
From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, October 10, 2014 1:50 PM
To: Sanchez, Rodzandra (COE)
Subject: Charles Anderson, Miami-Dade County Commission Auditor (Evaluation/Selection Committee Conflicts) INQ 14-242

INQ 14-242

From: Centorino, Joseph (COE)
Sent: Friday, October 10, 2014 12:41 PM
To: Anderson, Charles (OCA); Jimenez, Barbara S. (Aviation); Singer, Miriam (ISD)
Cc: Diaz-Greco, Gilma M. (COE); Murray, David M. (Aviation); Sanchez, Gerald (CAO)
Subject: INQ - Charles Anderson, Miami-Dade County Commission Auditor (Evaluation/Selection Committee Conflicts)

Mr. Anderson:

You have inquired regarding a possible conflict of interest involving Mr. Maurice Jenkins, Director of Information Systems and Telecommunications at Miami-Dade Aviation Department, and his service as a member of the selection committee for Miami-Dade Aviation Department Request of Proposals for Automated Passport Control Kiosks – RFP No. 00118 (Substitution #1). Three suppliers have responded to the RFP: Dedo Interactive, Inc., Innovative Travel Solutions by YVR, and SITA, INC.

Mr. Jenkins is one of five voting members that comprise the selection committee, along with a non-voting chairperson. Your office has conducted a background check on the members, pursuant to Miami-Dade File No. 140796, RESOLUTION DIRECTING THE COMMISSION AUDITOR TO CONDUCT BACKGROUND CHECKS ON MEMBERS SERVING ON EVALUATION/SELECTION COMMITTEE, which was passed on 5/6/14. Your background check determined that Mr. Jenkins serves as a member of the SITA Customer Advisory Board, which was established to advise SITA, INC. (a current MDAD contractor) about the strategic development of SITA solutions and services. The board assists in resolving administrative issues such as shared services pricing, contracts, standards and service levels, as well as providing a two-way communications conduit between SITA and its customers. It is comprised of 40 senior representatives from member and customer organizations, which include airports and airlines around the county. It is recognized in the existing contract between MDAD and SITA for Operation and Maintenance of Common Use Terminal Equipment/Common Use Passenger Processing System (CUTE/CUPPS), which includes purchase and maintenance of Automated Passport Control kiosks and related services.

The board meets at least twice a year, usually in different parts of the country. SITA also sponsors annual Air Transport IT Summits, bringing media, airlines, airports together to discuss and present new and emerging technology and products. The 2014 Summit, at which Mr. Jenkins was a speaker in panel and individual sessions, occurred in Brussels. The cost of the transportation and expenses for these events is provided by SITA. Payment of such travel expenses for a county employee by a County contractor is generally prohibited under Section 2-11.1(w) of the County Ethics Code, unless a waiver permitting the acceptance of such expenses is granted by the Board of County Commissioners. It is my understanding the BCC approved the travel arrangement in its approval of the contract and change order for SITA.

Mr. Jenkins has acknowledged that he has regular contact with SITA representatives concerning its existing contract, as well as in connection with his service on the SITA Customer Advisory Board. Mr. Jenkins performs all of these services, including his service on the Customer Advisory Board on County time and in connection with his regular duties as a County employee at the airport. He has no financial interest in SITA's existing county contract, or in the contract which is the subject of the current solicitation.

The resolution pursuant to which the background check was performed on Mr. Jenkins requires that it be done to verify whether a selection/evaluation committee member or immediate family member thereof: 1) controls or directs any financial or other interest in any vendor, vendor affiliate, or vendor subcontractor; 2) has had as an immediate supervisor any owner, officer, or employee of a proposing vendor during the preceding 18 months; 3) is currently or was previously employed by a vendor, vendor affiliate or vendor subcontractor. The result of the background check is to be submitted to the Internal Services Department or other County department overseeing and administering the competitive solicitation and contract award, and to the Commission on Ethics.

