

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Monday, March 25, 2013 1:01 PM
To: Caballero, Alisa L (PHCD); Saydal-Hamilton, Mari (PHCD)
Cc: Cibran, Jorge (PHCD); Centorino, Joseph (COE)
Subject: INQ 13-69 Contracting with the PHCD

Ms. Caballero,

The Miami-Dade Ethics Code does not prohibit your husband's company, Caballero Plumbing, Inc., from subcontracting with construction firms that are rehabilitating the Joe Moretti Public Housing Apartments—a property that is managed by the County Public Housing and Community Development Department (PHCD). You are employed by the PHCD as a Quality and Assurance Officer in the PHCD's Administrative Services Division.

This opinion is based on the fact that all contracting responsibilities involving design, construction, and related services needed to rehabilitate the Joe Moretti Apartments have been turned over to Rudg, LLC. This arrangement was formalized through a long-term lease agreement between the Facilities and Development Division of the PHCD and Rudg, LLC. Consequently, the PHCD has *not* contracted directly with the prime contractor, Fortune Construction Company; *nor* with the chief subcontractor, MCM; *nor* with any other subcontractors working on the Moretti project.

The County Code at Sec. 2-11.1 (c)(2) and (d) only prohibits County employees from contracting with the department that employs them. Your husband's company would not be contracting with any divisions of the PHCD, but rather with the prime contractor or subcontractors who are all under the direct supervision of Rudg, LLC.

According to Jorge R. Cibran, Director of the Facilities and Development Division, not only does the PHCD have no contracts with any entities working on the Moretti reconstruction, no County funds are being used to finance the project. Rudg, LLC, obtained the majority of the funding from Low Income Housing Tax Credits.

Thank you for bring this matter to our attention. Feel free to contact us if you have additional questions or concerns.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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