



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Breno Penichet

Case No: K14-105	Case Name: AECOM / City of Miami Beach Contract	Date Open:	CASE CLOSED Date: <u>1/20/15</u>
	Subject(s): Bruce Mowry City Engineer, City of Miami Beach	October 24, 2014	

Allegation(s):

The COE received anonymous information alleging that Bruce Mowry (Mowry), City of Miami Beach Engineer for the Public Works Department, may be taking advantage of his position by recommending a particular company to perform work for the City. According to the anonymous complainant, Mowry was a member of a selection committee that recommended AECOM Technical Services Inc. to conduct engineering services for the City, even though Mowry had been AECOM's Vice President. The letter went on to allege that Mowry may still own stocks and have a financial interest in AECOM. The letter claims there are other firms registered with the City that are capable of performing the work and could have been chosen, that have no ties to Mowry.

Relevant Ordinances:

Exploitation of official position, Sec. 2-11.1(g), Miami-Dade Conflict of Interest and Code of Ethics Ordinance:

"No person included in the terms defined in subsection (b)(1) through (b)(6) and (b)(13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others..."

Prohibited Investments, Sec. 2-11.1(l), Miami-Dade Conflict of Interest and Code of Ethics Ordinance:

"No person included in the terms defined in subsection (b)(1) through (6) and (b)(13) shall have personal investments in any enterprise, either himself, herself, or through a member of his or her immediate family, which will create a substantial conflict between his or her private interests and the public interest."

Investigation:

Interviews

Mark Taxes
Assistant City Manager
City of Miami Beach

Mark Taxes (Taxes) voluntarily agreed to be interviewed and provide information concerning the investigation. After being advised of the allegations Taxes confirmed that Mowry is, in fact, the City Engineer working in the Public Works Department. Taxes advised that Mowry was appointed to the committee that recommended AECOM for an upcoming project in the City. Taxes advised that Mowry made his prior affiliation with AECOM known to all the parties when he was appointed to the review committee by the City Manager. Taxes further stated that he monitored the committee's progress and the final determination was made by the City Manager.

Bruce Mowry
City Engineer
City of Miami Beach

Mowry voluntarily agreed to be interviewed and provide information concerning the investigation. After being advised of the allegations, Mowry confirmed that he is, in fact, the City Engineer working in Public Works Department. Mowry advised that he was appointed to the committee that recommended AECOM for an upcoming project. Mowry advised that he did work for AECOM prior to working for Miami Beach. Mowry advised that he was a member of a committee that made the recommendation, but it was the Manager's final decision to award the contract. Mowry advised that he has been working for the City for the past 20 months and prior to that he was employed by a public entity in California. Mowry further stated that he does not have any ties to AECOM at all and has no financial interests in the company.

Document/Audio/Video Review:

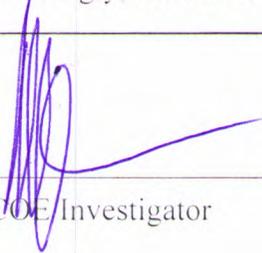
1. Letter received from anonymous source alleging misconduct by City Engineer dated October 16, 2014.
2. Referral memo from OIG dated October 31, 2014.
3. Florida Division of Corporations Documents for AECOM Technical Services, Inc.

Conclusion(s):

COE Investigators reviewed the original complaint letter. The investigation revealed:

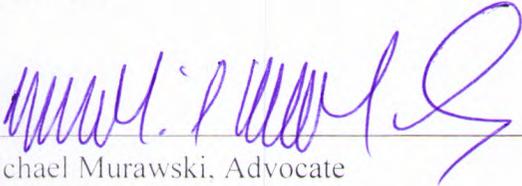
- Mowry was appointed to the board by the City Manager because of his expertise on the matter being considered by the committee.
- Mowry made his previous affiliation with AECOM well known to all the members along with the administration.
- Taxes monitored the process carefully and the final decision was made by the City Manager, after weighting all the facts.
- Mowry had worked for AECOM four (4) years prior to being appointed to the committee.

After discussion with COE Advocate Michael Murawski, he advised that no further action would be taken due to the fact that no violations of the Conflict of Interest ordinance were committed. Accordingly, the above case shall be closed.

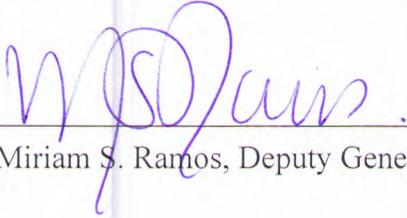


Breno Penichet, COE Investigator

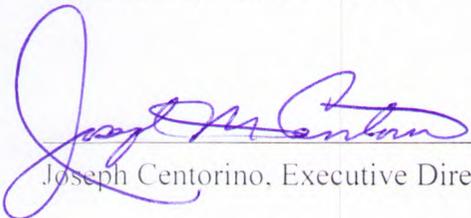
Approved by:



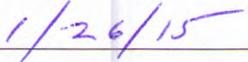
Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director



Date