

INQ 31-04

Meyers, Robert (COE)

From: Meyers, Robert (COE)
Sent: Monday, January 29, 2001 2:06 PM
To: Suarez, Lourdes (PWD)
Subject: RE: Possible Conflict of Interest

After discussing this matter with my staff counsel, we believe it would create the appearance of a conflict for the father, a County employee, to serve on a selection committee when the son's firm bids on the project. It isn't clear to me whether or not the son is making an oral presentation to the selection committee, but I don't believe that would make a difference. The County employee should recuse himself when Metric, Inc. is a proposer. As far as previous County contracts entered into with Metric, there isn't much that can be done about those contracts.

The Code of Ethics and Conflict of Interest Ordinance does place a burden on County employees to disclose the fact that they have immediate family members who are employed by firms that are contracting with the County. See 2-11.1(f)

Please inform me if you need anything else.

Robert Meyers

-----Original Message-----

From: Suarez, Lourdes (PWD)
Sent: Monday, January 29, 2001 10:12 AM
To: Meyers, Robert (COE)
Subject: FW: Possible Conflict of Interest

Hi. It is Ines. This is the case that I need a ruling on from you as soon as possible-thanks.

-----Original Message-----

From: Singer, Miriam (DPM)
Sent: Thursday, January 25, 2001 9:16 AM
To: Townsley, Penny (DBD) (305) 349-5952
Cc: Jackman, Marsha (DBD) (305) 349-5943; Lucas, Theodore (DPM) (305) 375-5257; Bacallao, Jose R. (CMO); Munoz, Alex (CMO); Rivera, Aristides (PWD)
Subject: FW: Possible Conflict of Interest

Hi Penny: Please review your files to see if Mr. Duart is serving on any other selection panels. This matter may have serious implications. I would ask that he not be appointed to any other selection committees until further notice and discussion with Robert Myers by Ari Rivera. Should you have any questions, please contact me at 375-5878. Thank you, M.

-----Original Message-----

From: Fernandez, Gyselle (DPM)
Sent: Thursday, January 25, 2001 8:40 AM
To: Singer, Miriam (DPM)
Cc: Millan Donovan, Luisa (GSA)
Subject: Possible Conflict of Interest

Miriam Singer:

While getting ready for a Public Hearing for Project No. E98-PW-05, I noticed under Data Sheet 1, the Lobbyist Registration Form that there was a person listed under Metric Engineering, Inc., that is called Carlos Duart. The name rang a bell, because the Public Works Department has an Engineer in the Plans Review Section that is called Carlos Duart.

I advised Luisa Millan, and pursuant to your instructions we went to see Mr. Aristides Rivera, P.E., P.L.S., the Director of the Public Works Department. We advised the Department Director of the situation and the employee was questioned. The employee told the department that his son is called Carlos Duart and he is a Manager with Metric Engineering, Inc. I was told by the Department that they advised the Ethics Commission yesterday, since this may constitute a conflict of interest.