Upon my review of the submitted documents, as well my discussions with Mr. Jenkins and his supervisor Barbara Jimenez, it does not appear that there is any conflict pursuant to the resolution, nor any prohibited conflict under the Miami-Dade Conflict of Interest and Code of Ethics Ordinance. However, in view of the circumstances of Mr. Jenkins' involvement in the SITA Customer Advisory Board, his regular contact and communication with SITA representatives, and his apparently lawful acceptance of paid travel expenses provided by SITA to out-of-state and out-of-country gatherings, there is an obvious appearance issue raised that could prove to be problematical for his service on a selection/evaluation committee before which SITA is one of three contending proposers. The need for the county to conduct its procurement operations in a manner that will not create appearances of impropriety, favoritism or undue influence is always paramount and may require a higher standard of ethics than is imposed under the aforesaid resolution or county ordinances. While emphasizing that there has been no issue raised concerning Mr. Jenkins' personal integrity, it is my opinion that the county should reconsider whether Mr. Jenkins is an appropriate member of the selection committee in question.

Respectfully submitted,

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

From: Anderson, Charles (OCA)
Sent: Monday, October 06, 2014 11:09 AM
To: Centorino, Joseph (COE)
Subject: Selection Committee Members Background Checks

Good morning Mr. Centorino,

See attached. I am waiting on an answer from Mr. Jenkins on the appointment process. Please give me a call to discuss.

Thanks,

Charles Anderson, CPA

Commission Auditor

305-375-4354

305-375-3096 fax

canders@miamidade.gov

<http://www.miamidade.gov/auditor/>

Miami-Dade County is a public entity subject to Chapter 199 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, October 23, 2014 9:35 AM
To: Sanchez, Rodzandra (COE)
Subject: FW: Evaluation Selection Committee Backgroug Check
Attachments: EvaluationSelection Committee Background Check.pdf

Rodzandra,

Please add the attachment in this email to both the paper and computer file for INQ 14-242 Anderson.

Thanks,

Mimi

From: Centorino, Joseph (COE)
Sent: Monday, October 20, 2014 2:00 PM
To: Diaz-Greco, Gilma M. (COE)
Subject: FW: Evaluation Selection Committee Backgroug Check

Please include in file on Charles Anderson INQ re: Maurice Jenkins.

From: Da Cruz, Carmen (ISD)
Sent: Monday, October 20, 2014 1:37 PM
To: Anderson, Charles (OCA)
Cc: Centorino, Joseph (COE); Singer, Miriam (ISD); Clerk of the Board (COC)
Subject: Evaluation Selection Committee Backgroug Check

The attached is being sent on behalf of Lester Sola, Director, Internal Services Department. Original will follow via interoffice mail.

Carmen Da Cruz, ISD Administrative Coordinator
Internal Services Department
Miami-Dade County
111 NW 1st Street, Suite 2130
Miami, FL 33128
305-375-2363 - Direct Line
305-372-6084 - Fax

"Delivering Excellence Every Day"

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.

Memorandum



Date: October 17, 2014

To: Charles Anderson
Commission Auditor
Office of the Commission Auditor

From: Lester Sola
Director
Internal Services Department

Subject: Evaluation/Selection Committee Background Check for RFP No. RFP-00118:
Automated Passport Control (APC) Kiosks

In a memorandum dated October 8, 2014, the Office of the Commission Auditor (OCA) advised that a background check of one of the voting members of the Evaluation/Selection Committee for RFP-00118, revealed that Maurice Jenkins, Miami Dade Aviation Department's (MDAD) Director of Information Technology and Communications, serves as a member of the SITA, Inc. (SITA) Customer Advisory Board, the SITA Airport Steering Committee, and has participated in the 2013 & 2014 SITA Air Transport IT Summits. SITA is a current MDAD contractor, and a proposer to the referenced solicitation.

Mr. Joe Centorino, Executive Director and General Counsel of the Miami-Dade Commission on Ethics & Public Trust, opined that based on the information provided and reviewed by his office, there is no actual conflict of interest. However, in an excess of caution, the County has chosen to remove Mr. Jenkins from the Evaluation/Selection committee and omit his scores from the final results.

In accordance with the County Mayor's Guidance Memo dated September 10, 2014, going forward, please submit the results of background checks of the selection/evaluation committee members to the Committee Chairperson, prior to the initial committee meeting.

c: Joseph Centorino, Executive Director, Commission of Ethics and Public Trust
Miriam Singer, Assistant Director, ISD
Clerk of Board