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November 24, 2003

Carmen Morris
Carmen Morris & Associates
15074 SW 127 ST
Miami, FL 33186

RE: REQUEST FOR ADVISORY OPINION 03-175

Dear Ms. Morris:

You requested an advisory opinion regarding any possible conflicts of interest pertaining to the company, a certified Disadvantaged Business Enterprise ["DBE"], bidding on advertising and hotel contracts at Miami International Airport.

In your letter you advised the Ethics Commission that CM&A is a subcontractor to the Center for Airport Management at Miami International Airport. Under this contract, the company provides outreach consultant services for retail concessions [such as beverage, music and apparel] at the airport. The scope of its services include, identifying small/minority and majority business for retail opportunities at the airport; planning and coordination of industry and other such meetings; developing and conducting surveys; researching industry standards; and spearheading public relations related to airport retail concessions in the designated terminals.

Presently, CM&A is seeking participation as a DBE in the Aviation Department's Request for Proposals related to:

- 1) Hotel Redevelopment, Operation and Maintenance; and
- 2) Airport Advertising Display Program

The scope of services under these hotel and advertising contracts include, assisting with DBE reporting during the operational phase and other hotel services and working

with the prime contractor on advertising sales and creative services, respectively.

The Conflict of Interest and Code of Ethics Ordinance permits CM&A to participate as a DBE in the above-mentioned hotel and advertising contracts. The scope of services under these two contracts will not conflict with the company's present outreach services work at the airport. In effect, the hotel and advertising RFP's outline different responsibilities which will not impair CM&A's judgment to perform its current obligations to the Center for Airport Management.

Furthermore, as you mentioned in your letter, CM&A has not been involved previously in the development or outreach of advertising or hotel opportunities at the airport, for instance the drafting of those proposals.

This opinion construes the Miami-Dade County 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 should you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call Christina Prkic, Staff Attorney at (305) 350-0615 or the undersigned at (305) 579-2594.

Sincerely Yours,

ROBERT MEYERS
Executive Director