
From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, February 11, 2015 1:55 PM
To: Sanchez, Rodzandra (COE)
Subject: Miguel deGrandy, Lobbyist, Holland and Knight (Lobbying) INQ 15-21

INQ 15-21 de Grandy

-----Original Message-----

From: Miguel.deGrandy@hklaw.com [<mailto:Miguel.deGrandy@hklaw.com>]
Sent: Wednesday, February 11, 2015 10:00 AM
To: Centorino, Joseph (COE)
Cc: Diaz-Greco, Gilma M. (COE)
Subject: Re: INQ - Miguel deGrandy, Lobbyist, Holland and Knight (Lobbying)

Joe,

As always, thank you for your prompt response.

Regards

Miguel De Grandy

On Feb 11, 2015, at 9:54 AM, "Centorino, Joseph (COE)"
<CENTORI@miamidade.gov<<mailto:CENTORI@miamidade.gov>>> wrote:

Miguel,

In response to your question regarding whether you would need to register as a lobbyist with the City of Miami in connection with a claim by your client for reimbursement of whatever portion of an application fee was in excess of the costs of evaluation of the proposal, it is my opinion that you do not need to register as a lobbyist because this matter involves an issue limited to a potential claim by your client against the City. It is my understanding that your contact with City personnel in this matter is only to present your client's claim for reimbursement and that you will be acting as your client's attorney in connection with this claim. This is in accord with previous informal opinions from this agency that activity of this nature is the mere practice of law and is not the type of activity that would implicate the lobbyist registration requirement contained in Section 2-11.1(s) of the Miami-Dade Code.

Sincerely,

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

From: Miguel.deGrandy@hklaw.com<<mailto:Miguel.deGrandy@hklaw.com>>
[<mailto:Miguel.deGrandy@hklaw.com>]
Sent: Tuesday, February 10, 2015 4:53 PM
To: Centorino, Joseph (COE)
Subject: Do I need to register if acting solely as legal counsel?

Joe,

My client had tendered an unsolicited proposal to the City of Miami for a specific project. The unsolicited proposal ordinance requires an up-front payment of \$25,000 to the city to defray costs it may incur in evaluating the proposal. The relevant City code provision (18-119) states as follows:

Application fee. Any private entity or consortium of private entities desiring to submit an unsolicited proposal for a qualifying project shall submit to the city an application fee of \$25,000.00 payable to the city in the form of a money order or cashier's check at the time of unsolicited proposal submittal. If the cost of evaluating the unsolicited proposal exceeds \$25,000.00 the application fee shall be increased to a reasonable fee to pay the costs of evaluating the unsolicited proposal. The proposer will be notified and will promptly pay the balance of the application fee needed to pay the costs of evaluating the unsolicited proposal. As provided for in F.S. § 287.05712(4)(a), the purpose of this application fee is to pay the costs of evaluating the unsolicited proposal. The city may need to engage the services of a private consultant to assist in the evaluation of the unsolicited proposal. The city shall refund any portion of the initial application fee paid in excess of its direct costs associated with evaluating the proposal.

My client has asked me to seek reimbursement of all of the application fee or in the alternative whatever portion was not used to defray expenses since the proposal was not accepted and the client believes no funds or minimal funds were expended by the city in this regard. Thus I would be representing my client as legal counsel to in effect present a claim to collect monies my client believes it is owed. Under such circumstances I believe I do not have to register as I am strictly engaged in the practice of law. Please advise.

Regards

Miguel De Grandy | Holland & Knight
Partner

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