

June 23, 1999  
Re: IO-99-116

You inquired whether an economic consulting firm could collaborate with another entity in submitting a proposal for the development of the former David Taylor Research Center site, when the same consulting firm had been under contract to the county to develop a business plan and implementation strategy for the development of that site. You indicated that the consulting firm received no information in connection with its previous county contract that was confidential or not equally available to other firms that might have an interest in contracting to develop the property. You also indicated that the consulting firm's documents with respect to this project and its final report to the county are also readily available to all interested people. In other words, you believe that the consulting firm has no advantage over other potential bidders.

The consulting firm, as a former contractor with the county, is not and never was an "employee" of the county, within the meaning of the Public Ethics Law, §1-101(f). Therefore, the ethics commission would have no jurisdiction over this consulting firm with respect to any issues involving conflict of interest, disclosure of confidential information, or representation by former employees. As long as the county proceeds in accordance with its purchasing rules, I do not foresee any problems with the county ethics law.

Thank you for your inquiry. If you have other questions, call me any time.

Sincerely,

Betsy K. Dawson  
Executive Director