

Meyers, Robert (COE)

INQ 06-134

From: Meyers, Robert (COE)
Sent: Thursday, September 14, 2006 4:14 PM
To: Arias, Ruben J. (DIST7)
Subject: RE: opinion on vendor bid

Mr. Arias,

Thank you for your inquiry. I consulted with the chairman of the Ethics Commission and he and I agree that a conflict of interest would not be created by the facts you have described below. As presented, you state that your spouse is a principal of a company which will be bidding on a county project and you are the Director of Public Affairs for County Commissioner Carlos Gimenez. I will assume for purposes of this opinion that your spouse has some controlling financial interest, directly or indirectly, of this company. Moreover, the county's Conflict of Interest and Code of Ethics Ordinance prohibits County officials and employees and their immediate families from transacting business with the County; however, there are several exceptions.

In prior ethics opinions, the Ethics Commission has determined that aides to County Commissioners are defined as b(6) employees – See 2-11.1(b)(6). Such employees would be transacting business with the County if they, or their immediate families, transacted business with their departments or if the employees participated in determining contract requirements, participated in the award of the contract or was involved in the enforcement, oversight, administration of the contract. In your case, you will not be participating in the award of the contract, you will not make recommendations to the Commissioner regarding this project, and you will not have any involvement with its enforcement, oversight or administration.

Therefore, as stated above, your position with Commissioner Gimenez would not preclude your spouse's company from seeking county work.

If you have further questions or wish to discuss, please do not hesitate to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust
 (305) 350-0613

From: Arias, Ruben J. (DIST7)
Sent: Tuesday, September 12, 2006 1:42 PM
To: Meyers, Robert (COE)
Cc: Iglesias, Genaro 'Chip' (DIST7)
Subject: opinion on vendor bid
Importance: High

Good afternoon Mr. Meyers:

Pursuant to your request and based on the instructions you provided me last year, I am hereby advising you that Art-Tech Promotionals Inc. will be bidding on the following county project:

8111-411-OTR

My wife is a principal in that company. I have no personal knowledge of the bid. Our office is not in direct/indirect contact with any county officials/employees in relation to this bid.

Please contact me, our Chief of Staff or the Commissioner and provide an opinion. If you have any further questions, feel free to contact me at the numbers below or preferably by email.

9/14/2006

Thanks.

Ruben J. Arias

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