

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Wednesday, June 06, 2018 9:28 AM
To: Sanchez, Rodzandra (COE)
Subject: INQ 18-130 Hon. Joseph P. Farina, Selection Committee Member, RFQ-00820 (Cone of Silence, Voting Conflict)

INQ 18-130 Farina

From: Centorino, Joseph (COE)
Sent: Friday, June 01, 2018 4:23 PM
To: 'Joseph Farina' <josephfarina@gmail.com>
Cc: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>; Rosenthal, Oren (CAO) <Oren.Rosenthal@miamidade.gov>
Subject: INQ 18-130 Hon. Joseph P. Farina, Selection Committee Member, RFQ-00820 (Cone of Silence, Voting Conflict)

Dear Judge Farina:

You inquired regarding whether there may be any ethical issues raised in connection with your position as a member of the selection committee on RFQ-00820, the Request for Qualification for Design, Build, Finance, Operate and Maintain Civil and Probate Courthouse. This inquiry was made in light of your private employment as an independent contractor with JAMS, a national alternative dispute resolution provider. It has come to your attention that Victoria Platzer, also a retired Miami-Dade County Circuit Judge, will be joining JAMS in the near future as an independent contractor in a position similar to the one you currently hold with JAMS. Judge Platzer has also been hired by one of the proposer/developer/Respondents to RFQ-00820 as part of its leadership team. You have informed that your work as mediator/arbitrator will be separate from her work; that you and she will have no financial interest at stake in the work that the other is engaged with at JAMS; that you may occasionally encounter her in the office, but do not expect to be in close or regular contact with her; and that you will avoid serving simultaneously on the same panel with her at JAMS during the pendency of your service on the County selection committee.

Based on this information, there is no reason to conclude that you have a voting conflict under Section 2-11.1(v) of the County Ethics Code. Judge Platzer's connection to one of the competing teams and her simultaneous involvement at JAMS as an independent contractor, as you are, does not involve any relationship that would raise the possibility of a voting conflict of interest, nor does it create any personal interest on your part in the selection process that would be necessary for a voting conflict to arise under that section. I do not believe that there is any other conflict issue suggested by the circumstances you have outlined. Therefore, there is no reason that you should not continue to serve on the selection committee.

As you are aware, this project is under the County Cone of Silence, Section 2-11.1(t) of the Ethics Code. Therefore, you should not be communicating orally about the project with Judge Platzer or with any other member of any of the other responding teams, nor with the Mayor or any County Commissioner or member of their staffs, or other members of the County professional staff, involved in any way with this RFQ, while the Cone remains in effect. The Cone will remain in effect until the Mayor makes a written recommendation to the County Commission for the final selection. This prohibition does not apply to communications with this agency, or with the County Attorney's Office or Office of Inspector General. While you may speak with and exchange pleasantries with Judge Platzer during that time, it is best to avoid extended conversation or contact with her in to avoid any possibility of an inadvertent Cone violation, or any public perception of a violation, which I am confident that you will avoid.

You may feel free to contact this agency at any time regarding any further concerns you may have.

Sincerely,

Joe Centorino

Joseph M. Centorino

Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust
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From: Joseph Farina [<mailto:josephfarina@gmail.com>]
Sent: Friday, June 01, 2018 12:07 PM
To: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>
Subject: Ethics Inquiry: Courthouse Competitive Selection Committee

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Dear Mr. Centorino:

I am a member of the Selection Committee for Miami-Dade Internal Services Department Request for Qualifications for Design, Build, Finance, Operate and Maintain Civil and Probate Courthouse-RFQ N. 00820.

One of the Proposer/Developer/Respondent's leadership team members is Victoria Platzer.

Victoria Platzer and I are retired circuit judges. We served in the 11th Judicial Circuit, Miami-Dade courts, in the general jurisdiction division, during the same time. Also, I was the chief judge of the circuit from 1995-2009.

Presently, I am a mediator and arbitrator working as a neutral for JAMS, a national alternative dispute resolution provider, in the Miami office. I am an independent contractor, not a JAMS employee.

I have learned that Victoria Platzer will be joining JAMS, in the Miami office, in the near future. Likewise, Victoria Platzer will be an independent contractor, not a JAMS employee.

Victoria Platzer and I will not have any financial relationship. In fact, we will be competing for mediation and arbitration business.

Please advise whether there are any ethical concerns, issues or prohibitions regarding my committee membership and participation.

If any additional information is needed, please contact me.

Thank you for your attention to this important request.

Joseph P. Farina



Joseph P. Farina
Legal Luminary Best Mediator Award
Retired Chief Judge 11th Judicial Circuit
Florida Supreme Court Certified Circuit Civil Mediator
Florida Supreme Court Qualified Arbitrator
Court Appointed Special Magistrate
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