

## Frigo, Victoria (COE)

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**From:** Centorino, Joseph (COE)  
**Sent:** Thursday, January 10, 2013 5:43 PM  
**To:** Kim, Inson (Office of the Mayor)  
**Cc:** Sanchez, Gerald (CAO); Frigo, Victoria (COE)  
**Subject:** RE: Inquiry-Mayor Carlos Gimenez  
**Attachments:** INQ - Mayor Gimenez

Ms. Kim:

You have inquired on behalf of Mayor Carlos Gimenez whether he may participate in sponsoring two resolutions that would have an impact on three county contracts, in consideration of the fact that Mayor Gimenez previously delegated authority over the award of those contracts because his son was employed by MCM, a company which competed for the award of the said contracts. In one of the three delegated contracts MCM was the recommended firm. In the other two delegations, MCM was not awarded the contract. The Mayor's son is no longer employed at MCM and has no connection to any of these contracts. The Mayor, as I understand it, has no other existing relationship with MCM or with the other firms involved in any of these contracts that would raise a possible conflict of interest.

It is my opinion that the Mayor may participate in both actions, regardless of their impact on the three contracts in question. Regarding the two contracts which were awarded to firms other than MCM, I believe that any conflict that may have existed was erased upon the award of the contract to another company, and that the Mayor may now be involved in the county's oversight of these contracts. This is consistent with an opinion I provided to you previously (see attachment). In regard to the other contract, inasmuch as the Mayor's son is no longer employed at MCM, and neither he nor the Mayor has any possibility of being enhanced by any action that the county may take in regard to MCM, then I do not believe there is any remaining possible conflict of interest that would prevent the Mayor from participating in the proposed action affecting that contract

Sincerely,  
Joseph M. Centorino  
Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust

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**From:** Kim, Inson (Office of the Mayor)  
**Sent:** Thursday, January 10, 2013 3:18 PM  
**To:** Centorino, Joseph (COE)  
**Cc:** Sanchez, Gerald (CAO)  
**Subject:** Inquiry

Good afternoon Mr. Centorino,

The Mayor previously delegated DB09-MDT-01 ARRA, R 2 (Palmetto Station Traction Power Sub Station); Contract No. 725 (Metrorail Control Center Upgrade); and DB10-MDT-01 (Lehman Test Track/Yard Rehabilitation). Staff is preparing a resolution to the Board of County Commissioners that would ratify two actions taken by the Administration, through the Economic Stimulus Plan (ESP) Ordinance, that impact these three contracts.

The first would ratify an award recommendation to Parson's Transportation Group for Construction Engineering and Inspection Services (CE&I). This contract provides to the County CE&I, which include professional and technical services required during the design and construction phases of these three contracts.

It should be noted that MCM was the recommended firm in only one of the delegated contracts (Lehman Test Track/Yard Rehabilitation). The other two delegations were done because MCM was a proposing firm; ultimately, MCM was not awarded either contract. Additionally, the Mayor's son is no longer employed by MCM.

The second ratification item is a contract amendment and issuance of a work order with Florida Power & Light that allowed FPL to proceed with work to support the operations of the Palmetto Station Traction Power Sub Station.

In both cases, with Parson's and FPL, the Mayor's designee signed off on the contract and amendment.

We would like you to advise as to whether the Mayor can sponsor the resolution to ratify these two actions, or whether this would need to be delegated.

If you have any questions, please do not hesitate to contact me.

Thank you.

Inson Kim  
Director of Policy & Legislative Affairs  
Office of the Mayor  
305-375-5140 - Office  
[www.miamidade.gov](http://www.miamidade.gov)

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## Frigo, Victoria (COE)

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**From:** Centorino, Joseph (COE)  
**Sent:** Monday, September 10, 2012 6:15 PM  
**To:** Kim, Inson (Office of the Mayor)  
**Cc:** Frigo, Victoria (COE)  
**Subject:** INQ - Mayor Gimenez

Ms. Kim,

You have inquired as to whether Mayor Gimenez may participate in the oversight or amendment of contracts which he previously recused himself from and over which he delegated his authority during the procurement process due to the involvement of a company that employed one of his sons as a bidder, where the award was made to a company other than the one that caused the potential conflict and neither son has any connection to the company that is carrying out the contract. Under these circumstances, I do not find that there is any ethical impediment to the Mayor's involvement in such matters.

### *Joseph M. Centorino*

Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
19 W. Flagler Street, Suite 820  
Miami, FL 33130  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
[www.miamidadeethics.com](http://www.miamidadeethics.com)



## Frigo, Victoria (COE)

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**From:** Centorino, Joseph (COE)  
**Sent:** Tuesday, September 11, 2012 1:26 PM  
**To:** Frigo, Victoria (COE)  
**Subject:** amendment to: INQ - Mayor Gimenez

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**From:** Centorino, Joseph (COE)  
**Sent:** Tuesday, September 11, 2012 1:25 PM  
**To:** Kim, Inson (Office of the Mayor)  
**Subject:** RE: INQ - Mayor Gimenez

OK. Then I was misinformed. See what happens when I don't speak with you? In any event, same answer.

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**From:** Kim, Inson (Office of the Mayor)  
**Sent:** Tuesday, September 11, 2012 11:25 AM  
**To:** Centorino, Joseph (COE)  
**Subject:** RE: INQ - Mayor Gimenez

Mr. Centorino,

The Mayor did not recuse himself from the contract because it was awarded in 2010, prior to his election as Mayor.

Thank you,

Inson Kim  
Director of Policy & Legislative Affairs  
Office of the Mayor  
305-375-5140 - Office  
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