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Miami-Dade County Commission on Ethics And Public Trust

Memo

To: Mike Murawski, ethics advocate
From: Breno Penichet, ethics investigator
Date: March. 20, 2008
Re: K08-030 City of Hialeah-Bid / Career Academy Charter School.

Background: This Investigation was predicated on information received from Mr. Alberto L. Ventura dba/ All Comfort Co. Alleging that the City of Hialeah unfairly circumvented the competitive bids on project # 2007/08-3230-00-022. On March 12, 2008 Ventura spoke to COE Investigators and alleged that he submitted a bid for the above project along with seven (7) other contractors but the Director of Maintenance for the City had the bids opened and then rejected them in order to give an unfair advantage to another bidder.

Findings: COE Investigators K. Rosario and B. Penichet Interviewed Mr. Ventura and obtained all the pertinent information along with all the documentation. COE Investigator Penichet reviewed the documents provided and found that the bid was for the Air conditioning equipment for the project. It was also noted that the bids had a wide range from the high four hundred thousands (400,000) to the low seventy thousands (70,000). The paper work provided also showed that the City Council voted to waive the comparative bids and allow for a re-bid.

COE Investigators K. Rosario and B. Penichet Interviewed Mr. W. Grodnick Hialeah City Attorney. Grodnick advised that the City was up against a time problem due to delays in the start of the project. The school had to be built by September 08 and there was no time to start the process after Mr. Guanche opened the bids and realized the range it became apparent the vendors did not understand the scope of work. It was decided at that time to have the bids waived and contact the vendors make sure they understood the scope and have them re-bid, they did and the range

changed completely. The bid was given to the vendor with the lowest bid and the best references. After speaking to Mr. Grodnick he also advised that the City of Hialeah does not follow the County Code of Silence Ordinance.

Conclusion: Accordingly, it is recommended that the above-cited be closed. It does not appear that any Ordinance within our jurisdiction has been violated.