
From: Centorino, Joseph (COE)
Sent: Wednesday, December 02, 2015 12:40 PM
To: 'David Acosta'
Cc: Murawski, Michael P. (COE); Perez, Martha D. (COE); Diaz-Greco, Gilma M. (COE); Lebowitz, Lawrence (COE)
Subject: INQ 15-271 Frank Rollason, Village Manager, North Bay Village (Conflict of Interest)

Mr. Acosta:

You have inquired on behalf of North Bay Village Manager Frank Rollason, regarding whether he may have any prohibited conflict of interest or appearance of impropriety in connection with his involvement in the Statement of Qualifications (SOQ) selection process for an architectural/engineering firm to design a new Municipal Center/Village Hall, where he was previously employed over four years ago with one of the nine firms responding to the SOQ. You have informed me that Mr. Rollason has had no connection with his previous employer since he left employment, maintains no social or financial relationship with the employer or others in the firm, and has no personal financial interest whatsoever in the outcome of the selection process (nor does any family member of his have such an interest) for this contract. You have further informed that based on the selection committee ranking (in which Mr. Rollason did not participate) his former employer was ranked #4 out of the nine responding firms. It is his intention at this point to commence negotiations with the top-ranked firm, with which he has had no employment or financial relationship.

Under these circumstances, Mr. Rollason has no existing prohibited conflict under Section 2-11.1(n) since he has no personal or family financial interest in regard to his negotiations with the top-ranked firm. Where it is not anticipated that he will be interacting with or evaluating his prior employer during this process, I do not see any appearance of impropriety that would raise enough concern for him to consider recusing himself voluntarily from the process. In the event that at some point his prior firm should become involved in a Town project, I would be happy to discuss this further.

Sincerely,

Joseph M. Centorino

Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
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From: Centorino, Joseph (COE)
Sent: Monday, November 23, 2015 9:59 AM
To: 'David Acosta' <DAcosta@SwitkesLaw.com>
Cc: Murawski, Michael P. (COE) <MURAWSK@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>; Lebowitz, Lawrence (COE) <LEBOWIT@miamidade.gov>
Subject: RE: Question for ethics

Mr. Acosta,

Please ask the Manager to give me a call about this. I need more information in order to properly advise him. You are welcome to participate in the phone call.

Joe

Joseph M. Centorino

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From: Lebowitz, Lawrence (COE)
Sent: Sunday, November 22, 2015 8:32 PM
To: Centorino, Joseph (COE) <CENTORI@miamidade.gov>
Cc: Murawski, Michael P. (COE) <MURAWSK@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>
Subject: Fwd: Question for ethics

Joe,
I fielded this hotline call late Friday and asked the attorney to put his questions in writing. I assume this is more appropriately handled by Mimi's side of the office as an INQ. Let me know if I need to do anything else.

Larry Lebowitz, Investigator

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Please excuse any typos; sent from my iPhone

Begin forwarded message:

From: David Acosta <DAcosta@SwitkesLaw.com>
Date: November 20, 2015 at 6:57:13 PM EST
To: "lebowit@miamidade.gov" <lebowit@miamidade.gov>
Cc: "Robert L. Switkes" <RSwitkes@SwitkesLaw.com>, Bradley Zappala <BZappala@SwitkesLaw.com>
Subject: Question for ethics

Hi Larry,

It was a pleasure speaking to you today, our ethics question is as follows:

North Bay Village ("NBV") submitted a Request for Proposal ("RFP") seeking experienced and qualified vendors to provide Architectural/Engineering design services for a new Village Municipal Center/Village Hall that is expected to be constructed. Nine (9) firms submitted a Statement of Qualifications ("SOQ"), which will be ranked by an evaluation committee, and the Village Manager will likely have to negotiate the contract with the top ranked firm. However, the Village Manager use to be employed (around four years ago) for one of the firms that submitted an SOQ. The Village Manager has not kept contact with his former employer, is not in the evaluation committee, and does not believe he'll benefit (financially or in any other manner) should his former employer eventually get selected for the project. However, there is some concern with the potential appearance of impropriety. What steps should be taken, if any, to prevent the appearance of impropriety and ensure compliance with the relevant ethical rules?

Best regards,

David Acosta, Esq.
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