

Sanchez, Rodzandra (COE)

From: Perez, Martha D. (COE)
Sent: Wednesday, January 17, 2018 7:36 AM
To: Sanchez, Rodzandra (COE)
Subject: FW: Ethics Opinion Requested, Evelyn Campos, Director, MDAD Professional Compliance Division, Reverse Two-Year Rule (x), INQ 17-287

[INQ 17-287](#)

From: Perez, Martha D. (COE)
Sent: Friday, December 15, 2017 10:02 AM
To: 'Campos, Evelyn (Aviation)' <ECampos@miami-airport.com>
Subject: RE: Ethics Opinion Requested, Evelyn Campos, Director, MDAD Professional Compliance Division, Reverse Two-Year Rule (x), INQ 17-287

Same to you and your loved ones!

From: Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]
Sent: Friday, December 15, 2017 10:01 AM
To: Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>
Subject: RE: Ethics Opinion Requested, Evelyn Campos, Director, MDAD Professional Compliance Division, Reverse Two-Year Rule (x), INQ 17-287

Thank you so much! May you have a wonderful Christmas and a very Happy New Year!!

Evelyn Campos
Division Director / Professional Compliance Division
Miami-Dade Aviation Department
P.O. Box 025504
Miami, Fla 33102-5504
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From: Perez, Martha D. (COE) [<mailto:Martha.Perez2@miamidade.gov>]
Sent: Friday, December 15, 2017 9:58 AM
To: Campos, Evelyn (Aviation); Kelly, James R. (Aviation)
Cc: Centorino, Joseph (COE); Murawski, Michael P. (COE); Diaz-Greco, Gilma M. (COE); Turay, Radia (COE)
Subject: RE: Ethics Opinion Requested, Evelyn Campos, Director, MDAD Professional Compliance Division, Reverse Two-Year Rule (x), INQ 17-287

Dear Evelyn,

You inquire whether Mr. Roy Alonso (Alonso), who is currently employed by a Miami-Dade County Aviation Department (MDAD) vendor, may be interviewed and selected for the position of MDAD Terminal Operations Chief (TOC).

Background

Alonso was a former County employee working in the Terminal Operations Division of MDAD. Upon his retirement in February 2015, he became employed by C & W Facilities, f/k/a Unicco (CW). See INQ 14-241. CW is one of three MDAD vendors providing janitorial services to the County's airport(s). CW's County contract was previously overseen and managed by Alonso when he worked in the Terminal Operations Division until his retirement, however, the contract is currently managed and overseen by the Airport's Maintenance Division.

As the General Manager of CW, Alonso oversees the Airport's janitorial services. He has contact with Terminal Operations Division employees solely regarding janitorial issues. Alonso has applied for the position of Terminal Operations Chief, the division he worked for as a former County employee. If selected, Alonso would NOT have any general involvement with CW. However, as you mentioned, there are instances when the TOC is authorized to request additional services from the janitorial vendor(s) such as when there are special visitors to the airport prompting additional cleaning of a terminal. Also, a situation may arise where the TOC may be asked to be involved in the procurement for janitorial services where CW is one of the bidders or proposers.

Analysis

Under Section 2-11.1(x) of the County Ethics Code (the Reverse Two-Year Rule), a County employee is prohibited for a period of two years from performing any *contract-related duties* regarding or connected to a business entity which

employed him, where the business entity is a County vendor, bidder, proposer, service provider or contractor. *Contract-related duties* include, without limitation, “service as a member of a county certification, evaluation, selection, technical review or similar committee; approval or recommendation of award of a contract; contract enforcement, oversight or administration; amendment, extension or termination of contract; or, forbearance regarding any contract.” See RQO 17-04 (*contract-related duties* also include task authorizations or approvals, attendance at meetings, or any other decision-making authority regarding the former employer/County vendor); See also INQ 16-36.

Based on the facts presented, the TOC does not oversee, administer, manage, enforce, negotiate or otherwise become involved with MDAD’s contract with CW. These duties are currently carried out by the Chief of the Maintenance Division. Consequently, Alonso may apply and, if selected, may perform the duties and responsibilities of TOC **as long as** he does not engage in any *contract-related duties* involving CW for two years. Therefore, if Alonso is selected for the position, it is recommended that any requests made to CW or any authorizations for task approvals or purchase orders involving CW within the authority of the TOC be delegated to another Division/ Chief for two years. Also, Alonso may not participate in any solicitation where CW is a bidder or proposer, including involvement as a selection, evaluation, technical or negotiation committee member for two years. In the event Alonso is selected for the position of TOC, we suggest that any future questions regarding the applicability of Section 2-11.1(x) to Alonso’s actions with CW be directed to this office.

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

Best regards,

Martha D. Perez

Staff Attorney

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

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From: Centorino, Joseph (COE)
Sent: Monday, December 11, 2017 2:52 PM
To: Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>
Subject: FW: Ethics Opinion Requested

From: Campos, Evelyn (Aviation) [<mailto:ECampos@miami-airport.com>]
Sent: Monday, December 11, 2017 2:38 PM
To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Cc: Agostino, Daniel J. (Aviation) <DAGostino@miami-airport.com>; Kelly, James R. (Aviation) <JKelly@miami-airport.com>; Campos, Evelyn (Aviation) <ECampos@miami-airport.com>
Subject: Ethics Opinion Requested

Mr. Centorino,

The Aviation Department is in process of interviewing for the position of Terminal Operations Chief. One of the applicants, Roy Alonso, was a long-term Aviation employee working in the Terminal Operations Division until his retirement in February 2015. Upon retirement, he began working for the janitorial company that cleans the airport terminal. It should be noted he was the supervisor over that contract during his tenure as an Aviation Terminal Ops employee. It is my understanding that a COE opinion was sought before he began working for them and it was deemed acceptable, however, I do not have record of that opinion.

Now, Mr. Alonso is seeking to return to the Aviation Department and is on the interview list for the position for Terminal Operations Chief. The Department requests a COE opinion as to whether it is acceptable for the Department to interview Mr. Alonso for this position.

Additional facts: Mr. Alonso is working for the janitorial company, C & W Facilities (f/k/a Unicco), who cleans the Airport terminal and concourses. He is the General Manager overseeing airport services. His work does bring him into daily contact with the Aviation terminal operations staff as janitorial issues that arise would be his and his staff's responsibility for correction. However, the supervision of the contract no longer resides with Terminal Operations and is now with the Maintenance Division of the Airport.

If further information is required on Mr. Alonso, please contact me or Mr. Jim Kelly at 305-869-5614.

As always, the COE guidance is much appreciated.

Evelyn Campos
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