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STAFF GENERAL COUNSEL

October 24, 2002

Jean Sanon  
President  
Denson Protective Services  
18000 N.W. Second Avenue  
Suite 215  
Miami, FL 33169

**RE: REQUEST FOR ADVISORY OPINION 02-111**

Dear Mr. Sanon:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on October 23, 2002 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding your company's ability to contract with Miami-Dade County to provide services.

In your letter, you advised the Commission that you are President of Denson Protective Services. Denson Protective Services is a security guard service. You are seeking to have the business certified as a Black Business Enterprise (BBE) and Woman Business Enterprise (WBE) with the Department of Business Development. You would also like to contract with Miami-Dade County to provide security guard services.

The Commission found Denson Protective Services may be certified as a BBE and a WBE. Denson Protective Services may also contract

with Miami-Dade County as long as Denson does not contract with the Corrections Department. Section 2-11.1 (d) provides that "Notwithstanding any provision to the contrary herein, subsection (c ) and (d) shall not be construed to prevent any employee as defined in subsection (b)(6) 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 in 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 which will enforce, oversee or administer the subject contract.

Therefore, Denson Protective Services may contract with any county department but the Department of Corrections. However, you must obtain prior departmental approval for company work and annually report company work as outside employment.

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 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", with a long horizontal flourish extending to the right.

ROBERT MEYERS  
Executive Director