
From: Diaz-Greco, Gilma M. (COE)
Sent: Tuesday, July 22, 2014 9:19 AM
To: Sanchez, Rodzandra (COE)
Subject: Ethics Opinion(Restrictions on Doing Business with the County) INQ 14-174
Attachments: INQ 14-174 Dominguez.pdf; Dominguez application.pdf

INQ 14-174

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, July 21, 2014 4:01 PM
To: 'bdoming160@yahoo.com'
Subject: Ethics Opinion- Restrictions on Doing Business with the County INQ 14-174

Dear Ms. Dominguez,

Attached is the Limitations on Doing Business with the County Ethics Opinion letter. Please note that it indicates that you may contract with the County through your privately owned company, Does Construction Inc. but you may not contract with the Miami-Dade Police Department. I will send you the original letter via regular mail.

Please do not hesitate to contact me if you have further questions.

Sincerely,

Gilma (Mimi) Diaz-Greco
Staff Attorney



Miami-Dade Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
gdiazgr@miamidade.gov
www.facebook.com/MiamiDadeEthics

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

COMMISSIONERS

Charlton Copeland, CHAIRMAN
Nelson Bellido, VICE CHAIR
Dawn Addy
Kerry E. Rosenthal
Judge Lawrence Schwartz



EXECUTIVE STAFF

Joseph M. Centorino
EXECUTIVE DIRECTOR
GENERAL COUNSEL
Michael P. Murawski
ADVOCATE
Miriam S. Ramos
DEPUTY GENERAL COUNSEL

Via First Class Mail
and email at: bdoming160@yahoo.com

July 21, 2014

Beatriz Dominguez
Does Construction Inc.
671 NW 127 Path
Miami, FL 33182

*Please submit this letter to
the Procurement
Department. The Ethics
Commission does not submit
this letter on your behalf*

Re: INQ 14-174, Limitations on Doing Business with the County

Dear Ms. Dominguez:

Does Construction Inc. may enter into contracts with Miami-Dade County but not with the Miami-Dade Police Department.

This opinion is based on the following facts and legal analysis:

On July 17, 2014, you asked about limitations in doing business with the County through your privately owned company, Does Construction Inc. You are employed as a Sergeant working in the Miami-Dade Police Department.

OUTSIDE EMPLOYMENT

Work conducted for your privately owned company constitutes outside employment. The Ethics Code prohibits County employees from engaging in conflicting outside employment. You will be required to obtain permission to engage in outside employment annually from your supervisor and file related financial disclosure forms every year. Conflicting employment is sometimes created when a County employee comes in contact with the same or similar people or entities in both his outside employment and in his County job or when he uses the same or similar resources in his outside employment as he uses in his County work. See the County Code at Secs. 2-11.1 (g) and (j).

Please note that this letter does not grant you permission to engage in outside employment. You must obtain permission to engage in outside employment annually from your supervisor and file related financial disclosure forms every year.

CONTRACTING WITH THE COUNTY

Once you have been granted permission to engage in outside employment, you may enter into a County contract through your privately owned company, Does Construction Inc., as long as the contract does not interfere with the full and faithful discharge of your duties to the County. See the County Ethics Code at Secs. 2-11.1 (c)(2) and (d).

This includes the condition that you may not participate in determining the contract requirements or in awarding the contract. Additionally, none of your job responsibilities and job descriptions may require you to be involved in the contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance. Finally, you may **not** work in any County department that would enforce, oversee or administer this contract. Consequently, Does Construction Inc. may not enter into contracts with the Miami-Dade Police Department.

LOBBYING

Additionally, you may not lobby the County. In this case, you may not contact anyone within the County in an attempt to influence a decision about the contract you are seeking. See the County Ethics Code at Sec. 2-11.1 (m)(1).

This opinion construes the Miami-Dade County Ethics Code as it applies to County employee-vendors at Secs. 2-11.1 (c)(1) and (m)(1) only. It is not applicable to any conflicts under other sections of the County Code or to issues related to state or federal laws.

If any of the facts you have presented change or if you have further questions, please feel free to contact me at 305 350-0638.

Sincerely,



Gilma Diaz-Greco
Staff Attorney

INQ 14-174
Dominguez

July 21, 2014
Page 2

