



ETHICS COMMISSIONERS

Kerry E. Rosenthal, Chairman
Robert H. Newman, Vice Chairman
Gail Dotson
Dawn Addy
Elizabeth M. Iglesias

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

December 19, 2002

Rafael Jorge
Alliance Security and Protective Services
160 N.W. 176th Street
Suite 302-3
Miami, FL 33169

RE: REQUEST FOR ADVISORY OPINION 00-142

Dear Mr. Jorge:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on December 18, 2002 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding the Alliance Security and Protective Services' ("Alliance") ability to contract with the county.

In your letter, you advised the Commission that you are one of the owners of Alliance. You also currently work for the Miami-Dade County Department of Parks and Recreation. Alliance is seeking certification as a minority vendor.

The Commission found that Alliance may become certified as a minority vendor. Alliance may also contract with all county departments except the Department of Parks and Recreation. 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....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 awards 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. Therefore, Alliance may become certified as a minority vendor and contract with any department except the Parks and Recreation Department.

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) 350-0616.

Sincerely Yours,



ROBERT MEYERS
Executive Director