

Via First Class Mail
and
email at roland_bujeiro@yahoo.com

December 2, 2010

ETHICS COMMISSIONERS

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ARDYTH WALKER
STAFF GENERAL COUNSEL

Roland B. Bujeiro
Fortress Builders, Inc.
6305 Gage Place, No 110-A
Miami Lakes, FL 33014

Re: INQ 10-189; Prohibition on lobbying the County for two years following your separation from County employment.

Dear Mr. Bujeiro:

This is in response to your request for an ethics opinion regarding your ability to enter into contracts with Miami-Dade County.

IT IS THE OPINION of the Ethics Commission staff that you and/or Fortress Builders, Inc., may enter into contracts with the County *but you may not lobby the County for two years following your separation from County employment.*


THE FACTS as you presented them are that you were employed by the Miami-Dade County General Services Administration (GSA) as a Construction Manager 2 until July 18, 2010. You wish to do business with the County through your privately owned construction company, Fortress Builders, Inc. You are also seeking to become certified as a Community Small Business Enterprise (CSBE) by the Department of Small Business Development (SBD).

THE COUNTY CODE does not prevent you and/or your company from entering into contracts with Miami-Dade County as long as you do not lobby the County for two years following your separation from County employment. Please be advised that the Ethics Commission has interpreted the term "lobbying" very broadly to include any activities perceived as attempting to influence a County official or employee in connection with an application, RFP, RFQ, bid, or contract. Consequently, efforts by you to persuade County staff to take a particular course of action or to make a determination may be considered "lobbying." See the Miami-Dade County Code at Sec. 2-11.1 (q).

You are allowed, however, to engage in interactions with County personnel that are ministerial in nature, such as filing applications, requesting general information, asking procedural questions, confirming receipt of applications, or inquiring about the status of submitted documents.

If you have any questions about a future action to be taken, we encourage you to contact the Ethics Commission to obtain a legal opinion on the matter.

Sincerely,


VICTORIA FRIGO
Staff Attorney

copy: Jacob Mizrahy (SBD) at JMizrah@miamidade.gov