

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 Ardyth Walker, Staff General Counsel at (305) 350-0616 or the undersigned at (305) 579-2594.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", followed by a long horizontal line extending to the right.

ROBERT MEYERS
Executive Director

Immediate family as defined by subsection (b) (9) from entering into any contract, individually or through a firm, corporation, partnership or business entity in which the employee or any member of his or her immediate family has a controlling financial interest, with Miami-Dade County or any person or agency acting for Miami-Dade County, as long as: 1) entering into the contract would not interfere with the full and faithful discharge by the employee of his or her duties to the county, 2) the employee has not participated in determining the subject contract requirements or awarding the contract, and 3) the employee's job responsibilities and job description will not require him or her to be involved with the contract in any way, including but not limited to its enforcement, oversight, administration, amendment, extension, termination or forbearance. However, this limited exclusion shall not be construed to authorize an employee or his or her immediate family member to enter into a contract with Miami-Dade County or any person or agency acting for Miami-Dade County if the employee works in the county department that will enforce, oversee or administer the subject contract.

Any affected county employee shall seek a conflict of interest opinion from the Miami-Dade County Commission on Ethics and Public Trust (the "Ethics Commission") prior to submittal of a bid, response or application of any type of contract with the County by any employee or his or her immediate family. Therefore, Section 2-11.1(c), permits you to contract with the county to install home theaters and other electronics equipment. However, you must request a conflict of interest opinion prior to the submittal of any bid, RFP or RFQ documents.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics



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EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
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ARDYTH WALKER
STAFF GENERAL COUNSEL

December 12, 2001

Jim Sutton
1302 Fieldlark Lane
Homestead, FL 33035

RE: REQUEST FOR ADVISORY OPINION 01-67

Dear Mr. Sutton:

The Commission on Ethics and Public Trust considered your request for opinion at their meeting on December 11, 2001 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding the process for contracting with the county.

In your letter, you advised the Commission that you have an outside business that installs home theater systems and other electronics. You would like to know if you may serve as a county vendor if you do not contract with the Fire Rescue Department.

The Commission found that you are permitted to become a county vendor as long as you do not contract with the Fire Rescue Department. Section 2-11.1 (c), as amended, permits county employees to contract with the county through corporations in which they have a controlling financial interest. Section 2-11.1 (c) provides that "Notwithstanding any provision to the contrary herein, subsection (c) and (d) shall not be construed to prevent any employee as defined by subsection (b) (6) [excluding departmental personnel as defined by subsection (b) (5)] or his or her