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VIA FACSIMILE

October 29, 2007

Debra Page
President
MAC Janitorial Service
1773 N.W. 62nd Terrace
Miami, FL 33142

RE: INQUIRY 07-165

Dear Ms. Page:

I received your request for an opinion regarding your ability to contract with Miami-Dade County and I am rendering this opinion based on the facts contained in your request. The Ethics Commission has not considered this matter. Please contact me if you want a formal opinion from the Ethics Commission.

In your letter, you advised me that MAC Janitorial Services is seeking to become registered as a county vendor. Your sister, Kim Smith, is a Bus Driver with the Transit Department. MAC is seeking to contract with all county departments.

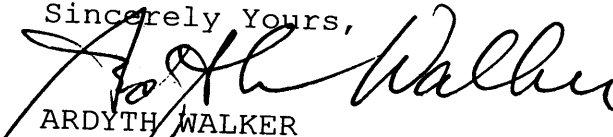
The Conflict of Interest and Code of Ethics ordinance permits you to contract with all county departments and agencies. Section 2-11.1 (c) provides that " (n)otwithstanding any provision to the contrary herein, subsection (c) and (d) shall not be construed to prevent any employee...from entering into any contract, individually or through a firm, corporation, partnership or business entity in which the employee or any member of his or her immediate family has a controlling

financial interest, with Miami-Dade County or any person or agency acting for Miami-Dade County as long as 1) entering into the contract would not interfere with the full and faithful discharge by the employee of his or her duties to the County, 2) the employee has not participated in determining the subject contract awards or awarding the contract, and 3) the employee's job responsibilities and job description will not require him or her to be involved with the contract in any way, including but not limited to its enforcement, oversight, administration, amendment, extension, termination or forbearance. Section 2-11.1(d) prohibits employees from contracting with their department through a corporation in which the employee or a member of their immediate family has a controlling financial interest. Immediate family is defined in the ordinance as spouse, parents and children. Since siblings are not contained in the definition of immediate family, you are not prohibited from contracting with any county department. Therefore, you may be a registered county vendor and contract with all county departments and agencies.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call the undersigned at (305) 579-2594

Sincerely Yours,


ARDYTH WALKER
Staff General Counsel