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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, May 04, 2016 3:21 PM  
**To:** Sanchez, Rodzandra (COE) <RODZAND@miamidade.gov>  
**Subject:** FW: Othello Jones, Personnel Technician, WASD ( Limitations on Contracting with the County) INQ 16-122

[INQ 16-122 Jones](#)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, May 04, 2016 3:20 PM  
**To:** Jones, Othello L. (WASD) <[Othello.Jones@miamidade.gov](mailto:Othello.Jones@miamidade.gov)>  
**Cc:** Centorino, Joseph (COE) <[CENTORI@miamidade.gov](mailto:CENTORI@miamidade.gov)>; Perez, Martha D. (COE) <[perezmd@miamidade.gov](mailto:perezmd@miamidade.gov)>; Murawski, Michael P. (COE) <[MURAWSK@miamidade.gov](mailto:MURAWSK@miamidade.gov)>; Turay, Radia (COE) <[Radia.Turay@miamidade.gov](mailto:Radia.Turay@miamidade.gov)>  
**Subject:** Othello Jones, Personnel Technician, WASD ( Limitations on Contracting with the County) INQ 16-122

Dear Ms. Jones:

It was a pleasure speaking with you recently. You inquired about the limitations set out in the County Ethics Code for County employees seeking to transact business/contract with the County.

For the most part, Section 2-11.1 (c) of the County Ethics Code does not prohibit County employees (or immediate family members of County employees) from contracting with the County as long as: entering into the contract will not interfere with the employee's full and faithful discharge of his or her duties to the County; the employee has not participated in determining the contract requirements or awarding the contract; the employee's job responsibilities and job description will not require him or her to be involved with the contract in any way, including, but not limited to, its enforcement, oversight, administration, amendment. However, Section 2-11.1(c) prohibits County employees or their immediate family members from entering into contracts with the County employee's own department.

Typical examples of County employees seeking to contract with the County are when the employee has a private business enterprise and is seeking to become a County vendor, or where the employee owns real estate and seeks to contract with the Miami-Dade County Public Housing and Community Development (PHCD) department to become as Section 8 (Housing Choice Voucher) landlord. In both of these cases a County employee must request an ethics opinion prior to transacting business with the County. The forms to request an opinion can be found in the Frequently Used Forms section of the Ethics Commission website at: <http://ethics.miamidade.gov/frequently-used-forms.asp>.

Please note that a County employee who runs his or her private enterprise and seeks to become a County Vendor is engaged in outside employment and must complete the required paperwork on a yearly basis. Also note that where a County employee is seeking to become a Section 8 landlord and owns and manages 3 or more rental units, he or she will be considered to be engaged in outside employment and will have to complete the outside employment paperwork on a yearly basis unless a management company is hired to manage the units for the owner. See [Outside Employment Guidelines](#) memorandum (last amended September 2014). Information on outside employment can be found at the Ethics Commission website at: <http://ethics.miamidade.gov/outside-employment.asp>.

In addition, Section 2-11.1(c)(5)(5) of the County ethics code provides an exemption to the prohibition on transacting business with the County in the case where County employees are seeking to apply for direct assistance programs with the County's Public Housing and Community Development (PHCD) department. The exemption applies as long as the employee is otherwise eligible and neither the employee nor his or her immediate family member oversees or administers the PHCD program to which the employee is applying. The County Ethics Code requires that County employee's seeking to transact business with PHCD obtain an ethics opinion. The form can also be found in Frequently Used Forms section cited above.

Please do not hesitate to contact us if we may be of further assistance.

Best regards,

Gilma (Mimi) Diaz-Greco  
Staff Attorney



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