
From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, March 24, 2015 12:05 PM
To: Sanchez, Rodzandra (COE)
Subject: FW: Andrea Jamel, Marketing & Business Relationship Manager, DMS Disaster Consultants (lobbying) INQ 15-43

INQ 15-43 Jamel

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, March 17, 2015 4:01 PM
To: 'Andrea.Jamel@DMSrecovery.com'
Cc: Centorino, Joseph (COE)
Subject: Andrea Jamel, Marketing & Business Relationship Manager, DMS Disaster Consultants (lobbying) INQ 15-43

Dear Ms. Jamel:

You have inquired whether your firm DMS Disaster Consultants (DMS) is required to complete lobbyist registration to conduct business as a Disaster Management Consultant to PHT/JHS hospitals in Miami-Dade County. We have discussed this matter several times over the phone and this email will serve to memorialize our conversations.

Pursuant to the Miami Dade County Code of Ethics at Section 2-11.1(s) a “lobbyist” is any person, firm or corporation seeking to influence the adoption, modification or defeat of legislation; or any action, decision or recommendation of the Mayor and the Board of County Commissioners (Board). Additionally, a lobbyist is defined as any person seeking to influence any action, decision or recommendation of County Personnel or any public collegial body with delegated authority to act or make decisions or recommendations on the Board’s behalf such as a council, trust, task force or review committee. The principal and any employee whose normal scope of employment includes lobbying activities is a lobbyist, pursuant to the ordinance.

In previous opinions the Ethics Commission has opined that PHT/JHS vendors must register as lobbyists if they approach PHT/JHS personnel regarding the purchase of products or services which foreseeably will be reviewed by the PHT Board of Trustees or a PHT board or committee *See* RQO 06-63 and that Vendor Representatives must register as a lobbyists when they seek to influence PHT/JHS staff to use their company’s products or services. *See* RQO 10-28.

JHS’ Vendor Policy defines a Vendor Representative as “any person, acting as an agent of an entity or on his or her own behalf, who visits JHS Premises for the purposes **of marketing, selling or promoting utilization** and the exchange of goods or **services** to the PHT, JHS Medical Staff Members or JHS Employees. This includes, but is not limited to, Pharmaceutical, Supply, Equipment and other Sales Representatives, regardless of whether they presently hold contracts with JHS.” *See* <http://www.jacksonhealth.org/library/procurement/vendor-access-policy.pdf>. (emphasis added)

You advise that currently and in the foreseeable near future DMS is not marketing its services to PHT/JHS and that currently no contract for the types of services DHS provides are being considered by PHT/JHS. Registration as a lobbyist would therefore not be required at this point in time. However, in the future, whenever a representative of DHS meets with PHT/JHS staff to market its services to PHT/JHS or meets with this institution’s staff to negotiate contract terms,

registration as a lobbyist will be required. I have attached a document that answers frequently asked questions about lobbying for your information.

You may also contact Rosa M. Costanzo, Vice President, PHT/JHS Strategic Sourcing & Supply Chain Management/ Chief Procurement Officer at (305) 585-7333 to obtain additional information about PHT/JHS procurement requirements.

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
www.facebook.com/MiamiDadeEthics

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From: Ethics (COE)
Sent: Saturday, December 27, 2014 2:08 PM
To: Diaz-Greco, Gilma M. (COE)
Subject: FW: Request for Ethics Opinion

Mimi,

Please respond to this request at your convenience.

From: andrea.jamel@dmsrecovery.com [<mailto:andrea.jamel@dmsrecovery.com>]
Sent: Wednesday, December 24, 2014 10:21 AM
To: Ethics (COE)
Subject: RE: Request for Ethics Opinion

TO: Whom This May Concern

I had a conversation yesterday with Miriam Ramos, your staff attorney who recommended I send you this *Request for Ethics Opinion* with regard to the issue below.

RE: Request for Ethics Opinion- Please clarify if our firm has to be a registered lobbyist to conduct business as a Disaster Management Consultant to public health systems/ hospitals in Miami-Dade County?

Background: We are a locally based, privately-owned Disaster Management Consulting Firm who helps Public Assistance (PA) Applicants/ client entities to rebuild, recover and mitigate, as a result of federally declared disasters. We assist PA Applicants/ clients with managing the entire recovery process from the initial damage assessments to the closeout of projects. Our recovery services include helping the PA Applicants/ clients to procure and integrate eligible funding opportunities from FEMA, insurance, and grant funding sources to expedite the process to return to pre-disaster functionality with potentially greater resiliency.

Compensation: Most of our firm's management consulting service fees (as a result of a federally declared disaster) are typically paid in part (75% to 100%) by FEMA as Direct Administrative Costs (DAC), the balance, if any is paid by insurance, grant funding sources, the PA Applicant/ client, or combination of funding sources.

Our firm provides additional services that include: FEMA eligibility, grant management, alternative grant and funding programs, hazard mitigation (404 and 406), disaster pre-planning, insurance application, preliminary damage assessments, insurance eligibility, financial management, scope development, data and documentation management, codes and standards, audits, forensic accounting/ engineering, appeals, reconciliation and closeout.

Please contact me if you need additional information. Thank you for your time and attention in providing our firm with guidance in addressing and resolving this matter.

Sincerely,

Andrea Jamel

Marketing & Business Relationship Manager



3651 FAU Blvd., Suite 400

Boca Raton, FL 33431

Florida Office: (561) 529-5707

Louisiana Office: (504) 833-0533

Email: Andrea.Jamel@DMSrecovery.com

Website: www.dmsrecovery.com

Offices in Louisiana/Florida/New York

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