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INQ 16-131 McIntyre

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From: Ethics (COE)

Sent: Wednesday, May 04, 2016 11:32 AM

To: 'Cedric McIntyre' <cedricmcintyre@bellsouth.net>

Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <GDIAZGR@miamidade.gov>

Subject: INQ 16-131 Wendoline McIntyre, McIntyre Maintenance, Inc. (Public Records)

Ms. McIntyre:

In response to your questions below regarding access to public records under Chapter 119, Florida Statutes, and Section (3)A. of the Miami-Dade County Citizens' Bill of Rights, please be advised as follows:

- 1) A visitor log-in sheet maintained by a County department is a public record that can be accessed through a public records request.
- 2) A public records request may be made of Miami-Dade County ISD or any other County department requesting copy of Company names and Time of Submittal made by any vendors submitting an RFQ to the County, and should be complied with, provided that a record of that nature exists. Such documents are public records upon receipt by a public agency.
- 3) Regarding a vendor's request to be present upon the opening of sealed responses to an RFQ, I am informed by ISD that all RFQ's for contracts for good and services are submitted electronically and that there is no public opening, as such, due to the form of the submissions. However, immediately upon their being accessed by ISD staff following the submission deadline, such submissions automatically become public records and may be accessed through a public records request to the department. I am also informed that there is an advertised opening for construction contracts submitted to ISD, which may be attended by anyone from the public, since such submissions are not accepted electronically.
- 4) There is no necessary form for submission of a public records request, although some agencies have a suggested form that may be utilized, but is not required. A public records request may be presented in writing, by email, or orally.
- 5) There is no ethical prohibition against submitting a public records request directly to the department which has custody of the record.

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  
Tel: (305) 579-2594  
Fax: (305) 579-0273  
ethics.miamidade.gov

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

From: Cedric McIntyre [mailto:cedricmcintyre@bellsouth.net]  
Sent: Wednesday, May 04, 2016 10:03 AM  
To: Ethics (COE) <ethics@miamidade.gov>  
Cc: cedricmcintyre@bellsouth.net  
Subject: PUBLIC RECORDS REQUEST

Good Morning

Can a vendor submit a public records request of the Miami Dade County Internal Services Department a copy of the visitors log in sheet?

Can a vendor submit a public records request of Miami Dade County Internal Services Department a copy of the COMPANY NAMES (ONLY) AND TIME OF SUBMITTAL of SBE Vendors that submitted a RFQ?

Can a REGISTERED vendor request to be present when ISD open sealed RFQ'?

Is there a certain form to submit or should it be written on a company letterhead in regards to public records request?

Would it be ethical to submit public records request directly to department?

Thanks Wendoline McIntyre