

Sanchez, Rodzandra (COE)

From: Turay, Radia (COE)
Sent: Friday, September 6, 2019 4:52 PM
To: Sanchez, Rodzandra (COE); Anderson, Machell (COE)
Cc: Perez, Martha D. (COE); Diaz-Greco, Gilma M. (COE)
Subject: FW: INQ 19-83, Thomas B. Davis, Esq., Executive Director, Policy and Legislation Division, OCA [Voting Conflict of Interest § 2-11.1(v); Appearances of Impropriety; Reverse Two-year Rule § 2-11.1(x)]
Attachments: INQ 19-83 (Salz).pdf; INQ 19-83 (OCA memo).pdf

From: Turay, Radia (COE)
Sent: Friday, September 6, 2019 4:51 PM
To: Gonzalez, Amado (ISD) <Amado.Gonzalez@miamidade.gov>; Davis, Thomas (OCA) <Thomas.Davis@miamidade.gov>
Cc: Salz, Benjamin J. (MDFR) <Benjamin.Salz@miamidade.gov>; Brazle, Cedric (OCA) <Cedric.Brazle@miamidade.gov>; Johnson, Jannessa (OCA) <Jannessa.Johnson@miamidade.gov>; Uppal, Namita (ISD) <Namita.Uppal@miamidade.gov>; Arrojo, Jose (COE) <Jose.Arrojo@miamidade.gov>
Subject: INQ 19-83, Thomas B. Davis, Esq., Executive Director, Policy and Legislation Division, OCA [Voting Conflict of Interest § 2-11.1(v); Appearances of Impropriety; Reverse Two-year Rule § 2-11.1(x)]

Hello,

Thank-you for contacting the Miami-Dade Commission on Ethics and Public Trust, seeking our guidance in connection with the Appointment of Selection Committee for Miami-Dade Fire Rescue Department Request to Advertise for Non-Exclusive Professional Services Agreement to Perform a Comprehensive Investment Grade Audit for Energy Savings and Guaranteed Energy Performance Savings Contract for the Miami-Dade Fire Rescue Fire Stations and Facilities – Project No. E19-MDFR-01. Please find our opinion regarding same attached.

Thanks,

RADIA TURAY

Staff Attorney
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, Fl 33130
Tel: (305) 350-0601
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Ethics.miamidade.gov

From: Salz, Benjamin J. (MDFR) <Benjamin.Salz@miamidade.gov>
Sent: Tuesday, September 3, 2019 2:14 PM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Subject: Re: Project No. E19-MDFR-01

Hi Radia,

Below are my answers to your questions:

1. Please list your place of employment? What is your title? *I currently work for Miami-Dade Fire Rescue and my title is Budget Bureau Manager.*
2. How long have you been so employed? *I've been working for Miami-Dade Fire Rescue since October 2006. I started my career at Miami-Dade County in 1999 working as an auditor for Audit & Management Services and then from 2003 until 2006 I worked as a Budget Analyst for the Office of Management & Budget.*
3. Where you previously employed by FIU? What was your position at FIU? *I was hired as an Adjunct Lecturer for FIU's Department of Public Policy and Administration in May 2019 for their 2019 Summer 'C' semester. FIU notified me at the end of the semester that they will not need me to teach in the Fall 2019 or Spring 2020 semesters. Prior to my working as an Adjunct Lecturer, I had never previously worked for FIU.*
4. When did you stop working for FIU? *At the conclusion of the 2019 Summer 'C' semester on July 26, 2019, I stopped working for FIU. FIU has indicated that they may be asking me to return as an Adjunct Lecturer for one of the Summer 2020 semesters.*
5. Was your separation from FIU amicable? *Yes, my separation from FIU was amicable. Enrollment and availability of full-time faculty determine FIU's need for Adjunct Lecturers.*
6. Have you worked for FIU, in any capacity, since then (are you teaching a class this semester)? *No, FIU will not need my services as an Adjunct Lecturer until possibly Summer 2020.*
7. Are you currently seeking to continue your work at FIU as an adjunct lecturer? *If FIU asks me to work as an Adjunct Lecturer for one of the Summer 2020 semesters, I will have to discuss the opportunity with my family before I make a decision.*
8. Do you have any of the following relationships with FIU or any of the respondents to this RFP: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary or (ii) stock holder, bondholder, debtor or creditor? *No, I do not.*

9. Do you have any personal/financial interest in FIU or any of the responding firms to this solicitation? ***No, I do not.***
10. Do you maintain any close personal friendships with an employee (s) of FIU? Do you believe that your personal friendship with employees of FIU would affect how you evaluate the various respondents to this project? ***No, I do not maintain any close personal friendships with employees of FIU that would affect how I evaluate respondents to this project.***
11. Do you think that your prior work history at FIU would impair your independence of judgment when you are evaluating the various respondents on this project? ***No, I do not think that my prior work history at FIU would impair my independence of judgment when I'm evaluating the various respondents on this project.***
12. Can you be fair and impartial when evaluating the various respondents to this project? ***Yes, I can be fair and impartial when evaluating the various respondents on this project.***

