

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, March 15, 2017 9:59 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** FW: INQ17-59 A16-MDAD-01 - Conflict of interest AMENDED

Addendum to INQ 17-59

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**From:** Willy A. Bermello [mailto:WBermello@bermelloajamil.com]  
**Sent:** Wednesday, March 15, 2017 9:16 AM  
**To:** Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>  
**Cc:** Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Lebowitz, Lawrence (COE) <Lawrence.Lebowitz@miamidade.gov>; Janeen Skelly <JSkelly@bermelloajamil.com>; Carlos Bonzon <CBonzon@bermelloajamil.com>; Steve Pynes <SPynes@bermelloajamil.com>; Tere Garcia <TGarcia@bermelloajamil.com>  
**Subject:** RE: INQ17-59 A16-MDAD-01 - Conflict of interest AMENDED

Dear Michael,

Thank you for getting back to us; and, since the actual phrase “specifically prohibited” was not part of the RFP, the cone of silence did not apply to written communications with County employees. I am copying key personnel in our company, so that they are informed.

Warmest regards,  
Willy

.....  
Willy A. Bermello  
Bermello Ajamil & Partners, Inc.  
.....

CONNECT WITH US ON:



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**From:** Murawski, Michael P. (COE) [mailto:Michael.Murawski@miamidade.gov]  
**Sent:** Thursday, March 09, 2017 11:05 AM  
**To:** Willy A. Bermello <WBermello@bermelloajamil.com>  
**Cc:** Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Lebowitz, Lawrence (COE) <Lawrence.Lebowitz@miamidade.gov>  
**Subject:** FW: INQ17-59 A16-MDAD-01 - Conflict of interest AMENDED  
**Importance:** High

Dear Mr. Bermello:

You had asked about the interpretation of the Cone of Silence provisions as it relates to Solicitation A16-MDAD-01. Specifically, you asked if the instruction in the bid documents stating that, “All project specific questions and/or requests

for public documents shall be addressed, in writing, to the A/E Consultant Selection Coordinator, referenced above (Mr. Valin), with a copy to the COB” amounted to a “specific prohibition” that would preclude communications in writing with “any County employee, official or member of the Board of Commissioners” pursuant to Section 2-11.1 (t)(1)(c )(i) of the Conflict of Interest and Code of Ethics ordinance entitled, “Exceptions” (to the Cone of Silence).

As I indicated to you, the Cone of Silence at Section 2-11.1 (t)(1)(c)(i) lists certain *Exceptions*. These exceptions were also spelled out in the bid documents. They provide, among other things, that: “The provisions of [the Cone of Silence] shall not apply to...communications in writing at any time with any County employee... The bidder or proposer shall file a copy of any written communication with the Clerk of the Board.” Consequently, written communications with County employees are permitted under the Cone of Silence as long as the bidder/proposer has contemporaneously filed the communication with the Clerk of the Board. The *exception* is not permitted if the communication is “specifically prohibited by the applicable RFQ or bid documents.”

I have reviewed the language in the bid documents and, again, I cannot conclude that there was any “specific prohibition” in Solicitation A16-MDAD-01 that would preclude written communication to any County employee as long as it was filed with the Clerk of the Board. The instructions in the bid documents are sufficiently ambiguous to allow for reasonable doubt as to whether a “specific prohibition” was imposed.

Please be advised that this opinion only concerns Solicitation A16-MDAD-01 . If any of these facts change or if you have questions about the Cone of Silence or Cone of Silence language in future solicitations, please contact the Ethics Commission for a separate opinion.

Sincerely,

Michael P. Murawski

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**From:** Willy A. Bermello [<mailto:WBermello@bermelloajamil.com>]  
**Sent:** Wednesday, March 01, 2017 5:20 PM  
**To:** Centorino, Joseph (COE) <[Joseph.Centorino@miamidade.gov](mailto:Joseph.Centorino@miamidade.gov)>  
**Cc:** Carlos Bonzon <[CBonzon@bermelloajamil.com](mailto:CBonzon@bermelloajamil.com)>; Singer, Miriam (ISD) <[SINGER@miamidade.gov](mailto:SINGER@miamidade.gov)>  
**Subject:** A16-MDAD-01 - Conflict of interest  
**Importance:** High

Dear Mr. Centorino,

Kindly refer to the letter and attachments.

Regards,

.....  
**WILLY A. BERMELLO**  
Chairman of The Board

2601 S. Bayshore Drive, Suite 1000  
Miami, FL 33133

305.860.3701 – Direct  
305.859.2050 – Main  
[www.bermelloajamil.com](http://www.bermelloajamil.com)



Bermello Ajamil & Partners, Inc.

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## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Wednesday, March 15, 2017 9:54 AM  
**To:** Sanchez, Rodzandra (COE)  
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**Cc:** Carlos Bonzon <[CBonzon@bermelloajamil.com](mailto:CBonzon@bermelloajamil.com)>; Singer, Miriam (ISD) <[SINGER@miamidade.gov](mailto:SINGER@miamidade.gov)>  
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**WILLY A. BERMELLO**  
Chairman of The Board

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