

October 9, 2007

Bernie Ortega, President
Bernie's Rock & Garden
14650 SW 177 Ave.
Miami, FL 33196

Via First Class Mail and Fax at 786 242 3600

Re: **INQ 07-157**

Bernie Ortega may register Bernie's Rock & Garden as a County vendor, as long as Bernie's Rock & Garden does not contract with the Library Department and/or is not supervised by Claudia Ortega and/or the Library Department.

Miami-Dade County Conflict of Interest & Code of Ethics at § 2-11.1 (c)

Dear Mr. Ortega:

In correspondence to our office on September 19 and October 4, 2007, you said that you wish to register your business, Bernie's Rock & Garden, as a County vendor.

The facts as we understand them are as follows:

1. Your daughter, Claudia Ortega, works for the Miami-Dade County Library Department as a librarian.
2. Bernie's Rock & Garden is a natural stone provider owned by Bernie Ortega.
3. Bernie Ortega is seeking to register Bernie's Rock & Garden as a vendor in order to do business with the County.

It is the opinion of the Ethics Commission that Bernie's Rock & Garden may contract with the County as long as entering into the contract will not interfere with the full and faithful discharge of Claudia Ortega's duties to the County. This includes the requirement that Claudia Ortega not participate in determining the contract requirements or in awarding the contract. Additionally, we are assured that Claudia Ortega's job responsibilities and job descriptions will not 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. Finally, Claudia Ortega will not work in the County department that will enforce, oversee or administer the contract.

If any of the facts you have presented change, or if you have further questions, please do not hesitate to contact me at 305 350-0601.

Sincerely,

VICTORIA FRIGO
Staff Attorney