

## Frigo, Victoria (COE)

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**From:** Frigo, Victoria (COE)  
**Sent:** Tuesday, February 12, 2013 1:57 PM  
**To:** 'maggie@sustainablemia.com'  
**Cc:** Centorino, Joseph (COE)  
**Subject:** The 2-year rule (INQ 13-31)

Ms. Fernandez,

You asked, as a former County employee, if you could register as a County vendor through your privately owned consulting firm, Sustainable Miami. You also asked if you would be allowed to work as a subcontract for a County contractor.

You may register as a County vendor and work as a subcontractor to a prime contractor with a County contract, but you must not be involved in any type of communication or activity that attempts to persuade County officials or personnel to take a particular course of action or make some determination related to these contracts. *See* the County Code at Sec. 2-11.1 (q)(1).

The County Code prohibits you from lobbying the County for two years following your County employment. Please be advised that "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, you are generally barred from appearing before County officials and personnel on behalf of your company or a prime contractor with the intent to influence a decision about a contract or certification. However, you may carrying out routine or ministerial activities at the County level.

You stated that you left County employment on February 6, 2013, which means that the lobbying prohibition is in effect until February 5, 2015. During that time, please do not hesitate to contact our office for further guidance if you have questions about whether a particular activity would violate the County Ethics Code.

Sincerely,

**VICTORIA FRIGO, SENIOR STAFF ATTORNEY**

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**From:** Maggie Fernandez [<mailto:maggie@sustainablemia.com>]  
**Sent:** Saturday, February 09, 2013 1:15 PM  
**To:** Ethics (COE)  
**Subject:** Request for Opinion

To the Miami-Dade County Ethics Commission:

The following is a request for an opinion. On January 9, 2013, I was laid-off by Miami-Dade County. February 6, 2013 was my final day as an employee, and my break in service. I have opened my own consulting firm, Sustainable Miami, and would like to know if I am eligible to register as a Miami-Dade County vendor. My firm will not engage in lobbying efforts with Miami-Dade County, and fully understands/is aware of the two-year ban. But, I am eligible to complete for County consulting contracts or become a sub-award of prime awardees?

Thank you for your consideration of this ethics opinion.

Margarita Fernandez  
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