



## MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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### MEMORANDUM

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**TO:** Noemi Gonzalez-Ramirez  
Registered Agent, Secretary, and Director  
Riada Engineering Corporation

Bernardo Bieler  
Chief, Division of Environmental Resources Management  
Chief, Pollution Regulation Division  
Regulatory and Economic Resources Department

**FROM:** Etta Akoni, Staff Attorney  
Miami Dade County Commission on Ethics & Public Trust

**SUBJECT:** INQ 2023-106 Prohibition on Transacting Business within the County § 2-11.1(c)  
and Further Prohibition on Transacting Business with the County § 2-11.1(d)  
County Ethics Code

**DATE:** August 28, 2023

**CC:** All COE Legal Staff

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Thank you for contacting the Miami Dade Commission on Ethics and Public Trust and requesting our guidance regarding the limitations of transacting business with Miami Dade County as a registered vendor through your privately owned business, Riada Engineering Corporation.

**Facts:**

You, Noemi Gonzalez-Ramirez, are not employed by Miami Dade County. However, your husband, Bernardo Bieler, is the Chief of the Division of Environmental Resources Management (“DERM”) and is the Chief of the Pollution Regulation Division (PRD), both within the Miami-Dade County Regulatory and Economic Resources Department (“RER”).

We consulted with Bernardo Bieler. According to Mr. Bieler, in his role as DERM Division Chief, he is responsible for the implementation of environmental programs designed on the provisions of the County environmental protection ordinance (Chapter 24 of the County Code). Along with a team of 79 professionals in PRD, Mr. Bieler advised that he is responsible for implementing programs which analyze, maintain, and improve the quality of the environmental resources of Miami Dade County. In his role as the Chief of the PRD, Mr. Bieler is responsible for the overall performance of his team, that works to assure resources are allocated efficiently to meet the

Division goals on annual bases. Mr. Bieler defines the short and mid-term goals of PRD and makes sure those goals aligned with the RER and County strategic objectives.

As Division Chief in RER-DERM, Mr. Bieler states that he can authorize Purchase Requests (PR) under \$10,000 for the continuous operation of the Division. He indicates that his divisions do not normally procure contractual services, but if the need arises, he will likely have an active role in the selection process. Mr. Bieler also indicated that in the seven (7) years he has worked for the County, he has been invited to be a part of one selection committee for a multimillion contract, E20-MDAD-03.

You, Noemi Gonzalez-Ramirez, are the Registered Agent, Secretary, and a Director of Riada Engineering Corporation (“Riada”), a foreign For-Profit Corporation established in 2014. Riada is the consulting branch of FLO-2D ([www.flo-2d.com](http://www.flo-2d.com)). FLO-2D is a company that sells comprehensive flood modeling software, originally used for mudflow hydraulics, but is now used for any sort of overland and channel modeling. This includes urban flood mapping, alluvial fans, coastal flooding, dam breach, and solar and wind power sites. FLO-2D uses QGIS and the FLO-2D Plugin to build models. This is a comprehensive GIS tool that is free and open source. You are also one of the owners of FLO-2D. Riada specializes in a wide spectrum of Hydraulic and Hydrology solutions. Mr. Bieler is not employed by, has no role in, and does not provide any services for Riada nor FLO-2D.

Through the use of FLO-2D software, Riada models flooding scenarios to assist decision makers in implementing solutions to mitigate or resolve flooding issues in urbanized areas. Riada also offers hydraulic and hydrology analysis to find solutions to drainage challenges through engineering solutions like pipe design, roadway design and permitting support. Riada is interested in offering services to the following departments: Miami Dade County Department of Transportation and Public Works, Miami Dade County Water and Sewer Department, Miami Dade County Aviation Department, and the Miami Dade County Office of Resilience.

**Issue:**

Whether the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance (“County Ethics Code”) would prevent you or your privately-owned company, Riada Engineering Corporation, from contracting with Miami Dade County.

**Analysis and Opinion:**

Your inquiry involves several sections of the County Ethics Code which are analyzed below.

**A. Contracting with the County:**

The County Ethics Code at Sections 2-11.1 (c)(2) and (d) allows you to enter into a contract, agreement, or business engagement, individually or through a firm, with Miami-Dade County, as long as the contract, agreement, or business engagement, does not interfere with the full and faithful discharge of your spouse’s, Bernardo Bieler, duties to RER and Miami Dade County in general. *See* Sections 2-11.1(c)(2) and (d), Miami-Dade County Ethics Code.

This means that your spouse, Bernardo Bieler, may not participate in determining the contract requirements or in awarding the contract that you, individually or through a company, may apply for. Additionally, Mr. Bieler may not be involved in any contract involving you, Riada, or any company you own or work for in any way including, but not limited to, contract enforcement, oversight, administration, amendment, extension, termination, or forbearance. Finally, you, Riada, or any company you own or work for may not apply for a contract, agreement, or business engagement if enforcement, oversight or administration of the contract or arrangement is handled by the County department that employs Mr. Bieler. *See* Sections 2-11.1(c) and (n), Miami-Dade County Ethics Code. **Consequently, neither you nor Riada may not enter into contracts with or involving RER, which would include the Miami Dade County Office of Resilience.** *See* RQO 07-18. Moreover, you are advised to request further ethics guidance before you, Riada, or FLO-2D submits a bid on any County solicitation, request to quote, or request to qualify. *See* Sections 2-11.1(c)

### B. Lobbying

Furthermore, your spouse may not lobby the County on behalf of you, Riada, or any company you own or work for. This means that your spouse may not appear before any County board or agency to represent you, Riada, or any company you own or work for, nor contact anyone within the County in an attempt to influence a decision about any contract that you, Riada, or any company you own or work for are seeking. *See* County Ethics Code §§ 2-11.1 (m)(1).

### C. Exploitation of Official Position

Finally, the Miami-Dade County Ethics Code prohibits County employees from exploitation of their official position. This means that Mr. Bieler may not use his County position to secure special privileges or exemptions with respect to any County contract to which you, Riada, or any company you own or work for are applying. *See* Section 2-11.1(g), Miami-Dade County Ethics Code. You are further advised to obtain an ethics opinion prior to engaging on any contract for or involving WASD with a prime contractor performing work on a WASD project.

In the process of becoming a County vendor, you may submit this memorandum to the Strategic Procurement Department. The Ethics Commission does not submit it on your behalf. This opinion is limited to the facts as you presented them to the Commission on Ethics and is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics, P.O. Drawer 15709, Tallahassee, FL 32317, phone number (850) 488-7864, <http://www.ethics.state.fl.us/>.

We appreciate your consulting with the Commission in order to avoid possible prohibited conflicts of interest. If the facts associated with your inquiry change, please contact us for additional guidance.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.