

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, September 27, 2018 3:11 PM
To: Sanchez, Rodzandra (COE)
Subject: INQ 18-191 Jeanette Escudero, HR on Demand, Consultant to Transamerica Construction Company/ Project No. S-871 (Lobbying)

INQ 18-91 Escudero

From: Centorino, Joseph (COE)
Sent: Tuesday, August 07, 2018 4:21 PM
To: 'Jeanette Escudero' <jescudero@hrmcs.com>; Hidalgo-Gato, Alice (ISD) <Alice.Hidalgo-Gato@miamidade.gov>
Cc: Jorge Rivero <jrivero@hrmcs.com>; Javier Moreno <jmoreno@hrmcs.com>; Nunez, Ivette (ISD) <Ivette.Nunez@miamidade.gov>; Bravo-Soriano, Yanira (ISD) <Yanira.Bravo-Soriano@miamidade.gov>; Paul Breitner <pbreitner@barthet.com>; Perez, Dayron (ISD) <Dayron.Perez@miamidade.gov>; Sanchez, Gerald (CAO) <Gerald.Sanchez@miamidade.gov>; Kirtley, Eddie (CAO) <Eddie.Kirtley@miamidade.gov>
Subject: INQ 18-191 Jeanette Escudero, HR on Demand, Consultant to Transamerica Construction Company/ Project No. S-871 (Lobbying)

Ms. Escudero,

You inquired concerning whether you and the owner of HR Demand would be required to register as lobbyists in Miami-Dade County in order to attend a meeting with County personnel regarding whether your client, Transamerica Construction Company, should be required to pay unpaid wages to certain employees as well as a penalty to the County. I understand that Transamerica is a subcontractor on Project no. S-871 and that your company, HR on Demand, has been retained by Transamerica to represent it on this issue with the County. You have indicated that you and the owner of HR on Demand are planning to meet with County personnel concerning this issue tomorrow, and that you were concerned that you might need to register as lobbyists to have the meeting, and also that you might not be able to do so without having first taken the Lobbyist Ethics course required of all County lobbyists.

I spoke with Alice Hidalgo-Gato at the Miami-Dade County internal Services Department, you referred you to us. Ms. Hidalgo-Gato indicated that the County's current position is that Transamerica should pay the unpaid wages and a penalty to the County. While the County personnel involved has made the initial determination, this issue could ultimately have to be referred to the Mayor for a final decision on behalf of the County. Since this is a matter that may be required to be decided by the Mayor, it is my opinion that you and your colleague should register as lobbyists pursuant to Section 2-11.1(s)(1) of the County Ethics Code, which extends to representation of a principal regarding actions or decisions of the County Mayor. However, the requirement that registered lobbyists complete an ethics course, under Section 2-11.1(s)(2)(d) of the Code, may be satisfied by taking the course within sixty (60) days after registering as a lobbyist. You may register for the course by visiting our website at ethics.miamidade.gov.

Sincerely,

Joe Centorino

Joseph M. Centorino

Executive Director and General Counsel
Miami-Dade Commission on Ethics and Public Trust

19 W. Flagler Street, Suite 820
Miami, FL 33130
Tel: (305) 579-2594
Fax: (305) 579-0273
ethics.miamidade.gov



From: Jeanette Escudero [<mailto:jescudero@hrmcs.com>]
Sent: Tuesday, August 07, 2018 3:44 PM
To: Hidalgo-Gato, Alice (ISD) <Alice.Hidalgo-Gato@miamidade.gov>
Cc: Jorge Rivero <jrivero@hrmcs.com>; Javier Moreno <jmoreno@hrmcs.com>; Nunez, Ivette (ISD) <Ivette.Nunez@miamidade.gov>; Bravo-Soriano, Yanira (ISD) <Yanira.Bravo-Soriano@miamidade.gov>; Paul Breitner <pbreitner@barthet.com>; Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Perez, Dayron (ISD) <Dayron.Perez@miamidade.gov>
Subject: Re: Transamerica Construction Company/ Project No. S-871

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From: Hidalgo-Gato, Alice (ISD) <Alice.Hidalgo-Gato@miamidade.gov>
Sent: Tuesday, August 7, 2018 3:40:55 PM
To: Jeanette Escudero
Cc: Jorge Rivero; Javier Moreno; Nunez, Ivette (ISD); Bravo-Soriano, Yanira (ISD); Paul Breitner; Centorino, Joseph (COE); Perez, Dayron (ISD)
Subject: RE: Transamerica Construction Company/ Project No. S-871

Hi Jeannette,

The County Attorney's Office informed that Joe Centorino the Executive Director of the Commission on Ethics determines if parties need to be registered as lobbyist as he is responsible for compliance with the Ethics Ordinance. Please contact him at 305-350-0613 to find out if you need to register as a lobbyist to represent Transamerica at our meeting.

