
 *** TX REPORT ***

IND 01-38

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January 26, 2001

William G. McMinn, Dean
 School of Architecture
 Florida International University
 University Campus
 Miami, Florida 33199

ETHICS COMMISSIONERS

Kerry E. Rosenthal, Chairperson
 Charles A. Hall, Vice Chairperson
 Elizabeth M. Iglesias
 Knovack G. Jones
 Robert H. Newman

ROBERT A. MEYERS
 EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
 ADVOCATE

ARDYTH WALKER
 STAFF GENERAL COUNSEL

Dear Dean McMinn:

Thank you for your letter dated January 12, 2001. Please understand that I can provide you with an unofficial opinion only. The authority to issue official opinions rests with the Miami-Dade Ethics Commission and the Commission will not be meeting again until mid-February.

You indicate that you have been appointed to serve on a selection committee to recommend a construction manager for a number of projects at the South Terminal at Miami International Airport. You further state that one of the proposers, Parsons-Oderbrecht, intends to establish a training program with the Department of Construction Management at Florida International University, which the faculty at Florida International University will deliver. Moreover, as Dean of the School of Architecture at Florida International University, you have no direct supervisory authority over the Construction Management faculty. However, you acknowledge that you have a collateral relationship with Construction Management.

The County's Code of Ethics and Conflict of Ordinance must be adhered to by all selection committee members. The code section that is seemingly most relevant precludes individuals from accepting employment which would impair their independence of judgment in the performance of their public duties. The two questions in this case are: 1) whether you believe that your independence in judging and evaluating the proposals that come before your selection committee will be impaired because of the University's relationship with Parsons-Oderbrecht and 2) whether you are likely to derive a benefit from this relationship. Under the circumstances, I see no direct legal conflict that would bar you from serving on the selection committee.



INO 01-38

Florida International University

Office of the Dean

January 12, 2001

Robert Meyers
Executive Director
Commission on Ethics and Public Trust
19 West Flagler Street
Suite 220
Miami, Florida 33130

Re: Miami International Airport South Terminal Program
Proj. No.: A155A, A155S, B311A, B311B, B312A,
B313A, B315A & B315B

Dear Mr. Meyers:

I have been appointed to serve on a selection committee to recommend a construction manager for the above referenced projects at Miami International Airport's South Terminal. One of the firms under consideration is Parsons-Oderbrecht. They have indicated in their proposal (see attached sheet from Parsons-Oderbrecht's submittal), their intent to meet the training requirements through an association with the Department of Construction Management at Florida International University.

I currently serve as Dean of the School of Architecture at Florida International University, a program that is closely aligned with the faculty of the Construction Management Department.

I am therefore requesting a ruling as to whether my serving on this panel, as a member of the Florida International University's administration, constitutes a conflict of interest

Sincerely,

William G. McMinn, FAIA
Dean

with larger non-CSBE contractors. Parsons-Odebrecht will provide assistance to any firms requesting help to properly set up a joint venture for work on the South Terminal Program. The JV will also extend the services of its outreach component to provide assistance as well.

10.2.4 The South Terminal Program Educational Institute

The educational component of our CSBE Participation Program is critical, because it—like the other parts of the program—is focused in its objectives. The main objective is to provide the opportunity for a learning environment consisting of project work, and traditional classroom learning based on a curriculum that matches the general scope and schedule of the overall construction program. An additional objective is the successful transition of knowledge that improves a small, or CSBE firm's, skill base. The institute will be flexible enough to allow student entry at different intervals. Both companies have drawn from their experiences to create an educational program that has a complete "learning cycle". This cycle consists of the following:

- ◆ Identifiable need for applied knowledge
- ◆ Construction project opportunities
- ◆ Structured educational curriculum
- ◆ Avenues for practical application (on the job education) during course work period

We have met with the Construction Management Department at FIU who have agreed to partner with us to structure such a program. Most of the program instructors will be provided from the university, Parsons, and Odebrecht organizations.

In most cases the length of the courses will not match the school's regulation semester, but long enough to allow for practical appli-

Over the past 12 years, Parsons' and Odebrecht's CSBE programs have combined to award more than \$150 million in contracts to Miami-Dade area small businesses.

cation and emphasize retention. The institute will also seek the approval from the appropriate licensing board to have these courses accepted for continuing education credits.

The curriculum will include some courses that can be found in basic civil construction programs, but there will be a definite effort to include more of the core courses that stress construction management.

Listed below are some of the courses that may be included in the curriculum:

- ◆ Legal aspects of construction
- ◆ Method and materials
- ◆ Project controls (computer applications)
- ◆ Value engineering
- ◆ Purchasing
- ◆ Scheduling
- ◆ Contract administration and claims
- ◆ Safety and hazardous materials
- ◆ Estimating
- ◆ Cost control accounting

A central objective of our CSBE program is to take advantage of a window of opportunity the South Terminal Program provides. Making an organized concerted effort to improve capabilities of subcontractors who will be awarded projects is advantageous to us, the subcontractors, and the community.

This pro-active approach represents several

practices and relationships already in place in the respective joint venture organizations. We think the basic components of this program will enhance the county's CSBE Program. In some instances *we have purposely gone beyond the threshold of the county's*

program to take advantage of private sector resources which we feel will benefit the CSBE contracting community.



3-11-3781

No direct relationship

- train the student
Program

Different school -
Area of engineering

service course for

Get up a program with faculty
Constructive
collateral
relation

AIU will deliver
the program

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Miami-Dade County
Commission on Ethics
and Public Trust

Fax

To: Dean McMin From: Robert Meyers
Fax: (305) 348-2650 Pages: 2, including cover sheet
Phone: _____ Date: 11/26/01
Re: Ethics Opinion CC: _____
 Urgent For Review Please Comment Please Reply Please Recycle

RM Per our discussion.

Robert Meyers

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