



Via First Class Mail
and
email at jshep@miamidade.gov

March 1, 2011

ETHICS COMMISSIONERS

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ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

Judy S. Shepard
J-MAC CLEANING SERVICES, INC.
7673 West LaSalle Blvd.
Miramar, FL 33023

Re: INQ 11-34

Limitations on Doing Business with the County

See also INQ 11-05, which requires you to obtain permission and submit appropriate forms in order to engage in outside employment.

Dear Ms. Shepard:

In correspondence to our office on February 22, 2011, you said that you wish to do business with the County through J-MAC CLEANING SERVICES, INC., a privately owned business in which you serve as President.

The County Ethics Code allows J-MAC CLEANING SERVICES, INC., to enter into contracts with all County departments *except* the Miami-Dade County Transit Department because of your employment as a Purchasing Specialist with the Transit Department. You are also advised to contact your department supervisor to determine if additional prohibitions exist for Purchasing Specialists.

Specifically, the County Ethics Code at Sec. 2-11.1 (c) allows you and/or your company to enter into a contract with Miami-Dade County as long as the contract does not interfere with the full and faithful discharge of your duties to the County. This includes the condition that you do not participate in determining the contract requirements or in awarding the contract. Additionally, none of your job responsibilities and job descriptions may require you to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination, or forbearance. Finally, you may not work in any County department that will enforce, oversee, or administer your contract. In your case, this means that you may not enter into contracts with the Transit Department.

Although you have sisters working for the Water & Sewer Department and Solid Waste Department, the Ethics Code does not include sisters within the definition of "immediate family." Therefore, you may contract with the Water & Sewer and Solid Waste departments, as long as you are not benefiting as a result of your sisters' employment with these departments.

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