



SHERIFF'S POLICY MANUAL

2.33 LOBBYING:

2.33.1 Definitions:

- A. Lobbying: Communicating directly or indirectly, either in person, by telephone, letter, electronic means or other method, with the Sheriff or any other employee of the Broward Sheriff's Office for the purpose of influencing the award of a purchasing contract or bid award.
- B. Lobbyist: Any person employed, retained or otherwise compensated by a principal or client who engages in lobbying.
- C. Senior Level Employee: Any sworn law enforcement or detention personnel having the rank of captain and above, any sworn Fire Rescue personnel having the rank of battalion chief and above and any civilian personnel having the position of manager and above.
- D. Vendor's Representative: Any employee, partner, officer, or director of a potential vendor, or any consultant, lobbyist or actual or potential subcontractor, or sub consultant of a vendor.
- E. Cone of Silence: A prohibition on any communication regarding a particular Request for Proposal (RFP), Request for Letters of Interest (RLI), bid, or other competitive solicitation between any person who seeks an award from BSO, including a potential vendor or vendor's representative, and:
 - 1. The Sheriff.
 - 2. Any member of BSO's Selection, Evaluation or Technical Committee for the particular RFP, RLI, bid, or other competitive solicitation.
 - 3. Any agency employee assigned purchasing responsibilities regardless of rank or position.
 - 4. Any senior level employee of the agency.

2.33.2 Lobbyist Registration: Prior to engaging in lobbying activities, every lobbyist will register with the Office of the General Counsel on the Lobbyist Registration Statement (BSO#A165) provided by that Office. Separate registration is required



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for each principal or client represented. All registration forms will be subject to public records laws and open to inspection as permitted by Chapter 119, Florida Statutes.

2.33.3 Cone of Silence:

- A. A Cone of Silence will be applicable to each RFP, RLI, bid, or other competitive solicitation- and will begin when the RFP, RLI, bid, or other competitive solicitation is posted and available to the public to review.
- B. At the time of the imposition of the Cone of Silence, the Purchasing Bureau Director will provide public notice of the Cone of Silence for the particular RFP, RLI, bid, or other competitive solicitation.
- C. The Cone of Silence will terminate at the time the contract is executed or when all bids or proposals have been rejected.
- D. Nothing contained herein will prohibit any potential vendor or vendor's representative from:
 - 1. Making presentations at scheduled agency Purchasing Bureau meetings or before agency Selection, Evaluation or Technical Committees.
 - 2. Communicating in writing with any Purchasing Bureau employee of the agency for purposes of seeking clarification or additional information regarding the RFP, RLI, bid, or other competitive solicitation. The potential vendor or vendor's representative will file a copy of any written communication with the Purchasing Bureau Director.
- E. Nothing contained herein will prohibit Purchasing Bureau employees from initiating contact with a potential vendor or vendor's representative and subsequent communication related thereto for the purpose of obtaining further information regarding the RFP, RLI, bid, or other competitive solicitation.
- F. Nothing in this section will prohibit BSO employees from communicating with each other regarding the RFP, RLI, bid, or other competitive solicitation.



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- G. The Cone of Silence will not apply to communications with the General Counsel and his or her staff or the Purchasing Bureau Director and his or her staff for the purpose of obtaining clarification or information concerning the subject solicitation.
- H. The General Counsel will be informed of any person who is alleged to have violated the requirements of the Lobbyist Registration section or the Cone of Silence section of this policy. In each such instance, the General Counsel or his or her designee will conduct an investigation and the results of the investigation, including a determination of violation, if any, will be compiled in a report. The General Counsel's report will be forwarded to the Sheriff, Executive Director of Administration, and Purchasing Bureau Director.
- I. A determination of violation of the Cone of Silence on the part of the vendor or the vendor's representative will render the RFP, RLI, bid, or other competitive solicitation award to said potential vendor voidable, at the sole discretion of the Sheriff or designee.