

Frigo, Victoria (COE)

From: Ramos, Miriam S. (COE)
Sent: Tuesday, May 15, 2012 3:00 PM
To: 'Pinzur, Matthew I'
Cc: Taylor, Adam; Taylor, Henry ; Lago, Carlos R; Ali, Iram; Christian, Valda (CAO); Costanzo, Rosa M; Centorino, Joseph (COE); Frigo, Victoria (COE); Cedenno, Rachele (COE)
Subject: RE: Advertising and RFP on Twitter.com - INQ12-085

Matt,

This is clearly a new area and we fear inadvertent Cone violations could potentially result if you are unable to “disable” responses. Although, I accept your argument that doing so would not definitively stop a potential bidder from contacting a County official using other means. We would feel more comfortable if the “tweet” explicitly states that questions of process and procedure (allowed under the Cone) should be directed to a particular individual (in purchasing/procurement) and provides their phone number and email address.

Under state law, you will still have a public records issue, as Twitter is under no legal obligation to keep transmissions, yet the County is required to. I suggest you request on opinion from the Attorney General’s Office on the public records implications - <http://myfloridalegal.com/>

Sincerely,

Miriam S. Ramos, Esq.
Deputy General Counsel

Miami-Dade County Commission on Ethics
19 W. Flagler Street, #820
Miami, FL 33130
305-350-0656 direct dial
305-579-0273 fax
www.miamidadeethics.com

The Miami-Dade County Commission on Ethics & Public Trust is a public agency subject to Chapter 119, Florida Statutes, concerning public records. E-mail messages are covered under such law and thus subject to disclosure.

From: Pinzur, Matthew I [mailto:Matthew.Pinzur@jhsmiami.org]
Sent: Tuesday, May 15, 2012 9:27 AM
To: Ramos, Miriam S. (COE)
Cc: Taylor, Adam; Taylor, Henry ; Lago, Carlos R; Ali, Iram; Christian, Valda (CAO); Costanzo, Rosa M
Subject: RE: Advertising and RFP on Twitter.com - INQ12-085

Hi, Miriam,

Henry Taylor forwarded your response below regarding using Twitter to advertise an RFP. I want to follow up on your question. I don't believe it's really possible to "disable" responses... to make an analogy, even if I could send an email that disabled replies, that wouldn't prevent someone from sending me a new email on the same topic. Anyone can "direct" a tweet to any other Twitter address. Likewise, when we advertise an RFP in the newspaper, anyone can call Jackson... if they happen to call the owner department rather than the procurement staff, I think best practice is to simply refer them to the proper staff in procurement. To that end, I wonder whether we could advertise the RFP via Twitter and, if there were any follow-up inquiries, simply reply by referring them to the proper procurement staff – just as we would to a phone call or email.

I would appreciate if you could reply timely to this suggestion, as the RFP in question has a due date of May 30.

Thanks in advance,
Matt

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Matthew I. Pinzur

Corporate Director, External Affairs
Executive Office

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Cell: 786-531-3761
matthew.pinzur@jhs-miami.org



From: Taylor, Henry
Sent: Tuesday, May 15, 2012 9:22 AM
To: Pinzur, Matthew I
Subject: FW: Advertising and RFP on Twitter.com - INQ12-085

Matt,

FYI - Here is the opinion of the MDC-Commission on Ethics:

Henry Taylor
Office: 305-585-7806

From: Ramos, Miriam S. (COE) [<mailto:MSRAMOS@miamidade.gov>]
Sent: Monday, May 14, 2012 3:49 PM
To: Taylor, Henry
Cc: Frigo, Victoria (COE); Centorino, Joseph (COE); Cedeno, Rachele (COE)
Subject: Advertising and RFP on Twitter.com - INQ12-085

Mr. Taylor,

Technically, advertising the RFP on Twitter is not a violation of the Cone of Silence. Cone of Silence issues, as well as public records issues, are likely to arise, however, if users are allowed to respond. If Twitter allows the user to disable the response option, then we do not believe a problem will arise as it will simply be a vehicle by which the RFP is advertised. If it is not possible to do so, however, we recommend not using Twitter for this purpose.

If you wish to discuss further, please feel free to call me.

Sincerely,

Miriam S. Ramos, Esq.
Deputy General Counsel

Miami-Dade County Commission on Ethics

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From: Taylor, Henry [<mailto:HTaylor2@jhsMiami.org>]
Sent: Friday, May 11, 2012 4:25 PM
To: Ethics (COE)
Cc: Taylor, Henry ; Romano, Michelle A; Costanzo, Rosa M
Subject: Advertising and RFP on Twitter.com

Dear Commission on Ethics,

We are requesting an opinion on a procurement matter. In the Procurement Department here at Jackson, we issue solicitations for various products and services for our various user departments (clients) throughout the System. We were approached by a particular client with a request that we advertise their solicitation on **Twitter**. We usually post our public notices on the **Daily Business Review** and on our website (www.jhsMiami.org); when we need to reach a larger audience, we advertise on **Demandstar** or **The Miami Herald**.

If we advertise on **Twitter**, we would like to assure that we are complying with the Cone of Silence and all of the County rules and regulations, please advise.

Sincerely,

HENRY TAYLOR
Senior Contracting Officer
Procurement Management Department
Jackson Health System

Jackson Medical Towers
1500 NW 12th Ave - Suite 814
Miami, FL 33136

Office: 305-585-7806