Thank you.

**Alice Hidalgo-Gato, SBD Section Chief
Small Business Development Division**

Miami-Dade County Internal Services Department
111 NW 1st Street, 19th Floor, Miami, FL 33128
305-375-3153

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From: Jeanette Escudero [<mailto:jescudero@hrmcs.com>]

Sent: Tuesday, August 07, 2018 2:54 PM

To: Hidalgo-Gato, Alice (ISD) <Alice.Hidalgo-Gato@miamidade.gov>; Perez, Dayron (ISD) <Dayron.Perez@miamidade.gov>

Cc: Jorge Rivero <jrivero@hrmcs.com>; Javier Moreno <jmoreno@hrmcs.com>; Nunez, Ivette (ISD) <ivette.Nunez@miamidade.gov>; Bravo-Soriano, Yanira (ISD) <Yanira.Bravo-Soriano@miamidade.gov>; Paul Breitner <pbreitner@barthet.com>

Subject: Re: Transamerica Construction Company/ Project No. S-871

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Thank you, Alice!

Best Regards,

Jeanette Escudero



jescudero@hrmcs.com

10446 NW 31 Terrace

Doral, FL 33172

Tel: 305.406.3538

Cell: 305.804.7690

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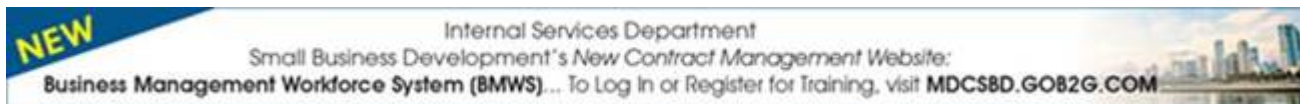
From: "Hidalgo-Gato, Alice (ISD)" <Alice.Hidalgo-Gato@miamidade.gov>
Date: Tuesday, August 7, 2018 at 2:53 PM
To: "jescudero@hrmcs.com" <jescudero@hrmcs.com>, "Perez, Dayron (ISD)" <Dayron.Perez@miamidade.gov>
Cc: Jorge Rivero <jrivero@hrmcs.com>, Javier Moreno <jmoreno@hrmcs.com>, "Nunez, Ivette (ISD)" <Ivette.Nunez@miamidade.gov>, "Bravo-Soriano, Yanira (ISD)" <Yanira.Bravo-Soriano@miamidade.gov>, Paul Breitner <pbreitner@barthet.com>
Subject: RE: Transamerica Construction Company/ Project No. S-871

I am still waiting for a reply on this matter from the County Attorney's Office. I will hopefully have an answer before the end of the day.

Alice Hidalgo-Gato, SBD Section Chief
Small Business Development Division

Miami-Dade County Internal Services Department
111 NW 1st Street, 19th Floor, Miami, FL 33128
305-375-3153

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From: Jeanette Escudero [<mailto:jescudero@hrmcs.com>]
Sent: Tuesday, August 07, 2018 2:51 PM
To: Perez, Dayron (ISD) <Dayron.Perez@miamidade.gov>; Hidalgo-Gato, Alice (ISD) <Alice.Hidalgo-Gato@miamidade.gov>
Cc: Jorge Rivero <jrivero@hrmcs.com>; Javier Moreno <jmoreno@hrmcs.com>; Nunez, Ivette (ISD) <Ivette.Nunez@miamidade.gov>; Bravo-Soriano, Yanira (ISD) <Yanira.Bravo-Soriano@miamidade.gov>; Paul Breitner <pbreitner@barthet.com>
Subject: Re: Transamerica Construction Company/ Project No. S-871

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Hi Alice

Because Dayron called and said we couldn't attend tomorrow unless we were registered as lobbyists with the county and part of this requires a training that is not available before tomorrow's scheduled meeting.

