

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Friday, December 28, 2012 2:51 PM
To: 'David Hazouri'
Cc: Centorino, Joseph (COE)
Subject: Cone of Silence (INQ 12-228)

Mr. Hazouri,

The Cone of Silence at Sec. 2-11.1 (t) of the County Code is not violated when a local television station broadcasts a news story about the Miami International Airport (MIA) luggage wrapping contract as you described.

You stated that you represent Safe Wrap of Florida, which is one of two bidders for RFP MDAD-5-12. This RFP is an invitation to bid on a luggage wrapping contract at MIA.

On December 13, 2012, during the time the Cone of Silence was in effect for the luggage wrapping RFP, Channel 41 aired a four-minute segment that included interviews with Commissioner Rebecca Sosa, Commissioner Javier Souto, and a principal of TrueStar USA. The discussion focused on the appropriateness of contracting with a vendor if that vendor were to have possible ties to other companies that may have conducted business in Cuba. Your client was implicated in this discussion.

As per Administrative Order 3-27, the intent of the Cone of Silence is to protect the integrity of the County's procurement process by shielding County officials and personnel from undue influences prior to the recommendation of contract award.

To this end, the Cone prohibits private oral conversations related to the RFP process between—

- County officials and certain County personnel
- a bidder and the County's professional staff
- a bidder and the Mayor, County Commissioners, or their respective staffs
- a bidder and any member of the selection committee.

Under the facts you presented, no oral communications like these occurred. The principal of TrueStar did not speak directly to the Commissioners or to any County personnel, even if these individuals may have seen the story when it aired publicly. Additionally, the Commissioners did not speak to each other.

If you wish to refute any of the comments presented in the broadcast of December 13, you are free to address County officials and personnel *in writing*, with a copy to the Clerk of the Board. See Miami-Dade County Code at Sec. 2-11.1 (t)(1)(c)(i).

Please feel free to contact me if I can be of further assistance.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601

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Miami, FL 33130

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-----Original Message-----

From: David Hazouri [<mailto:dhazouri@shubinbass.com>]

Sent: Monday, December 24, 2012 10:45 AM

To: Frigo, Victoria (COE)

Subject: FW: Emailing: Final-Request for Opinion Doc-12-21-12

Dear Ms. Frigo,

Please see our written request for opinion per our conversation earlier this morning.

-----Original Message-----

From: Ruth Quintavalli

Sent: Friday, December 21, 2012 9:59 AM

To: David Hazouri

Subject: Emailing: Final-Request for Opinion Doc-12-21-12

Your message is ready to be sent with the following file or link attachments:

Final-Request for Opinion Doc-12-21-12

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.