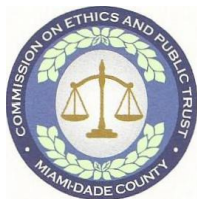


MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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March 29, 2021

Via email: LS2ConsultingGroup@gmail.com

Yusem Corchero
LS2 Consulting Group, Inc.
13384 SW 46 Terrace
Miami, FL 33175

Re: INQ 2021-53, Limitations on Doing Business with the County

Dear Ms. Corchero:

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

Facts:

You advise that while you are not a County employee, your spouse, Mr. Darian Vega, is a County employee working at the Miami-Dade County Water & Sewer Department ("WASD") as a Projects Inspector 1. You advise that your spouse does not work for LS2 and is not otherwise involved in the administration or management of the business. You would like to contract with the County through your privately-owned business, LS2 Consulting Group, Inc. ("LS2"), a document control and contract management consulting services provider.

Issue:

Whether the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance ("County Ethics Code") would prevent LS2, from contracting with the County.

Discussion and Opinion:

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

A. Contracting with the County

The County Ethics Code at Sections 2-11.1 (c)(2) and (d) allow you to enter into a contract, individually or through a firm, with Miami-Dade County, as long as the contract does not interfere with the full and faithful discharge of your spouse's duties to the County.

This means that your spouse, Mr. Vega, shall not participate in determining the contract requirements or in awarding the contract. Additionally, none of Mr. Vega's responsibilities and job descriptions shall require her to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination, or forbearance. In your case, this means that LS2, shall not enter into contracts with or provide services of any type to WASD. See County Ethics Code §§ 2-11.1 (c) and (n).

B. Lobbying

Furthermore, your spouse may not lobby the County on behalf of LS2. This means that your spouse may not appear before any County board or agency to represent LS2, nor contact anyone within the County in an attempt to influence a decision about any contract that LS2 is seeking. See the County Ethics Code §§ 2-11.1 (m)(1).

C. Exploitation of Official Position

Finally, the County Ethics Code prohibits County employees from exploitation of their official position. In this instance, it means that your spouse may not use her County position to secure special privileges or exemptions with respect to any County contract to which LS2 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. Please contact us if any of these facts change.

Sincerely,



Gilma Diaz-Greco, Staff Attorney

cc: All Commission on Ethics Legal Staff; Darian Vega, WASD

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.