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November 16, 2007

Osiris Quintana
President
Triangle Associates
14100 Palmetto Frontage Road
Suite 203
Miami Lakes, FL 33016

RE: REQUEST FOR ADVISORY OPINION 07-56

Dear Mr. Quintana:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on November 15, 2007 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether the firm may provide architectural and engineering services on the Venetian Causeway Bridge Replacement Project.

In your letter, you informed the Commission that Miami-Dade County recently issued a Notice to Professional Consultants (NTPC) to provide AE services for the Venetian Causeway Bridge Replacement Project. Specifically, the scope of services provides that the selected firm will provide complete architectural and engineering services for the replacement of the twelve bridges including preparation of complete construction plans, drainage, utility and soil testing as well as lighting, permitting and cost estimating.

Triangle Associates is currently providing services to the Department of Public Works on the Venetian Causeway. Triangle is currently

providing emergency plans for repair of certain sections of the causeway. In 2005, Triangle produced the Venetian Causeway Bridge Rehabilitation Recommendations Report. The report analyzed the current structural condition of the bridge and provided recommendations for necessary repairs.

The Ethics Commission found Triangle may provide AE services for the replacement for the Venetian Causeway Bridge replacement project. The firm's prior and current work does not overlap with the proposed scope of services on the Venetian Bridge replacement project.

Under the Ethics Commission's prior opinions, a contractor has a prohibited conflict of interest if the contract performs work under two contracts that have overlapping scopes of work or where the contractor has management or supervisory responsibilities under one contract that affect the performance under the second contract. These arrangements create conflict because they lead to disclosure of confidential information and impair independent judgment by the contractor in the performance of its contractual obligations.

In the instant case, the scope of work for the Venetian Bridge replacement project does not overlap with the repair plans being drafted by Triangle. The work of designing a replacement for the current Venetian Causeway differs greatly from the work of designing emergency repairs. Therefore, Triangle will not have overlapping roles or responsibilities under the future agreement and the current and prior work that the firm has done on the Venetian Causeway. Accordingly, Triangle may provide AE services on the Venetian Bridge replacement project.

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,

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

cc: Luisa Millan Donovan, Office of Capital
Improvements