
From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, January 14, 2015 9:16 AM
To: Sanchez, Rodzandra (COE)
Subject: Lynn Barrett, Compliance/Ethics Officer, Jackson Health Systems (JHS) Conflict of Interest INQ 15-06

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From: Centorino, Joseph (COE)
Sent: Tuesday, January 13, 2015 6:14 PM
To: Barrett, Lynn (lynn.barrett@jhsmiami.org)
Cc: Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)
Subject: INQ - Lynn Barrett, Compliance/Ethics Officer, Jackson Health Systems (JHS) Conflict of Interest

Lynn,

You have inquired regarding whether a prohibited conflict of interest exists in connection with the RFP for a Program Manager to manage the construction and capital improvement bond program at Jackson Memorial Hospital (JMH), where the Vice President in charge of bond construction at JMH, Isa Nunez, is a county employee subject to the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, and one of the contractors contending for a sub-contract in the program is Corradino Group, an engineering consulting firm that employs Ms. Nunez's husband as a project administrator. It is my understanding that Ms. Nunez's husband is not scheduled to be involved, nor will he be involved, directly or indirectly, in any aspect of the JMH project should Corradino succeed in obtaining a contract. It is also my understanding that he is a salaried employee rather than a co-owner or stockholder in the company, and that his job entails the management of other projects that Corradino is involved with in Miami-Dade County, none of which concern the County or JHS. It has also been stipulated that Ms. Nunez herself has recused herself from and will not serve on the selection/evaluation committee for the project, and that she will not participate in the decision-making process regarding the hiring of a firm for the sub-contract for which Corradino Group is competing. It is also understood, however, that she will have overall supervisory authority over the construction bond program in which Corradino, if successful in obtaining the sub-contract, would be performing services.

A secondary issue has also been raised concerning whether a staff person who works very closely with Ms. Nunez may serve on the selection/evaluation committee for the sub-contract for which Corradino Group is contending.

Based upon the information provided, it is my opinion that there is no prohibited conflict of interest for Corradino Group to contend for the sub-contract in question. Under Sections 2-11.1(c) and 2-11.1(d), the employee's immediate family member would have to have a controlling financial interest in the company for a prohibited conflict to arise, which is not the case in this situation. There is also no financial interest in the project on the part of Ms. Nunez or her spouse that would implicate the provisions of Section 2-11.1(n) in the event that Ms. Nunez should supervise the work of Corradino. Given the heightened standard of ethics that is imposed on JHS by the County Commission as well as by the Public Health Trust, however, I think it would be appropriate for Ms. Nunez to take the additional step of insulating herself from the oversight of Corradino's work, in the event that Corradino Group is successful, by delegating oversight of the company to a staff member with the understanding that Corradino would be held to the same standards as any other contractor or subcontractor.

While there may be no clear prohibition in the Code for the participation of a close staff member of Ms. Nunez's on the selection committee, I would recommend that no such staff person serve on the selection committee to avoid any appearance of favoritism or impropriety and to maintain public trust in the integrity of the process.

If you have any further questions, please call me.

Sincerely,
Joe Centorino

Joseph M. Centorino

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