

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Monday, April 22, 2013 12:48 PM
To: 'mpizzjr@yahoo.com'
Cc: Centorino, Joseph (COE)
Subject: Cone of silence (INQ 13-99)

Hello Michael,

This is in response to your questions about the applicability of the Cone of Silence to the Town of Medley's solicitation for building department services.

1. At Sec. 2-11.1 (t)1(c)(i) of the County Code, oral communications are allowed between a potential bidder and the Town Council at duly noticed public meetings. Consequently, the Town's current vendor, who is likely to submit a proposal, may brief the Town Council, as long as the briefing occurs at a duly noticed public meeting.
2. At Sec. 2-11.1 (t)1(a)(ii), a Town Councilmember is specifically prohibited from communicating with Town staff about the RFP process. However, this prohibition does *not* apply to oral conversations with the Town Attorney.

Please let me know if you need further clarification.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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From: Michael Pizzi [<mailto:mpizzjr@yahoo.com>]
Sent: Monday, April 22, 2013 10:32 AM
To: Ramos, Miriam S. (COE); Centorino, Joseph (COE)
Subject: Cone of silence

Joe, Mirium,

A Cone of Silence has gone into effect regarding a Medley RFP for Building Department Services. A briefing has been scheduled, at the request of a Council Member for this afternoon by the current Building Department Vendor to go over the current state of the Building Department. Two questions?

Is it a Cone of Silence violation for the current vendor, who is likely to submit a proposal, to give the Council a briefing on the current state of the Building Department and what they are doing?

Is it proper for Council Members to contact anyone staff involved in the RFP process, including the TOWN Attorney, to advocate for any particular vendor or try to influence the process?

Council members have been advised that if they wish to cancel the RFQ process and take an alternative route, they can place an item on the agenda of the next meeting and call for a vote.

Thanks for your advise.

Michael Pizzi
Town Attorney