

Miami-Dade County  
Commission on Ethics and Public Trust

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Fax  
Fax

To: Tavie Marques From: Robert Meyers  
Fax: (305) 552-0577 Pages: 3  
Phone: \_\_\_\_\_ Date: 8/31/04  
Re: Ethics Opinion CC: \_\_\_\_\_

Urgent     For Review     Please Comment     Please Reply     Please Recycle

I hope you get both pages this time.

*Robert*

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**Meyers, Robert (COE)**

**To:** Marques, Javier (DIST11)  
**Subject:** RE: RE: Ethics Opinion

INQ 04-24

Javier,

Thank you for your request for opinion. As promised, I wanted to provide you with a response before work on the addition to your home is commenced. Based on the facts you have provided me, I find nothing in the Conflict of Interest and Code of Ethics Ordinance that would prohibit you from engaging in the activities you have described below to improve your home. Please keep in mind, however, that Section 2-11.1(u) of the Code bars you as a staff member of an elected official from entering into a business transaction with a County contractor unless the transaction is an arms-length transaction made in the ordinary course of business. What this means is that if you were to purchase materials/supplies from a County vendor, the price that you pay must be a fair price and you do not receive a "special discount" because of your position with the County. Obviously, this provision does not restrict you from negotiating, but it would raise some suspicions if you received a deal that was too good to be true.

If you have any questions or if you would like to discuss this matter with me in more detail, feel free to contact me at your convenience.

Thank you,

Robert Meyers

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

**From:** Marques, Javier (DIST11)  
**Sent:** Tuesday, March 09, 2004 11:48 AM  
**To:** Meyers, Robert (COE)  
**Cc:** Mazzella, Christopher (OIG)  
**Subject:** RE: Ethics Opinion  
**Importance:** High

Dr. Meyers,

Hope all is well.

Pursuant to our conversation this morning, I am forwarding this e-mail to you.

As you know, I will be commencing work on an addition in my home within the next few days. Prior to today, I had to get an opinion from you as well as Assistant County Attorney Robert Cuevas since I needed to hire legal counsel to process what was originally an administrative hearing and then due to Omni point was changed to a public hearing. As you may recall, the reason I went to you and Bob Cuevas for advice was that most of the attorneys that I was looking to retain at some time or another come before the county and BCC and I wanted to make sure that I had everything documented correctly.

Well, that process alone which involved even my neighbors having to sign my plans and attend a public hearing in support of my proposal took well over two years and now I am at the point where I am ready to commence the work. In an abundance of caution, I have attempted to bid the work out to several contractors who have no business relationships with the county and we have obtained what seem to be either low bids or plainly extorted pricing. Since I do not know too much about the intricacies involved with construction I have been very skeptical in accepting any of those bids.

Furthermore, my wife's family has owned a reputable Roofing Company (Waterproofing Systems) that has been in business in Dade County well over 30 years, and where she has been employed for well over 14 years. As such, one of their company's employees will be overseeing the work that will be performed at our home. In an effort to save money, he will have laborers doing the work and we (my wife and I) will be paying the labor supervisor directly under a written contract. Second, we will be purchasing the materials on our own in an effort to save additional money. Our plan is to obtain a listing of the required materials and acquire the best possible price from local suppliers in Miami-Dade County. My concern is that some suppliers may directly or indirectly do business with the county and I want to make sure that I am able to obtain the best possible price and not be in any type of violation. Also, one of my good friends owns a window company (Ready Windows, Inc.) and we intend to obtain our windows from him as we have done in the past - I do not have any knowledge of them doing any work for the county or ever having come before the

BCC. Finally, my wife's company (Waterproofing Systems) and their sub (J.Quintero Roofing) will be overseeing the roofing portion of the work. Due to the fact that my wife's family owns the company, they will most likely absorb this portion of the work.

We currently have an open permit and expect to commence the work by week's end or at the very latest at the beginning of next week. If you should have any questions or suggestions, please advise so that I can commence the work with peace of mind.

Thanks,

Javier I. Marques, M S  
Chief of Staff  
Office of Commissioner Joe A. Martinez

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