

OFFICE OF THE INDEPENDENT ADVOCATE
MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST
REPORT OF INVESTIGATION

K #:09-021 Malcolm-Pirnie

Date Opened: 03.05/2009

Date Closed: 05/12/2009

Name of investigator: Arthur D. Skinner
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Allegation:

This investigation is to verify that the subject has complied with Advisory Opinion 08 -- 14.

Investigation:

Malcolm Pirnie Inc. serves as Bond Engineer for the Miami-Dade Solid Waste Department. As Bond Engineer Malcolm Pirnie is responsible for preparing an annual report on the condition of the system and financial wrote records pursuant section 607 of the bond ordinance. Malcolm Pirnie is the Sub Consultant responsible for monitoring and evaluating the physical condition and operating condition of the Resource Recovery Facility operated by Veolia Waste Services. Malcolm Pirnie is also the Sub Consultant providing engineering services Veolia Water Inc. in connection with the supply of drinking water the Tampa Bay region. Veolia Water Inc. and Veolia Waste Services are owned by the same French multinational corporation, Veolia Environment Inc. Malcolm Pirnie requested an advisory opinion as to whether they may work with Veolia Water on a matter unrelated their work for the Solid Waste Department.

On March 27, 2008 The Ethics Commission found that Malcolm Pirnie may perform the service on both agreements as long as the work is done by separate groups of employees and the company creates firewalls between any employees working for Veolia Water in Tampa and the bond engineering contracting Miami. The Ethics Commission required Malcolm Pirnie must present a letter agreeing to the restrictions

contained in the opinion prior to entering into an agreement with the City of Tampa. They also required that Malcolm Pirnie must provide the Ethics Commission with semiannual reports regarding its compliance with the restrictions contained in the opinion.

The RQO file was reviewed and the Malcolm Pirnie Vice President was interviewed by telephone. A copy of the security plan to protect the confidentiality of MDSWD was e-mailed the Commission on Ethics. A review of the Malcolm Pirnie 2008 Annual Report revealed that Malcolm Pirnie has at least one additional project with Veolia Water Inc. The 2008 Annual report describes the project as: "The Coquina Coast Seawater Desalination Project, a multiyear, multi-million dollar project to create a desalination facility for seven Northeastern Florida cities, has the potential to forever change the way future water supplies are developed in Florida and nationwide. To implement the project, Malcolm Pirnie and key partners SKM and Veolia Water built a 'dream-team' of desalination experts."

CONCLUSION:

The investigation revealed that Malcolm Pirnie has complied with the stipulations of the ethics opinion.