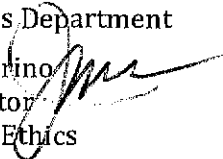


MEMORANDUM

Miami-Dade Commission on Ethics

Date: January 9, 2012

To: Lester Sola
Director
Internal Services Department

From: Joseph M. Centorino 
Executive Director
Commission on Ethics

RE: INQ 12-05 West Lot Multi-Use Facility
Project No. DB08-ISD ESP, ISD Contract No. W 80052

In response to your question of December 5, 2012, the Ethics Commission staff finds that PJB Associates, P.A., may contract with the Internal Services Department to develop architectural construction documents for Phase 2 of the West Lot Multi-Use Facility.

We understand that PJB has served as the Architect of Record during Phase 1 for construction of the facility, but its service on Phase 1 is essentially completed and, consequently, the earlier contract poses no conflicts of interest in the execution of the second contract.

Initially, an architect was not chosen to complete Phase 2 (the build-out phase of the office spaces) because the tenant's needs had not been determined. The Internal Services Department is now ready to complete Phase 2 and would like to contract with PJB to design the build-out. You have stated that contracting with PJB for Phase 2 would be in the best interests of the County because of the firm's familiarity with the project.

The purpose of a conflict-of-interest analysis for firms doing business with the County is to prevent an impairment of judgment¹ or disclosure of confidential information² by a contractor that could unfairly benefit the contractor to the disadvantage of the County and/or others.

Since Phase 1 of the West Lot Multi-Use Facility is essentially completed, PJB would have no conflicting interests if it were to serve as architects for Phase 2. The firm would have no overlapping roles or responsibilities and would not be required to evaluate its own work on the subsequent contract. Additionally, PJB would have no confidential information that could compromise its responsibilities to the County.

This opinion deals solely with potential conflicts of interests for PJB that are governed by the County Ethics Code at Sec. 2-11.1. We do not address issues that may be controlling under other sections of the County Code or under procurement and related requirements for contracting with the County, such as the competitive bidding process. Finally, questions regarding conflicts under state law should be addressed to the State Ethics Commission.

¹ County Ethics Code at Sec. 2-11.1 (j).

² *Id.* at Sec. 2-11.1 (h).