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**STAFF GENERAL COUNSEL**

December 14, 2009

Daniel Crawford  
5021 S.W. 73<sup>rd</sup> Terrace  
Miami, FL 33143

**RE: REQUEST FOR ADVISORY OPINION 09-45**

Dear Mr. Crawford:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on December 9, 2009 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether you may serve as a qualifier for a firm that primarily does road work with municipalities.

In your letter, you informed the Commission that you are responsible for overseeing construction projects in your capacity as construction and renovation supervisor for the Parks Department. You are seeking to serve as a qualifier for a local construction company on municipal road projects in Miami-Dade County. The firm is currently certified as a pool contractor for Miami-Dade County and may bid on various projects in all departments including Parks and Recreation. The firm does not have any current county contracts.

The Commission found that the Conflict of Interest and Code of Ethics ordinance permits you to serve as a qualifier for the firm on municipal road projects. However, in order to avoid any potential conflicts under Sections 2-11.1(g) (exploitation of official position)

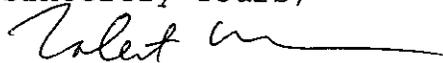
and 2-11.1(h) (use of confidential information), you may not participate in any way in any bid or contract for Miami-Dade County. You are prohibited from signing or being listed on a bid or proposal, supervision or oversight of any department contract where the firm is a prime or subcontractor or serving on a selection committee where the firm has submitted a bid.

Further, you must submit a list of all firm projects to his department director on a semi-annual basis. The department director must ensure that you do not supervise any firm that your outside employer is associated with on any agreements. Finally, you may not use county time or resources on any projects for the private firm.

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