

December 9, 2008

Mario Gonzalez, President  
MAGGOLC, INC.  
11020 SW 55<sup>th</sup> St.  
Miami, FL 33165

**Via First Class Mail  
and  
Fax at 786 472-8831**

**Re: INQ 08-180**

MAGGOLC, INC. may register as a County vendor, as long as MAGGOLC, INC. does not contract with or is supervised by the PUBLIC WORKS DEPARTMENT and/or by OLGA LEON. (*See* Miami-Dade Co. Conflict of Interest & Code of Ethics at §§ 2-11.1 (c) & (d).)

Dear Mr. Gonzalez:

In correspondence to our office on December 5 and 8, 2008, you said that you wish to register your business, MAGGOLC, INC., as a County vendor.

The facts as we understand them are as follows:

1. Your spouse, OLGA LEON, is a Cost Estimator with the Miami-Dade County PUBLIC WORKS DEPARTMENT.
2. MAGGOLC, INC., a business owned by you and in which you serve as President and qualifier, is an engineering contractor.
3. MAGGOLC, INC. is seeking to register as a vendor in order to do business with the County.

It is the opinion of the Ethics Commission staff that MAGGOLC, INC. may register to contract with the County as long as any contract does not interfere with the full and faithful discharge of OLGA LEON's duties to the County. This includes the requirement that OLGA LEON not participate in determining the contract requirements or in awarding the contract. Additionally, none of OLGA LEON's job responsibilities and job descriptions may 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, OLGA LEON may not work in any County department that will enforce, oversee, or administer the contract.

In a telephone conversation today we discussed that your company would not be able to do work for the PUBLIC WORKS DEPARTMENT as long as your spouse is employed there. However, your company may contract with other County departments independent of the PUBLIC WORKS DEPARTMENT, or your spouse may seek a transfer to another County department in order for your company to contract with the PUBLIC WORKS DEPARTMENT.

A waiver of this prohibition may be obtained from the Board of County Commissioners in a public meeting by a 2/3 vote. I've attached the section of the County Ethics Code that discusses this waiver.

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

Attachment: Miami-Dade County Ethics Code, Sections 2-11.1 (c) & (d)