Therefore, I'm looking for alternatives so that we do not have to postpone the meeting tomorrow.

Unless, you are okay with us attending without that registration.

Please let me know...

Sincerely

Jeanette

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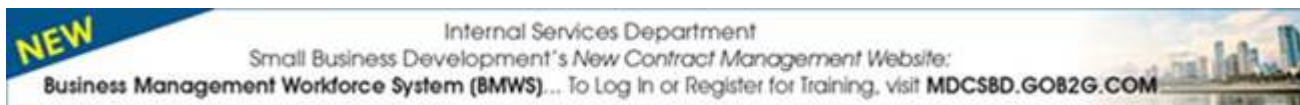
From: Hidalgo-Gato, Alice (ISD) <Alice.Hidalgo-Gato@miamidade.gov>
Sent: Tuesday, August 7, 2018 2:47:56 PM
To: Jeanette Escudero; Perez, Dayron (ISD)
Cc: Jorge Rivero; Javier Moreno; Nunez, Ivette (ISD); Bravo-Soriano, Yanira (ISD); Paul Breitner
Subject: RE: Transamerica Construction Company/ Project No. S-871

Hi Jeannette,
I'm not sure why you would need to bring your attorney unless you want to. We would never require it.

Alice Hidalgo-Gato, SBD Section Chief
Small Business Development Division

Miami-Dade County Internal Services Department
111 NW 1st Street, 19th Floor, Miami, FL 33128
305-375-3153

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From: Jeanette Escudero [<mailto:jescudero@hrmcs.com>]
Sent: Tuesday, August 07, 2018 2:41 PM
To: Perez, Dayron (ISD) <Dayron.Perez@miamidade.gov>
Cc: Jorge Rivero <jrivero@hrmcs.com>; Javier Moreno <jmoreno@hrmcs.com>; Nunez, Ivette (ISD) <Ivette.Nunez@miamidade.gov>; Hidalgo-Gato, Alice (ISD) <Alice.Hidalgo-Gato@miamidade.gov>; Bravo-Soriano, Yanira (ISD) <Yanira.Bravo-Soriano@miamidade.gov>; Paul Breitner <pbreitner@barthet.com>
Subject: Re: Transamerica Construction Company/ Project No. S-871

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Good afternoon Mr. Perez,

I have not heard back from you regarding tomorrow's meeting and if I need to bring the attorney for Transamerica with us, I need to make sure he is available.

Please let me know as soon as possible.

Best Regards,

Jeanette Escudero



jescudero@hrmcs.com

10446 NW 31 Terrace

Doral, FL 33172

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From: "jescudero@hrmcs.com" <jescudero@hrmcs.com>

Date: Tuesday, August 7, 2018 at 11:43 AM

To: "Perez, Dayron (ISD)" <Dayron.Perez@miamidade.gov>

Cc: Jorge Rivero <jrivero@hrmcs.com>, Javier Moreno <jmoreno@hrmcs.com>, "Nunez, Ivette (ISD)" <Ivette.Nunez@miamidade.gov>, "Hidalgo-Gato, Alice (ISD)" <Alice.Hidalgo-Gato@miamidade.gov>, "Bravo-Soriano, Yanira (ISD)" <Yanira.Bravo-Soriano@miamidade.gov>

Subject: Re: Transamerica Construction Company/ Project No. S-871

Mr. Perez,

We've represented many employers on similar issues in your office without having to sign up as a lobbyists. However, on the site you provided it states that for us to be "lobbyists" we need to attend a class and the next class is not until August 29th. Therefore, the options for tomorrow would be:

1. Attend the meeting as planned (no one in attendance tomorrow is acting as attorney for Transamerica), or
2. Attend the meeting with Transamerica's lawyers, in which case, I believe you need to schedule that with your counsel as well, or
3. Postpone the meeting until we've receive this lobbyist certification.

Lastly, the meeting we requested is just to discuss your findings and the issue of laborer versus carpenter. It should not be adversarial in nature. Would a power of attorney wherein Transamerica gives us authority to communicate/meet with you on their behalf be an option?

Please let me know as soon as possible so that we can coordinate, accordingly.

