

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, June 10, 2019 3:45 PM
To: Bass, Andrey (ISD)
Cc: Formas, Zvonimir (ISD); Sanchez, Rodzandra (COE)
Subject: INQ 19-61, Andrey Bass, Electronic Electrical Equipment Tech 2, Miami-Dade Internal Services Department (Limitations on Contracting with the County)
Attachments: INQ 19-61 Bass.pdf; Bass, Andrey applic.docx; Fl. Sunbiz- Best Access & Security Solutions LLC.pdf

Dear Mr. Bass,

Thank-you for contacting the Miami-Dade Commission on Ethics and Public Trust, and seeking our guidance in connection with limitations on contracting with the County and outside employment. Please find our opinion regarding this matter attached.

Sincerely,

Gilma (Mimi) Diaz-Greco
Staff Attorney
Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
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MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

19 West Flagler Street, Suite 820 · Miami, Florida 33130

Phone: (305) 579-2594 · Facsimile: (305) 579-0273

Website: ethics.miamidade.gov

MEMORANDUM

TO: Andrey Bass, Electronic Electrical Equipment Tech 2, Miami-Dade County, Internal Services Department

FROM: Gilma Diaz-Greco, Staff Attorney
Commission on Ethics

SUBJECT: INQ 19-61

DATE: 6-10-19

CC: COE Legal Staff, Zvonmir Formas, Supervisor, Electronic Electrical Equipment, Miami-Dade County, Internal Services Department

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance regarding Miami-Dade County employees applying to become County vendors.

Facts:

You are employed by the Miami-Dade County Internal Services Department (“ISD”) as an Electronic Elect Equipment Tech 2. You inquired whether conflicts of interest would exist if you were to contract with the County through your privately-owned business, Best Access and Security Solutions (“Best Access”), an alarm systems business which sells, installs, and repairs burglar, fire, and other low voltage alarms. Best Access would like to apply to become County vendor to provide alarm systems services.

Issue:

Whether the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (“County Ethics Code”) would prevent your privately-owned company, Best Access from contracting with the County.

Discussion and Opinion

Your inquiry involves several sections of the County Ethics Code which are analyzed below:

A. Outside Employment

Work conducted for Best Access, your privately-owned business, constitutes outside employment. The County Ethics Code prohibits County employees from engaging in conflicting outside employment. Conflicting employment is sometimes created when a County employee comes in contact with the same or similar people or entities in both his outside employment and in his County job or when he uses the same or similar resources in his outside employment as he uses in his County work. Also note that you may not use County time or resources in the performance of your outside employment. *See* County Ethics Code §§ 2-11.1 (g) and (j), Miami-Dade Code 2-11, and Administrative Order 7-1.

Please be advised that this letter does not grant you permission to engage in outside employment. You must obtain permission to engage in outside employment annually from your department director and file related financial disclosure forms annually.

B. Contracting with the County

Once you have been granted permission to engage in outside employment, you may enter into a County contract through your privately-owned business, Best Access, provided that the contract does not interfere with the full and faithful discharge of your duties to the County. *See* the County Ethics Code at Secs. 2-11.1 (c) (2) and (d).

This includes the condition that you may not participate in determining the contract requirements or in awarding the contract. Additionally, none of your job responsibilities and job descriptions may require you to be involved in the contract in any way. This includes but is not limited to, the contract's enforcement, oversight, administration, amendment, extension, termination or forbearance. Also, you may not work in any County department that would enforce, oversee or administer this contract. *See* County Ethics Code §§ 2-11.1 (c) and (n). *Consequently, Best Access **may not** enter into contracts with ISD.*

C. Lobbying

Furthermore, you may not lobby the County. In this case, it means that you may not contact anyone within the County in an attempt to influence a decision about any contract Best Access is seeking. *See* the County Ethics Code at Sec. 2-11.1 (m)(1).

D. Exploitation of Official Position

Finally, the County Ethics Code prohibits County employees from exploitation of their official position. This means that you may not use your County position to secure **special privileges or exemptions** with respect to any County contract to which Best Access is applying. *See* County Ethics Code § 2-11.1(g).

This opinion is limited to the facts as you presented them to the Commission on Ethics and is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics.

Please submit this memorandum to the Procurement Department. The Ethics Commission does not submit it on your behalf.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.

County Employees Wishing to Register as County Vendors

Please submit the following information by mail, fax, **or** email to—

Gilma Diaz-Greco, Staff Attorney
The Commission on Ethics & Public Trust
19 West Flagler St., Suite 820
Miami, FL 33130

Phone: (305) 350-0638
Fax: (305) 579-0273
Email: gdiazgr@miamidade.gov

Employee's Name	Andrey Bass
Employee's Dept.	ISD
Employee's Title	EEE Tech 2
Business Name	Best Access and Security Solutions, LLC
Type of Business	Alarm Systems
Employee's Mailing Address	21035 NE 5 th Court, Miami, FL 33179
Employee's Daytime Phone	(305) 219-2874
Employee's Preferred Email	andrey.bass@miamidade.gov
Immediate Family Members	N/A

(Please list the names, titles, and departments of any immediate family members currently employed by Miami-Dade Co.)

The Miami-Dade County Conflict of Interest & Code of Ethics at § 2-11.1 (c)(2) allows County employees to contract with the County in certain circumstances and if the following criteria are met. Please confirm that you will meet all of these criteria:

1. Entering into a contract with the County will not interfere with the full and faithful discharge of my duties to the County.
2. I will not participate in determining the contract requirements.
3. I will not participate in awarding the contract.
4. My job responsibilities and job description will not require me to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination, or forbearance.
5. I will not be working in the County department that enforces, oversees, or administers the contract.

I have read these requirements and pledge to abide by them.

Signature



Date

5/29/2019

Your ethics opinion will be sent to you by first class mail and email, unless you request another type of delivery.

COE 11/2013



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Limited Liability Company
BEST ACCESS AND SECURITY SOLUTIONS, LLC

Filing Information

Document Number L17000164021
FEI/EIN Number 82-2397435
Date Filed 08/01/2017
Effective Date 08/01/2017
State FL
Status ACTIVE

Principal Address

21035 NE 5TH COURT
MIAMI, FL 33179

Mailing Address

21035 NE 5TH COURT
MIAMI, FL 33179

Registered Agent Name & Address

BASS, ANNA
2430 NE 215TH STREET
MIAMI, FL 33180

Authorized Person(s) Detail

Name & Address

Title Authorized Member

BASS, ANNA
21035 NE 5TH COURT
MIAMI, FL 33179

Title Authorized Member

BASS, ANDREY
21035 NE 5TH COURT
MIAMI, FL 33179

Annual Reports

Report Year	Filed Date
2018	04/02/2018
2019	02/25/2019

Document Images

02/25/2019 -- ANNUAL REPORT	View image in PDF format
04/02/2018 -- ANNUAL REPORT	View image in PDF format
08/01/2017 -- Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations