

REPORT OF INVESTIGATION

K #: K07-009

Date Opened: January 10, 2007

Name of investigator: Breno Penichet and Kennedy Rosario

Allegation:

This investigation was predicated upon receipt of an anonymous letter alleging that presently, in the City of Hialeah Building Department, there is a process number 2006-7574 (the number issued to the permit when the process is originated in the City) that has a private provider doing inspections at the site, located at 2020 W. 64 St. Hialeah, FL. The contractor that is performing these inspections is MT Causley, through its inspectors some of whom also conduct inspections for the City of Hialeah on this project. Guillermo Diaz is a City building inspector who is hired through M.T. Causley and does inspections as a private provider for this project. M.T. Causley is aware of this. (The letter also alleges this same situation occurred in the City of Coral Gables, University of Miami Project).

Investigation:

- Investigators for the COE conducted a records search of various databases and uncovered the below listed information:
- **M.T. Causley Supplemental services, LLC** is an active Florida corporation located at 97 N.E. 15TH Street, Homestead, FL. 33030. President Michael T. Causley.
- **Permit Application City Of Hialeah:**
Owner of project: Leon Medical Centers Inc.
11501 S.W. 40 St. Miami, FL. 33165; Tel# 305-642- 5366.
Architect: Sequeira & Gavarrete

811 Ponce De Leon Blvd. Coral Gables, Fl. 33132; Tel# 305-441-1556.

Contractor: Nunez Construction Inc, 6400 S.W. 62 Ave. Miami, Fl. 33143; Tel# 305-774-9000. **Permit is active** and shows that it is for a new construction of commercial property.

On January 24th 2007, COE Investigators interviewed Mr. Rey Regalado, R.A. Chief Building Inspector, City of Hialeah, 501 Palm Ave. Hialeah, Fl. 33010; Tel# 305-883-5825.

Mr. Regalado was advised as to the nature of the complaint. He advised that the project in question is a multi-level medical facility that is being built in the west side of the City by a certified General and Engineering contractor, licensed by the State of Florida. Mr. Regalado further advised that he, along with Mr. Juan Gutierrez, Hialeah's building official, were aware that the building contractor was using private inspectors due to the fact that the construction had time limitations and constraints, so the use of the private Inspectors would expedite the process. Mr. Regalado advised this is permitted both under FSS.553, and Administrative law Chapter 106.

Mr. Regalado provided copies of the above, along with record of all the Inspections conducted on the site by City Inspectors. In addition, he provided record of the private inspectors hired by the contractor through M.T.Causley. A review of the files provided revealed that none of the "record of Inspections" that were turned in by the contractor showed Mr. Guillermo Diaz as the inspector of record. COE Investigators also reviewed the Inspection logs from the City Of Hialeah and Mr. Diaz also did not appear as inspecting the site. Mr. Regalado verified that Mr. Diaz did not conduct any inspections at the site. (All documents have been made part of the case file).

On January 26th 2007, COE Investigators interviewed Mr. Juan Gutierrez, R.A. C.B.O. Building Official, City of Hialeah, 501 Palm Ave. Hialeah, FL. 33010; Tel# 305-883-5830.

Mr. Gutierrez advised that he was aware of the project in question and had been briefed by Mr. Regalado concerning the complaint. Mr. Gutierrez advised that he allowed the project to continue and, in fact, authorized a Certificate of Completion to be issued for the first level, in order for the facility to operate while the other floors are being completed. Mr. Gutierrez advised that this is not the only project in the City that has had private inspectors conducting inspections-- there has been at least one other and there is one more in the works. Mr. Gutierrez advised that this is occurring due to the lack of qualified and certified inspectors available and the amount of work the Cities are faced with that must be attended to on a timely basis. Mr. Gutierrez advised that the records are open to anyone that wishes to inspect them and that the construction was monitored by City personnel. Furthermore, on several occasions when City inspectors inspected the site and found that the plans were not followed, the work was rejected and the contractor had to re-do it according to the original specifications.

On January 26th 2007, COE Investigators interviewed Mr. Guillermo Diaz, Temporary Building Inspector, City of Hialeah, 501 Palm Ave. Hialeah, FL. 33010; Tel# 305-219-8360.

Mr. Diaz was advised as to the nature of the complaint, he advised he has been a certified Inspector for four (4) years and involved in the construction trade for eight (8) years and prior to that he was a civil Engineer in Cuba.

Mr. Diaz advised he has been employed by M.T. Causley for approximately six (6) months and has been working for the City as a contract Inspector for the same time.

Mr. Diaz advised he has never inspected the site in question, not for the City nor for M.T. Causley.

CONCLUSION:

The Investigation did not show that any Inspectors working for the City of Hialeah were conducting inspections for M.T. Causley Projects as a private provider. All inspections conducted on the site were done according to accepted Industry practices and permitted by Florida Law.