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Staff General Counsel

June 1, 2007

Armando Bernal  
A. Bernal Services Corp.  
P.O. Box 112363  
Hialeah, FL 33010

**RE: REQUEST FOR ADVISORY OPINION 07-18**

Dear Mr. Bernal:

I received your request for an advisory opinion and I am rendering this opinion based on the facts stated in your letter. This matter will be placed on the Ethics Commission's June agenda.

You requested an opinion regarding your ability to contract with the county.

In your letter, you advised the Ethics Commission that you are the president of A. Bernal Services Corp. A. Bernal Services Corp provides electrical contracting services. You are currently seeking to become a registered county vendor.

Your son is a firefighter with the Miami-Dade County Department of Fire Rescue.

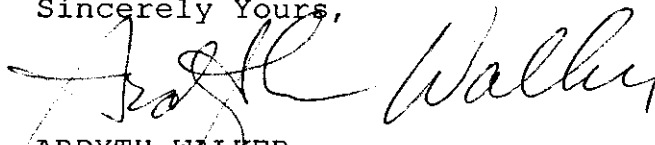
The Conflict of Interest ordinance permits your company to contract with all county departments except the Department of Fire Rescue. Section 2-11.1 (c) provides that " (n)otwithstanding any provision to the contrary herein, subsection (c) and (d) shall not be construed to prevent any employee...from 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. Section 2-11.1(d) prohibits employees from contracting with their department thorough a corporation in which the employee or a member of their immediate family has a controlling financial interest. Accordingly, A. Bernal Services Corporation may contract with all county departments except the Department of Fire Rescue.

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) 350-0616.

Sincerely Yours,

  
ARDYTH WALKER  
Staff General Counsel