Best Regards,

Jeanette Escudero



jescudero@hrmcs.com

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From: "Perez, Dayron (ISD)" <Dayron.Perez@miamidade.gov>
Date: Tuesday, August 7, 2018 at 11:10 AM
To: "jescudero@hrmcs.com" <jescudero@hrmcs.com>
Cc: Jorge Rivero <jrivero@hrmcs.com>, Javier Moreno <jmoreno@hrmcs.com>, "Nunez, Ivette (ISD)" <Ivette.Nunez@miamidade.gov>, "Hidalgo-Gato, Alice (ISD)" <Alice.Hidalgo-Gato@miamidade.gov>, "Bravo-Soriano, Yanira (ISD)" <Yanira.Bravo-Soriano@miamidade.gov>
Subject: RE: Transamerica Construction Company/ Project No. S-871

Good morning Mr. Rivero, following up with our phone conversation please see the link below regarding lobbyist registration

<https://www.miamidade.gov/cob/lobbyist-forms.asp>

Contact info below

Clerk of the Board Division
Stephen P. Clark Center
Suite 17-202
111 NW 1st Street
Miami, Florida 33128

Phone
305-375-5137
Fax
305-375-2484
Email Claude Francis
Lobbyist Registrar

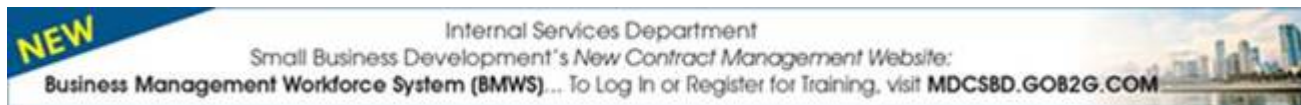
Additionally, as a confirmation to tomorrow's meeting and based on our phone conversation, HR On Demand nor anyone coming to tomorrow's meeting is an attorney or acting as such. If this is not correct or if anything changes please let us know as soon as possible as we might need to require the County Attorney to be present.

Please let me know if you have any additional questions or concerns.

Dayron Perez, Contract Compliance Officer II
Small Business Development Division
Miami-Dade County Internal Services Department
111 NW 1st Street, 19th Floor
Office: (305) 375-3117 | Fax: (305) 375-3160
Email: Dayron@MiamiDade.gov

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From: j escudero [<mailto:jescudero@hrmcs.com>]
Sent: Wednesday, August 01, 2018 10:30 AM
To: Perez, Dayron (ISD) <Dayron.Perez@miamidade.gov>
Cc: j rivero <jrivero@hrmcs.com>; Javier Moreno <jmoreno@hrmcs.com>; Nunez, Ivette (ISD) <Ivette.Nunez@miamidade.gov>
Subject: Re: Transamerica Construction Company/ Project No. S-871

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Mr. Perez
The 8th at 2pm works for us.
Thank you

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From: Perez, Dayron (ISD)
Sent: Tuesday, July 31, 5:25 PM
Subject: RE: Transamerica Construction Company/ Project No. S-871
To: j escudero
Cc: j rivero, Javier Moreno, Nunez, Ivette (ISD)

Good afternoon, we can meet next week at 2PM on either Tuesday 8/7/2018 or Wednesday 8/8/2018.

Please let us know which day you would like to come and how many people you would like to attend so we can reserve a room accordingly.

Dayron Perez, Contract Compliance Officer II
Small Business Development Division

Miami-Dade County Internal Services Department

111 NW 1st Street, 19th Floor

Office: (305) 375-3117 | Fax: (305) 375-3160

Email: Dayron@MiamiDade.gov

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From: j escudero [<mailto:jescudero@hrmcs.com>]

Sent: Tuesday, July 31, 2018 12:36 PM

To: Perez, Dayron (ISD) <Dayron.Perez@miamidade.gov>

Cc: j rivero <jrivero@hrmcs.com>; Javier Moreno <jmoreno@hrmcs.com>; Nunez, Ivette (ISD) <ivette.Nunez@miamidade.gov>

Subject: Re: Transamerica Construction Company/ Project No. S-871

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Enterprise Security Office

Mr. Perez,

We've met with TransAmerica, their employees, and reviewed your back wages. We'd like to meet with you at your earliest convenience to discuss this matter. Please let me know when you are available.

