

**CASE  
CLOSED**

Date: 12/9/19

**Miami-Dade Commission on Ethics & Public Trust**  
**Investigative Report**

Investigator: Robert Steinback

Case No.: K 19-022

Complainant: Major Glenn Stolzenberg, Doral P.D.

Subject/Case Name: Jose Olivo

Date Opened: March 28, 2019

Date Submitted: December 5, 2019

**Allegation(s):**

Complainant Glenn Stolzenberg (Stolzenberg) alleged that subject Jose Olivo, while serving as Public Works director for the City of Doral, steered at least one Public Works contract to a company he owns.

**Relevant Law:**

Miami-Dade County Conflict of Interest and Code of Ethics Ordinance Sec. 2-11.1. – (g) provides as follows:

Exploitation of official position prohibited. No person [covered by this section] shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

**Investigation:**

Stolzenberg is a Major for the City of Doral Police Department and, at the time of the complaint, in charge of the Internal Affairs Department of that agency. On March 28, 2019, Stolzenberg contacted the Miami-Dade State Attorney's Office (SAO) about possible criminal allegation against Jose Olivo, who was Public Works Director for the City of Doral until September 2015, when he resigned his position to operate a business, he owned called DISAmerica Consulting Group Inc. (DISAmerica). According to SunBiz, DISAmerica was established on June 14, 2014, 15 months before Olivo resigned his employment with the City of Doral.

The SAO assigned Public Corruption Investigator Angel Pichardo to investigate Stolzenberg's complaint regarding Olivo. The allegation was that Olivo, prior to his separation from the City of Doral, steered one or more City contracts to DISAmerica. Of particular note was a contract for a truck turning radius study assigned to DISAmerica under purchase order number 20151750-01, a contract estimated by the City to cost \$14,550. DISAmerica was awarded the contract on June 29, 2016. Pichardo secured internal procurement documents from Doral, which were jointly reviewed by him and this investigator.

On May 6, 2019, Pichardo and this investigator interviewed Jorge Gomez, who succeeded Olivo as Public Works Director, about matters surrounding the DISAmerica contract. Gomez stated that the City code requires contracts over \$15,000 to receive City Council approval after being sent out for bid by City-approved contractors. He said that contracts under \$15,000 were assigned on a rotating basis directly to companies on a list of approved contractors. Gomez said such small contracts must be approved by the Public Works Director, the City Manager and the City Attorney. All contractors seeking direct-assigned contracts are periodically ranked by the City, and only the top 10 companies get to participate in the direct-assigned contracts. A company not among the top 10 might still receive a direct-assigned contract under special circumstances, if, for example, it has demonstrated expertise in a particular area. A company outside the top 10 could also be hired by a qualifying company as a subcontractor.

Pichardo stated that DISAmerica was tied for number 11 on the direct-assigned list.

Gomez stated that he knew of no occasion when Olivo assigned a contract to DISAmerica while he was still working for the City. Although the City appears to have determined the need for the truck turning radius study during Olivo's tenure, the documented date on which it was actually awarded, June 26, 2016, was during Gomez' tenure as Public Works Director and eight months after Olivo had left the City.

At the time of his interview Gomez told the investigators that he had already submitted his own resignation to the City of Doral. Gomez declared that he had received no compensation from DISAmerica and was not anticipating working for any company that contracts with Doral. Gomez said he had accepted a position as Public Works Director for the City of Coral Gables.

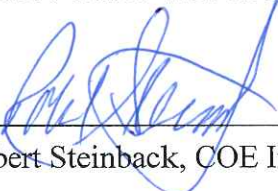
Based on the dates of the contract award and Olivo's departure from City employment, the SAO determined there was no violation to pursue and closed its investigation on June 6, 2019.

**Documents/Exhibit Review:**

- A copy of the SAO Report of Investigation closing its investigation, dated June 6, 2019, provided by Pichardo.
- Copies of the SAO's file on this case, including e-mails, procurement documents, and related material, provided by Pichardo.
- Copy of State of Florida DAVID driver's license information, provided by Pichardo.

**Conclusion:**

After discussion with the Ethics Advocate it was determined that based on the above findings this matter would be closed with no further action.



Robert Steinback, COE Investigator

12/9/19

Approved by:



Michael Murawski, Advocate



José Arrojo, Executive Director