dade County as long as the contract does not interfere with the full and faithful discharge of your son's duties to the County. This includes the condition that he does not participate in determining the contract requirements or in awarding the contract. Additionally, none of your son's job responsibilities and job descriptions may require him to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance. Finally, he may not work in any County department that will enforce, oversee or administer your contract. In your case, this means that SO. FLA. ASSOCIATION FOR CHILD CARE PROVIDERS, INC., may not enter into contracts with the Miami-Dade County Water & Sewer Department.

This opinion construes the Miami-Dade County Ethics Code as it applies to County employee-vendors at Sec. 2-11.1 (c) only. It is not applicable to any conflicts under other sections of the County Code or to issues related to state or federal laws.

If any of the facts you have presented change or if you have further questions, please feel free to contact me at 305 350-0601.

Sincerely,

VICTORIA FRIGO
Staff Attorney

copies: Edgar G. Fernandez at EGF@miamidade.gov