

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Thursday, May 16, 2013 3:04 PM
To: 'Pepe, Thomas F.'
Cc: Centorino, Joseph (COE)
Subject: NO communications between manager and selection committee (INQ 13-123)

Mr. Pepe,

The City Manager cannot be placed on the selection committee. He cannot communicate orally with any selection committee members while the Cone of Silence is in effect. *See* Miami-Dade County Code at Sec. 2-11.1 (t)1.(a). Please advise the Manager that the Cone is not lifted until he, the City Manager, issues a written recommendation to award the contract.

If the City Manager wishes to communicate what he believes to be the intended goals in acquiring branding design services for the city, as per RFP #PW-D2013-03, he must submit this information to the selection committee in writing and file a copy of the written communication with the City Clerk. *See* Miami-Dade County Code at Sec. 2-11.1 (t)1.(c)(i).

To reiterate, the City Manager cannot communicate orally with selection committee members, including those members from his own staff .

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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From: Pepe, Thomas F. [<mailto:TPepe@southmiamifl.gov>]
Sent: Wednesday, May 15, 2013 10:08 AM
To: Frigo, Victoria (COE)
Subject: Communication between manager and selection committee

Dear Ms. Frigo:

Our city manager has asked for an ethic opinion regarding his desire to be on the selection committee which is comprised of members of his staff, or to have limited communication with the selection committee. The RFQ has been published, the time to respond has expired and the responses have been received.

His first question:

If you don't think I can discuss the branding selection with the committee, I would like to add myself to the committee so I can be a participant.

I am told there was no reference to specific committee members in the reso or the RFQ . Let me know if I can add myself.

His Second Question:

The selection committee will perform a detailed review and evaluation. Perhaps I can just inform them of my understanding of the intended goal since the selection of a branding firm is based largely on subjective issues.

Very truly yours,

Thomas F. Pepe

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