

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, January 03, 2017 2:29 PM
To: Sanchez, Rodzandra (COE)
Subject: FW: Beth Goldsmith, Procurement Contracting Manager, ISD; Lobbyist (s); INQ 17- 02

17- 02 Goldsmith

From: Perez, Martha D. (COE)
Sent: Tuesday, January 03, 2017 1:41 PM
To: Goldsmith, Beth (ISD) <Beth.Goldsmith@miamidade.gov>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Beth Goldsmith, Procurement Contracting Manager, ISD; Lobbyist (s); INQ 17- 02

Dear Beth,

You inquire whether vendors which have been selected to enter into negotiations with the County on RFP-00276, will be required to register under Section 2-11.1(s) of the County Ethics Code, when attending an on-site visit to the County's Permitting & Inspection Office.

Background

The County's RFP-00276-Enterprise, Licensing, Inspections, Code Enforcement, and Land Management Solution- will replace a number of technological operational systems for several County departments. *The potential vendors filed the Affidavit for presentations as required by procurement.* The selection process has been completed and two (2) vendors have been selected to engage in negotiations with the Negotiations Committee. You are the Contracting Officer for the Committee. The Committee is presently conducting an internal review of the scope of services before entering into negotiations. In light of that, the Committee has requested that each vendor attend an on-site visit to a County facility in order to view the existing operational environment which contains areas which will be impacted by the new software. The individuals attending on behalf of the vendors will be the respective vendor's technical staff/ experts, although you cannot confirm that other sales personnel will not be present. You assert that there will be no negotiations or discussions regarding the contract during the site visit. You explain that this visit is not a decision-making session and not all members of the negotiation team will be present.

Analysis

- Section 2-11.1(s)- Lobbying Ordinance
The Lobbying ordinance exempts the lobbyist registration fee for representatives of individuals or firms appearing at "an oral presentation before a county certification, evaluation, selection, technical review or similar committee" provided the individual or firm is listed on the County procurement affidavit. See §2-11.1(s)(5). Based on your declarations, specifically, that the vendors have already completed the Procurement Affidavit; that there will be no discussions or negotiations regarding the RFP in question during the on-site County visit; and, that the sole purpose of the site visit is to gather information on the County's operational system, the vendors do not need to complete a lobbyist registration form.

This opinion is based on the facts as presented. If any of these facts change, please contact us.

Sincerely,
Martha D. Perez
Staff Attorney
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
19 West Flagler St. Suite 820
Miami, FL 33130
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PEREZMD@miamidade.gov

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From: Goldsmith, Beth (ISD)
Sent: Tuesday, January 03, 2017 9:38 AM
To: Perez, Martha D. (COE) <perezmd@miamidade.gov>
Subject: RE: Lobbyist Registration Question

Good Morning Mary,

Thanks so much for reaching out so promptly. Per our conversation, the solicitation is RFP-00276, Enterprise Permitting, Licensing, Inspections, Code Enforcement, and Land Management Solution. This software solution is going to replace a number of operational systems for multiple County departments. The evaluation process has already concluded and two vendors are participating in parallel negotiations. In review of the scopes of services in preparation for negotiations, the Negotiation Team requested that each vendor come to the Permitting and Inspection Office in Doral to see an operational environment that contains some of the functional areas that will be impacted by the new software. The County has requested that technical experts from the vendors attend in order to gain a grasp of the functional environment to facilitate future scope negotiations. The vendors have been advised that no negotiations or discussions regarding the contract or scope are to be conducted during the site visit, rather, it is intended to give the vendors a better grasp of the technical operating environment to facilitate future scope negotiations. No information is to be presented by the vendor to the County during the site visit and not all members of the Negotiation Team will be in attendance. I will be present and audio recording the site visits.

Thank you,

Beth Goldsmith, CPPB, Procurement Contracting Manager
Miami-Dade County Internal Services Department,
Procurement Management Services Division
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From: Goldsmith, Beth (ISD)
Sent: Sunday, January 01, 2017 10:41 AM
To: Centorino, Joseph (COE)
Subject: Lobbyist Registration Question

Good Morning,

I hope that you have enjoyed a safe and happy holiday season with your family. As part of the negotiation process for an RFP, we have invited vendors to complete a site visit at the County. The intention of the site visit is for the vendors to gain a better understanding of the County operating environment to facilitate scope negotiations. There will be no negotiations conducted during the site visit and the vendors will not be presenting any material to the County. Is it necessary for the vendors to complete a lobbyist registration form for those that will be attending the site visit? The site visits are scheduled for this week. I apologize for the last minute email. Please let me know if additional information is required.

Thank you,

Beth Goldsmith, CPPB, Procurement Contracting Manager
Miami-Dade County Internal Services Department,
Procurement Management Services Division
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