

Frigo, Victoria (COE)

From: Marrero, Asael (ISD)
Sent: Thursday, May 23, 2013 3:58 PM
To: Frigo, Victoria (COE)
Cc: Centorino, Joseph (COE); Singer, Miriam (ISD); Millan, Luisa M. (ISD); Castilla, Daniel (ISD)
Subject: RE: Post-employment prohibitions
Attachments: INQ 13-74 Boutsis_Valdes letter.pdf

Good afternoon Ms. Frigo,

Re: Mr. Felix Valdes (Former ISD Employee) (Mr. Valdes resigned from the Water and Sewer Department on June 15, 2012)

Construction Company: V Engineering and Consulting Corp.

Per our conversation last week in reference to Internal Services Department (ISD) doing work with a former ISD employee's Construction Company, please note that based on our discussion and as outlined in the reference letter, we will be proceeding as follows:

- ISD may proceed with V Engineering and Consulting Corp. as long as Mr. Valdes does not lobby any County officials and personnel on behalf of his company or any other company or County contractor with the intent to influence a decision about a contract or certification. Former County employee may carry out routine or ministerial activities at the County level. ISD staff will contact the Commission on Ethics and Public Trust Office immediately if they have any questions on this process.

Below is a brief project timeline of activities to date:

1. On 03.28.2013 ISD sent out an email to 41 Emergency Contractors to meet on site (Richard E. Gerstein Building) to discuss emergency work required to repair damaged storm / sanitary lines which are currently collapse / blocked and have major underground water table intrusion into the sanitary system.
 - a. Per our conversation, it was discussed that this is a standard procedure for ISD to assign Emergency Contractor from the MCC7040 Emergency Contractors. Mr. Valdes' company was listed among this list.
2. On 03.29.2013 ONLY two contractors attended the mandatory site meeting: Lego Construction and V Engineering and Consulting Corp. (VEC). Proposals were requested from both contractors. Deadline for this proposal was 04.05.2013.
3. On 04.02.2013 Lego Construction requested a second site visit which was accommodated on 04.03.2013.
4. On 04.05.2013 ISD received ONLY one proposal from V Engineering and Consulting Corp.
 - a. Per our conversation, it was discussed that V Engineering and Consulting Corp. was in their right to submit a proposal for this work.
5. On 04.17.2013 ISD completed the review of V Engineering and Consulting Corp.'s proposal.
6. On 04.18.2013 Collusion Affidavit was submitted to V Engineering and Consulting Corp to be filled out.
7. On 04.18.2013 Collusion Affidavit and Liability Insurance Copy was submitted by V Engineering and Consulting Corp.
8. On 04.19.2013 Submitted the Release of Building Plans for V Engineering and Consulting Corp.

9. On 04.30.2013 thru 5/3/2013 V Engineering and Consulting Corp Bid Review Summary Package Processing.
10. On 05.02.2013 Approval for Release of Plans was submitted to
ISD
11. On 05.03.2013 Recommendation for Award was signed and
approved
12. On 05.13.2013 Onsite meeting with V Engineering and Consulting Corp, FUMD, and ISD Staff to discuss the
Scope of work, work schedules, estimated time of completion for the investigation, and any other pending
items.
 - a. ISD contacted Commission on Ethics and Public Trust Office immediately after learning that Mr. Valdes
was a former county employee for advise on how to proceed.
13. On 05.13.2013 Payment and Performance Bond was submitted by V Engineering and Consulting Corp

Please advise if any additional information is required at this time.

Thanks,

Asael Ace Marrero, AIA, Architect

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Internal Services Department
Design and Construction Services Division
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From: Frigo, Victoria (COE)
Sent: Wednesday, May 15, 2013 10:10 AM
To: Marrero, Asael (ISD)
Cc: Centorino, Joseph (COE)
Subject: Post-employment prohibitions

Mr. Marrero,

The County Code at Sec. 2-11.1 (q) prohibits a former County employee from lobbying the County for two years following his County employment.

“Lobbying” has been interpreted very broadly by the Ethics Commission, particularly as it relates to former County employees. As a result, for the next two years, the former employee is generally barred from appearing before County officials and personnel on behalf of his company or any other company or County contractor with the intent to influence a decision about a contract or certification. However, the former County employee may carrying out routine or ministerial activities at the County level

Attached is a recent opinion on this issue given to an assistant Seaport director. Please call me at my direct number, below, if you wish to discuss this further.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

Direct Phone: 305 350-0601

Main Number: 305 579-2594

Fax: 305 579-0273



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