

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Thursday, November 21, 2013 2:42 PM
To: Riaz, Ammad (Aviation)
Cc: Murray, David M. (Aviation); Ramos, Jose A. (Aviation); Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: Lea+Elliott (INQ 13-297)
Attachments: Organizational Conflicts.pdf

Mr. Riaz,

You have asked the Ethics Commission to opine on an organizational conflict involving potential or current Aviation contractors. This matter does not relate to natural persons, such as County officers, employees, certain designated contract staff, and others.

Because the County Ethics Code at Sec. 2-11.1 applies only to natural persons, the Miami-Dade Ethics Commission cannot issue an opinion regarding an organizational conflict unless the Ethics Commission has been named to do so in the solicitation document and the criteria on which the opinion is to be based is also identified.

Attached is a memo that further explains the rationale for resolving organizational conflicts. If you have additional questions, please contact Joe Centorino, Executive Director, or Gilma Diaz-Greco, Staff Attorney, at the Miami-Dade Ethics Commission.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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From: Riaz, Ammad (Aviation) [<mailto:ARiaz@miami-airport.com>]
Sent: Tuesday, November 19, 2013 1:44 PM
To: Ethics (COE); Murray, David M. (Aviation)
Cc: Ramos, Jose A. (Aviation)
Subject: Lea+Elliott

Ethics Commission/Dave,

I am writing to ascertain an opinion from the Ethics Commission/County Attorney's Office with regards to consultant Lea + Elliott, Inc. (L+E) and their ability to compete on a future solicitation if they conduct very preliminary planning for the Aviation Department as it relates to a future Automated People Mover (APM) System at Miami International Airport's (MIA) Central Terminal. As part of the MIA Central Terminal Program Definition Document (PDD) a very preliminary analysis is required to determine the viability and connectivity of a future Central Terminal APM to the existing North

Terminal APM. Since L+E has extensive experience with the APMs at MIA the Aviation Department is pursuing a special request through the County's Equitable Distribution Program (EDP) to retain them for this preliminary analysis. The concern raised by the County's Internal Services Department is that L+E may have an unfair advantage if they conduct this analysis and pursue a future solicitation for the programming and/or design of this system in the distant future (around 2020 if the project receives funding by then). The Aviation Department staff feels differently in that it wouldn't be a conflict of interest if they were to pursue a future solicitation after conducting this analysis because this analysis would be a very high level analysis and preliminary in nature. I am attaching the scope of services that will be issued to them for the preliminary planning analysis for your review and determination.

The Aviation Department has a deadline to complete the Central Terminal PDD by mid December 2013. So to the extent possible a quick response will be greatly appreciated.

Regards,

Ammad Riaz, P.E.

Chief

Aviation Planning Division

Miami-Dade Aviation Department

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