Best Regards,

Jeanette Escudero



jescudero@hrmcs.com

10446 NW 31 Terrace

Doral, FL 33172

Tel: 305.406.3538

Cell: 305.804.7690

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From: j escudero [<mailto:jescudero@hrmcs.com>]

Sent: Friday, June 15, 2018 9:13 AM

To: Perez, Dayron (ISD) <Dayron.Perez@miamidade.gov>

Cc: j rivero <jrivero@hrmcs.com>; Javier Moreno <jmoreno@hrmcs.com>; Nunez, Ivette (ISD) <Ivette.Nunez@miamidade.gov>

Subject: Re: Transamerica Construction Company/ Project No. S-871

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Yes. That is the option we are agreeing on.

Best Regards,

Jeanette Escudero



jescudero@hrmcs.com

10446 NW 31 Terrace

Doral, FL 33172

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From: "Perez, Dayron (ISD)" <Dayron.Perez@miamidade.gov>
Date: Friday, June 15, 2018 at 8:59 AM
To: "jescudero@hrmcs.com" <jescudero@hrmcs.com>
Cc: Jorge Rivero <jrivero@hrmcs.com>, Javier Moreno <jmoreno@hrmcs.com>, "Nunez, Ivette (ISD)" <Ivette.Nunez@miamidade.gov>
Subject: Re: Transamerica Construction Company/ Project No. S-871

To clarify, the next step in this matter will be moving to a Notice of Violation which once received by Transamerica, will allow for an additional 30 days to respond. Based on the previous email, I believe that's the option we are agreeing on. Please confirm so the letter can be drafted, it will probably be sent out mid next week.

Thank you.

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From: j escudero
Sent: Wednesday, June 13, 9:52 AM
Subject: Re: Transamerica Construction Company/ Project No. S-871
To: Perez, Dayron (ISD), ghartfield@miamidade.gov
Cc: j rivero, Javier Moreno, Nunez, Ivette (ISD), Hidalgo-Gato, Alice (ISD)
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Dayron,

Yes, an additional 30 days to respond works for us. I'll talk to them about the documents you requested.

Thank you.

Best Regards,

Jeanette Escudero

jescudero@hrmcs.com
10446 NW 31 Terrace
Doral, FL 33172
Tel: 305.406.3538
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From: "Perez, Dayron (ISD)" <Dayron.Perez@miamidade.gov>

Date: Tuesday, June 12, 2018 at 11:12 PM

To: "ghartfield@miamidade.gov" <ghartfield@miamidade.gov>, "jescudero@hrmcs.com" <jescudero@hrmcs.com>

Cc: Jorge Rivero <jrivero@hrmcs.com>, Javier Moreno <jmoreno@hrmcs.com>, "Nunez, Ivette (ISD)" <Ivette.Nunez@miamidade.gov>, "Hidalgo-Gato, Alice (ISD)" <Alice.Hidalgo-Gato@miamidade.gov>

Subject: Re: Transamerica Construction Company/ Project No. S-871

How much additional time would you need?

The Notice is predominantly about misclassification. We previously met with Transamerica and asked them to provide us daily logs and pictures to mitigate or refute the Notice but have not received any documentation. Instead of extending the deadline for this Notice, another option would be to move on to the next step which will provide Transamerica with an additional 30 days to respond.

I believe the latter option is preferable over the former; however, it's completely up to you. Please let me know what would work. Thank you.

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From: j escudero

Sent: Monday, June 11, 11:48 AM

Subject: Transamerica Construction Company/ Project No. S-871

To: Perez, Dayron (ISD), ghartfield@miamidade.gov

Cc: j rivero, Javier Moreno

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Enterprise Security Office

Good morning Mr. Perez,

We have just been retained by Transamerica to assist them in the investigation you are conducting on the North District Wastewater Treatment Plant Pretreatment/Sludge Transfer Rehabilitation.

We'd like to request, if possible, an extension to review your findings and then possibly have a meeting with you to discuss. If I understand your notice correctly, the allegations are about a misclassification between Laborers and Carpenters and Laborers and Ironworkers, correct?

I look forward to hearing from you.

Best Regards,
Jeanette Escudero



jescudero@hrmcs.com

10446 NW 31 Terrace

Doral, FL 33172

Tel: 305.406.3538

Cell: 305.804.7690

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