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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Tuesday, September 22, 2015 11:35 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** FW: Keith Knowles, Senior County Commission Clerk, Miami-Dade Clerk of the Board (lobbying) INQ 15-217

INQ 15-217 Knowles

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Tuesday, September 22, 2015 11:35 AM  
**To:** Knowles, Keith (COC)  
**Cc:** Centorino, Joseph (COE); Perez, Martha D. (COE)  
**Subject:** Keith Knowles, Senior County Commission Clerk, Miami-Dade Clerk of the Board (lobbying) INQ 15-217

Dear Keith:

You have inquired whether an attorney hired to represent a County vendor at a bid protest proceeding would be required to register as a lobbyist.

Generally, an attorney that is performing routine administrative/ministerial functions such as inquiring about process and procedure or filing paperwork is not required to register as a lobbyist. *See* RQO 04-33, INQ 13-84 and INQ 04-40. The County Ethics Code also exempts from lobbyist registration those that represent clients at a quasi-judicial hearing where *ex parte* Communications are prohibited. *See* Miami-Dade Code §2-11.1(s)(1)(b).

However, the Third District Court of Appeal, in a case interpreting the Miami-Dade County bid protest ordinance (Miami-Dade Code at Section 2-8.4) held that the decision on an award “is the exercise of an executive function rather than a quasi-judicial act...” *See MRO Software, Inc. v. Miami-Dade County*, 895 So. 2d 1086 (2004). Consequently, given that bid protests proceedings are not considered quasi-judicial proceedings, an attorney representing a bidder in bid protest proceedings is required to register as a lobbyist.

Please contact us if you have any further questions.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



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  
[gdiazgr@miamidade.gov](mailto:gdiazgr@miamidade.gov)  
[www.facebook.com/MiamiDadeEthics](https://www.facebook.com/MiamiDadeEthics)

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**From:** Knowles, Keith (COC)  
**Sent:** Tuesday, September 08, 2015 8:59 AM  
**To:** Diaz-Greco, Gilma M. (COE)  
**Subject:** Bid Protest and Lobbyist Registration

Good morning Mimi,

Would it be your opinion that an attorney hired by a vendor to represent them at a bid protest proceeding be required to file lobbyist registration? My initial thought was they should, but I want to be sure before I respond to the requestor.

Thanks

Keith A. Knowles  
Senior County Commission Clerk  
Miami-Dade County Clerk of Courts  
Clerk of the Board Division  
111 N.W. 1<sup>st</sup> Street, Suite 17-202  
Miami FL 33128  
(305) 375-3841  
(305) 375-2484 fax  
<http://www.miamidade.gov/cob>