

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Monday, June 10, 2013 4:04 PM
To: 'Mike@mtcinspectors.com'; 'Evelyn@mtcinspectors.com'
Cc: Centorino, Joseph (COE); Diaz-Greco, Gilma M. (COE)
Subject: Private Building Department Services (INQ 13-137)

Mr. Causley,

We have studied your questions about your two privately owned companies that work in related fields in Miami-Dade County. You stated that M.T. Causley, Inc., supplies support staff to local building departments, and MTCI Private Provider Services, LLC, supplies engineers to private developers for plans reviews.

M.T. Causley support staff are overseen by the local Building Departments in the cities where M.T. Causley has contracted. You do not provide building officials to any cities within Miami-Dade County.

I'm sorry that your questions do not fall specifically within the jurisdiction of the County Ethics Code. In general, we do not provide ethics opinions regarding government contracts unless the terms of the contract confer authority to the County Ethics Commission or if the contract has been designated by the mayor or a manager as one in which the contract staff must abide by the County Ethics Code. *See* County Code at Sec. 2-11.1 (b)13. Neither of these conditions exists in the facts you presented.

Regarding the City of Miami specifically, you stated that a plans examiner employed by the City of Miami is the spouse of an MTCI engineer who works on behalf of private developers. You agreed that to avoid the appearance of impropriety, you would not assign an MTCI employee to a project that would come before the City of Miami Building Department, where his spouse is employed.

Thank you for providing transparency in your business dealings with local governments.

Sincerely,

VICTORIA FRIGO, SENIOR STAFF ATTORNEY

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From: Mike Causley [<mailto:Mike@mtcinspectors.com>]
Sent: Tuesday, June 04, 2013 1:59 PM
To: Centorino, Joseph (COE)
Cc: Evelyn Fraley
Subject: Private Provider and Building Department Services

Good afternoon Mr. Centorino,

I, Michael T. Causley, own two companies that work completely independently from each other. M.T. Causley, Inc. contracts with counties and municipalities throughout the State of Florida providing building department staffing. Some contracts are for complete management of the building department including permit clerks, some for all plan review and inspections minus the building official, and many are for supplemental staff on an on-call basis.

MTCI Private Provider Services, LLC is an engineering firm providing private provider services under Florida State Statute 553. This firm has contracts to provide plan review and inspections for owners/developers in place of the building department, with building department oversight.

A recent question has arisen regarding a conflict of interest regarding MTCI Private Provider Services, LLC providing services in cities and counties where M.T. Causley, Inc. has contracts in place. This question came up several years ago and the state rendered an opinion that as long as the Building Official was employed by the city or county, there is no conflict. During this time our competitors were engineering firms and were providing building department, plan review and engineering services all under the same company. We do not provide building officials in Miami Dade and Broward, because the counties require the Building Official to be employed by the county or city. We have contracts with cities where all of the inspectors are M.T. Causley, Inc. employees, therefore, we do not perform private provider services since that would require M.T. Causley, Inc. employees to be the overseeing inspectors. However, MTCI Private Provider Services, LLC does perform private provider services in cities where M.T. Causley, Inc. provides on-call support services, but none of the chief inspector positions are held by M.T. Causley, Inc. employees.

I would like to obtain an opinion from the Miami Dade County Ethics Commission as to whether it would be considered a conflict if MTCI Private Provider Services, LLC performs private provider services in a city where M.T. Causley, Inc. provides supplemental services to the city, but does not provide chief inspectors and the oversight is provided by the city.

There is a second matter that I would like an opinion on as well. The spouse of one of our engineers is a plans examiner in a city where MTCI Private Provider Services, LLC provides private provider services. The question has arisen as to whether he would be allowed to sign private provider affidavits in that city.

We have been in this business for 17 years and have the best reputation in the State of Florida for integrity and quality. Your interpretation would be greatly appreciated. Thank you.

Sincerely,

Michael T. Causley
President

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