

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, January 23, 2017 1:50 PM
To: Sanchez, Rodzandra (COE)
Subject: Arletha Hire Miller, Personnel Specialist,ITD,Gifts, INQ 17-15

[INQ 17-15 Hire Miller](#)

From: Perez, Martha D. (COE)
Sent: Monday, January 23, 2017 12:12 PM
To: Hire Miller, Arletha (ITD) <Arletha.HireMiller@miamidade.gov>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Arletha Hire Miller, Personnel Specialist,ITD,Gifts, INQ 17-15

Dear Arletha,

You inquire whether the County Ethics Code prohibits OpenText, a County vendor, from providing the County's Information & Technology Department (ITD), a complimentary CORE product, valued at approximately \$10/month.

Background

OpenText is a County vendor which provides host connectivity to the County. ITD buys licenses from OpenText. The company offers the Loyalty CORE product for free to any customer which spends \$5,000 or more on their maintenance renewal. The Loyalty CORE product is a cloud-based file storing and collaboration tool which enables a customer to monitor and audit what is being done in the company/ department. The product remains free as long as the customer submits timely Exceed maintenance renewals. The retail cost of the product is approximately \$10 a month per user. This product is being offered to ITD free of charge because it submitted a timely maintenance renewal. The product will be used by the County in furtherance of official County business.

Analysis

Based on the facts as presented, there is no conflict of interest under our Ethics Code. County employees and public officials are prohibited from soliciting gifts for themselves or others in exchange for official action. See Section 2-11.1(e)(3), County Ethics Code. However, nothing in the Ethics Code prohibits a County vendor from providing to the County a product or service free of charge where the product will be used solely by the County in conducting official business. Consequently, the County's ITD may accept the product being offered by OpenText. See INQ 16-192

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

Best regards,

Martha D. Perez
Staff Attorney
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
19 West Flagler St. Suite 820
Miami, FL 33130
(305)350-0656
PEREZMD@miamidade.gov

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Sent: Wednesday, January 11, 2017 9:12 AM

To: Hire Miller, Arletha (ITD) <Arletha.HireMiller@miamidade.gov>

Subject: RE: #RC164384 : POET1700534 RE: OpenText renewal

Good morning Arletha,

I have some questions about this:

- Please verify that OpenText is a County vendor/service provider, and what exactly is the service it currently provides to the County?
- Does OpenText provide the CORE product for free with maintenance/ cloud renewal to all entities or exclusively to the County?
- What is the retail cost of the product?
- **Please verify that the free CORE product would be used solely by the County in furtherance of official County business.**

Thanking you in advance for your responses.

Best regards,

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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From: Hire Miller, Arletha (ITD) [<mailto:Arletha.HireMiller@miamidade.gov>]

Sent: Tuesday, January 10, 2017 4:20 PM

To: Perez, Martha D. (COE) <perezmd@miamidade.gov>

Subject: FW: #RC164384 : POET1700534 RE: OpenText renewal

Ms. Perez,

Please see the email below from one of our employees and advise if it's ok to accept this free product based on what information she has provided.

Thank you.

From: Camner, Sue (ITD)
Sent: Thursday, January 05, 2017 10:47 AM
To: Hire Miller, Arletha (ITD) <Arletha.HireMiller@miamidade.gov>
Subject: RE: #RC164384 : POET1700534 RE: OpenText renewal

OpenText is giving us a free product because we paid our renewal on time.
The product is Loyalty CORE. It's a cloud based file storing, sharing and collaboration tool with permission setting and advanced audit controls/views.
Can we accept it?

Sue Camner, Database Manager
Enterprise Architecture Services Division
Miami-Dade County Information Technology Department
5680 SW 87th Avenue, Miami, Florida 33173
305-596-8322 Phone 305-275-7696 Fax
305-276-0599 Pager for Production Emergencies
www.miamidade.gov

"Delivering Excellence Every Day"

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.



From: Hire Miller, Arletha (ITD)
Sent: Thursday, January 05, 2017 10:13 AM
To: Camner, Sue (ITD) <Sue.Camner@miamidade.gov>
Subject: RE: #RC164384 : POET1700534 RE: OpenText renewal

Hi Sue,

Please explain what this and I'll forward it to the Ethics Commission.

Thank you.

From: Camner, Sue (ITD)
Sent: Wednesday, December 14, 2016 2:47 PM
To: Hire Miller, Arletha (ITD) <Arletha.HireMiller@miamidade.gov>
Subject: FW: #RC164384 : POET1700534 RE: OpenText renewal
Importance: High

You helped me on this kind of thing last time, LOW LOWER LOWEST priority – am I ethically allowed to accept this?

Sue Camner, Database Manager
Enterprise Architecture Services Division
Miami-Dade County Information Technology Department
5680 SW 87th Avenue, Miami, Florida 33173
305-596-8322 Phone 305-275-7696 Fax
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From: Stephen Byce [<mailto:sbyce@opentext.com>]

Sent: Wednesday, December 14, 2016 2:29 PM

To: Batista, Pedro (ITD) <Pedro.Batista2@miamidade.gov>; Camner, Sue (ITD) <Sue.Camner@miamidade.gov>

Cc: eDOCS/Conn Renewals <ec-supportrenewals@opentext.com>

Subject: #RC164384 : POET1700534 RE: OpenText renewal

Importance: High

Hello all,

Is it ok to process the PO now or should we wait until the start of March?

Payment is net 30 so once I invoiced our A/R will be looking for payment in 30ish days.

Regardless of when I process, maintenance is extended to March 31, 2018. ☺

@Sue : by renewing on time you are entitled to our Loyalty CORE product free. It's a cloud based file storing, sharing and collaboration tool with permission setting and advanced audit controls/views.

- The product remains free as long as you continue to renew on time and for the current \$\$\$ value.
- It's like Google drive and dropbox. We find most people in a department are using some form of file sharing or working platform. We can now provide you with a product that allows you to monitor and audit what is being done in the company.
- There is no obligation to continue or use it if you don't like it. It's like a free evaluation that never ends lol.
- You can give it to another department if you don't see a need, but they need to know it's only free as long as you renew your Exceed maintenance.

Should I set yourself up as the starting Tenant (admin), more can be added if needed?

Let me know please.

1. if I can process the PO now?
2. can we give you our free CORE product?

Stephen Byce

Maintenance Renewals | OpenText Connectivity

Phone: 1-289-801-2393

Fax: 1-905-762-6410

Website: www.opentext.com



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From: Batista, Pedro (ITD) [<mailto:Pedro.Batista2@miamidade.gov>]
Sent: December-14-16 1:26 PM
To: Stephen Byce; eDOCS/Conn Renewals
Cc: Camner, Sue (ITD)
Subject: POET1700534 RE: OpenText renewal
Importance: High

Attached please find our purchase order.

On your invoice do please reference our purchase order # POET1700534 and email it to A/P: E-MAIL TO: INVSUBP@MIAMIDADE.GOV.

Thank you.

Pedro Batista, IT Purchasing Specialist
Miami-Dade County Information Technology Department
5680 S.W. 87th Avenue Miami, Florida 33173
305-275-7635 Phone
305-275-7924 Fax
www.miamidade.gov

