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STAFF GENERAL COUNSEL

June 19, 2000

Alberto Carreno  
Mateu, Carreno, Rizo and Partners  
232 Minorca Avenue  
Coral Gables, FL 33134

**RE: REQUEST FOR ADVISORY OPINION 00-95**

Dear Mr. Carreno:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on June 14, 2000 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding your ability to work on an outside venture with a firm that may bid on county work.

In your letter, you advised the Commission that you are a principal in Mateu, Carreno, Rizo and Partners, Inc. (MCRP). MCRP is the architectural and engineering firm of record for the design of MIA's South Terminal Expansion. The firm would like to bid on a design-build contract for the Tampa International Airport. The building contractors who would bid on the project with MCRP may also apply for the construction manager at-risk RFP for the South Terminal. The firm is concerned about potential conflicts between their partnership on the Tampa airport bid and their partner's work as a construction manager at the South Terminal.

The Commission found that the Conflict of Interest and Code of Ethics ordinance does not prohibit MCRP's partnership with a firm that may become the construction manager for

the South Terminal project. However, MCRP may not disclose any confidential information regarding the South Terminal project to its construction partner. Section 2-11.1(h) provides that " no person included in the terms defined in subsection (b) (1) through (6) shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position, nor shall he in fact ever disclose confidential information garnered or gained through his official position with the County nor shall he ever use such information, directly or indirectly, for his personal gain or benefit." Therefore, MCRP cannot disclose any confidential information gained through its architectural work to any partner who may serve as construction manager for the South Terminal.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call the undersigned at (305) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 579-2653.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Robert Meyers", with a long horizontal line extending to the right.

ROBERT MEYERS  
Executive Director