



Via First Class Mail and  
email at [CSIMP142@YAHOO.COM](mailto:CSIMP142@YAHOO.COM)

*Permission to engage in outside employment must be obtained annually from the County employee's supervisor. This opinion does not confer permission to engage in outside employment.*

**ETHICS COMMISSIONERS**

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ARDYTH WALKER  
STAFF GENERAL COUNSEL

April 27, 2011

Constantine A. Simpson  
FIVE O FIREARMS AND SECURITY OFFICER TRAINING, INC.  
18800 NW 8<sup>th</sup> Ave., Suite 113  
Miami Gardens, FL 33169

Re: INQ 11-66, Limitations on Doing Business with the County

Dear Mr. Simpson:

In correspondence to our office on April 26, 2011, you said that you wish to do business with the County through your privately owned company that provides security officer training and security guard services. You are employed as a Security Supervisor with the County SEAPORT.

You stated that your company is called Five O Security Protection. We are assuming that this is the same corporation you registered with the State of Florida called FIVE O FIREARMS AND SECURITY OFFICER TRAINING, INC.

Your letter poses three questions:

1. May you engage in outside employment?
2. May you register as a small business?
3. If your Department Director has granted you permission to engage in outside employment, may you bid on a contract to provide security guard services to Miami-Dade County?

REGARDING OUTSIDE EMPLOYMENT, this letter does not convey permission to engage in outside employment. Authority to approve outside employment is at the discretion of your Department Director. If you and/or your Department Director would like further guidance on this issue, you may contact the Ethics Commission for a legal opinion.<sup>1</sup>

REGARDING SMALL BUSINESS REGISTRATION, our office does not handle this issue. Please contact Small Business Development at (305) 375-3111 or [sbdmail@miamidade.gov](mailto:sbdmail@miamidade.gov).

REGARDING CONTRACTS WITH THE COUNTY, you may bid on any County contract except those with the SEAPORT, provided you have permission to engage in outside employment through your privately owned company.

<sup>1</sup> The Ethics Code requires that a County employee not engage in other employment that would "impair his or her independence of judgment in the performance of his or her public duties." County Code at Sec. 2-11.1 (j). County employees must "avoid any and all situations that represent, or appear to represent, conflicts between their personal interests and their public duties." Administrative Order 7-1.

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 SEAPORT.

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