Thank you,

Benjamin J. Salz, Budget Bureau Manager

Miami-Dade Fire Rescue

Office: 786-331-4656

Cell: 305-308-7860

bsalz@miamidade.gov

From: Turay, Radia (COE) <Radia.Turay@miamidade.gov>
Sent: Tuesday, September 3, 2019 10:23:46 AM
To: Salz, Benjamin J. (MDFR) <Benjamin.Salz@miamidade.gov>
Subject: FW: Project No. E19-MDFR-01

Hello Mr. Salz,

My name is Radia Turay. I am a staff attorney at the Miami-Dade Commission on Ethics and Public Trust (COE). The COE was asked to opine on whether you can serve on the Selection Committee for Miami-Dade Fire Rescue Department

Request to Advertise for Non-Exclusive Professional Services Agreement to Perform a Comprehensive Investment Grade Audit for Energy Savings and Guaranteed Energy Performance Savings Contract for the Miami-Dade Fire Rescue Fire Stations and Facilities – Project No. E19-MDFR-01, as you disclosed that you worked as an Adjunct Lecturer at Florida International University (FIU, from May-July 2019. FIU is listed as a respondent to this request.

Please provide answers to the questions below:

1. Please list your place of employment? What is your title?
2. How long have you been so employed?
3. Where you previously employed by FIU? What was your position at FIU?
4. When did you stop working for FIU?
5. Was your separation from FIU amicable?
6. Have you worked for FIU, in any capacity, since then (are you teaching a class this semester)?
7. Are you currently seeking to continue your work at FIU as an adjunct lecturer?
8. Do you have any of the following relationships with FIU or any of the respondents to this RFP: (i) officer, director, partner, of counsel, consultant, employee, fiduciary or beneficiary or (ii) stock holder, bondholder, debtor or creditor?
9. Do you have any personal/financial interest in FIU or any of the responding firms to this solicitation?
10. Do you maintain any close personal friendships with an employee (s) of FIU? Do you believe that your personal friendship with employees of FIU would affect how you evaluate the various respondents to this project?
11. Do you think that your prior work history at FIU would impair your independence of judgment when you are evaluating the various respondents on this project?
12. Can you be fair and impartial when evaluating the various respondents to this project?

Thanks,
Radia.

From: Brazle, Cedric (OCA) <Cedric.Brazle@miamidade.gov>
Sent: Wednesday, August 21, 2019 10:06 AM
To: Gonzalez, Amado (ISD) <Amado.Gonzalez@miamidade.gov>; Uppal, Namita (ISD) <Namita.Uppal@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Arrojo, Jose (COE) <Jose.Arrojo@miamidade.gov>
Cc: Davis, Thomas (OCA) <Thomas.Davis@miamidade.gov>; Johnson, Jannesha (OCA) <Jannesha.Johnson@miamidade.gov>
Subject: Project No. E19-MDFR-01

Good Morning –

This email is being sent on behalf of Thomas B. Davis, Esq., Director of Policy and Legislation for the Office of the Commission Auditor.

kindest Regards,



Cedric Brazle, Jr., Senior Executive Secretary
Office of the Commission Auditor

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**BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**

M E M O R A N D U M

TO: Amado Gonzalez, Non-Voting Chair
Internal Services Department

FROM: Thomas B. Davis, Esq., Director
Policy & Legislation Division

A handwritten signature in black ink, appearing to read "Thomas B. Davis".

DATE: August 19, 2019

SUBJECT: Appointment of Selection Committee for Miami-Dade Fire Rescue Department Request to Advertise for Non-Exclusive Professional Services Agreement to Perform a Comprehensive Investment Grade Audit for Energy Savings and Guaranteed Energy Performance Savings Contract for the Miami-Dade Fire Rescue Fire Stations and Facilities – Project No. E19-MDFR-01

Pursuant to Resolution No. R-449-14 dated May 6, 2014, the Office of Commission Auditor (OCA) is directed to conduct background checks on members serving on evaluation or selection committees.

Issue: Mr. Benjamin Salz an employee of Miami-Dade Fire Rescue stated on his neutrality/disclosure form that he worked as an Adjunct Lecturer at Florida International University (May/July, 2019). Florida International University is listed as a respondent to this request.

The results of the background check will be submitted to the Internal Services Department or other County Department overseeing and administering the competitive procurement process as well as the Commission on Ethics, if applicable.

The voting members of the selection committee are:

- Angel Lamela, Miami-Dade Fire Rescue Department
- Benjamin Salz, Miami-Dade Fire Rescue Department
- Patricia Gomez, Department of Regulatory and Economic Resources
- Andrew Burgess, Water and Sewer Department
- Lisa Dandrea, Cultural Affairs Department
- Victoria Valdez, Seaport Department (Alternate)
- Reinaldo Abrahante, Miami-Dade Aviation Department (Alternate)

The non-voting members of the selection committee is:

- Amado Gonzalez, Internal Service Department, Non-Voting Chair

Findings: Pursuant to Resolution No. R-449-14, OCA completed the required background research concluding there were no adverse findings for the voting and non-voting selection committee.

c: Jose Arrojo, Executive Director, Commission on Ethics and Public Trust
Radia Turay, Staff Attorney, Commission on Ethics and Public Trust
Namita Uppal, Chief Procurement Officer, ISD
Adeyinka Majekodunmi, Commission Auditor