



Memorandum



Miami-Dade County Office of the Inspector General
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To: The Honorable Carlos A. Gimenez, Mayor, Miami-Dade County

From: Christopher Mazzella, Inspector General

Date:  August 15, 2012

Subject: OIG Final Report Re: *Fortress Builders, Inc., County Contract RPQ-ARRA-018-38567-30-OS092611*, Ref. IG12-21

Attached please find the Office of the Inspector General's (OIG) final report regarding the above-captioned matter. Fortress Builders, Inc. (Fortress) provided home weatherization services to Miami-Dade County Community Action and Human Services Department (CAHSD). The report, as a draft, was provided to Roland Bujeiro, officer/registered agent of Fortress, for his review and the opportunity to provide a written response. No response was received.

Our report on this matter contains our investigative findings, conclusions and recommendations, and is being provided for whatever action is deemed appropriate. Kindly note that the OIG requests receiving a status report in 60 days, on or before October 16, 2012, informing us of any administrative action taken.

Attachment

cc: Russell Benford, Deputy Mayor
Alina T. Hudak, Deputy Major/County Manager
Lester Sola, Director, ISD
Lucia Davis-Raiford, Director, CAHSD
Charles Anderson Commission Auditor, OCA

MIAMI-DADE COUNTY OFFICE OF THE INSPECTOR GENERAL
Final Report
Fortress Builders, Inc., County Contract RPQ-ARRA-018-38567-30-OS092611

INTRODUCTION & SYNOPSIS

In March 2012, the Office of the Inspector General (OIG) received information from the Miami-Dade County Community Action and Human Services Department (CAHSD) concerning one of its vendors providing home weatherization services. Specifically, the OIG was advised that Roland Bujeiro of Fortress Builders, Inc. (Fortress), who was providing services under County contract, RPQ-ARRA-018-38567-30-OS092611 (RPQ-018), might have submitted an altered invoice to CAHSD. The OIG initiated an investigation.

The OIG's investigation substantiated the allegation. The OIG determined that Mr. Bujeiro, on behalf of Fortress, submitted an altered invoice to CAHSD in an attempt to obtain payment from the County for windows purchased under RPQ-018.

OIG JURISDICTIONAL AUTHORITY

In accordance with Section 2-1076 of the Code of MDC, the Inspector General has the authority to make investigations of County affairs and the power to review past, present and proposed County and Public Health Trust programs, accounts, records, contracts, and transactions. The Inspector General is authorized to conduct any reviews, audits, inspections, investigations, or analyses relating to departments, offices, boards, activities, programs, and agencies of the County and the Public Health Trust. The Inspector General shall have the power to review and investigate any citizen's complaints regarding County or Public Health Trust projects, programs, contracts, or transactions. The Inspector General may also investigate alleged violations of the Conflict of Interest and Code of Ethics Ordinance, and may either file a complaint directly with or refer the matter to the Ethics Commission. The Inspector General may exercise any of the powers contained in Section 2-1076, upon his or her own initiative.

The Inspector General shall have the power to require reports from the Mayor, County Commissioners, County Manager, County agencies and instrumentalities, County officers and employees and the Public Health Trust and its officers and employees regarding any matter within the jurisdiction of the Inspector General.

INVESTIGATION

Background

Background research into this vendor and an OIG briefing with CAHSD Division Director Alfredo Rodriguez and Alfred Consuegra, the CAHSD Weatherization Program Project Manager, revealed the following:

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- On December 20, 2010, Fortress was approved as a Certified Small Business Enterprise (CSBE) Level I Contractor and placed on the County's approved vendor's list.¹
- Rolando Bujeiro² is the only listed corporate officer for the company. He is also listed as the registered agent.
- County contract, RPQ-ARRA-018-38567-30-OS092611 (RPQ-018) was awarded to Fortress as the low bidder in or about October 2011 under the County Weatherization Assistance Program, which is funded through the U.S. Department of Energy. The program was created to help eligible low-income families improve the energy efficiency of their homes.
- At a meeting that took place on January 24, 2012, between CAHSD staff and Mr. Bujeiro, Fortress was terminated from its contract for non-performance. Fortress had previously been cited for non-performance issues on November 23, 2011 and December 9, 2011. In an effort by CAHSD to purchase unused materials already obtained by Fortress prior to its termination, CAHSD agreed to purchase four (4) windows from Fortress at cost. Mr. Bujeiro was asked to provide his original invoice from the vender for the cost of the remaining windows.
- Initially, Mr. Bujeiro submitted an invoice from Sun Air Windows of Florida (Sun Air) with the prices on the invoices "whited out." **(Exhibit A)** Mr. Bujeiro was advised by CAHSD that the invoice was inadequate and that he must submit an original document to include a description of the item; name and address of the client; the amount paid per item; proof of payment, e.g., a cancelled check or credit card receipt; and proof that the items were received.
- On January 26, 2012, Mr. Bujeiro provided a second invoice to CAHSD, which he submitted as an original from Sun Air for the actual cost of the four unused windows. **(Exhibit B)** After reviewing this invoice, it was determined by CAHSD that the prices submitted on the invoice also included the cost of labor and was therefore unacceptable.
- CAHSD made several attempts to obtain an accurate original invoice from Mr. Bujeiro, which were unsuccessful. Furthermore, Mr. Bujeiro continued to request payment from CAHSD.

¹According to Florida Secretary of State, Division of Corporations records, on 12/02/2006 Bujeiro incorporated Wayne Industries Development Group, Inc. On April 2, 2008, Bujeiro changed the name to Fortress Builders, Inc. Bujeiro was listed as the only corporate officer and registered agent.

² Mr. Bujeiro was previously employed by Miami-Dade County (County) as a Construction Manager 2 with the General Services Administration. County personnel records indicate that Bujeiro was employed with the County from April 4, 2008 through July 18, 2010, when he was laid off due to budgetary reductions.

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Due to the noted irregularities, CAHSD referred the matter to the OIG for investigation.

Investigative Methodology

The OIG investigation was conducted through interviews with key CAHSD personnel and management, as well as the review of invoices and other documents obtained from CAHSD relating to RPQ-018. Additional records were obtained from the window vender (Sun Air) through an OIG Administrative Subpoena. The subject of the investigation, Roland Bujeiro, was also interviewed and provided a sworn statement to OIG Special Agents.

This investigation was conducted in accordance with the *Principles and Standards for Offices of Inspector General, Quality Standards for Investigations*, as promulgated by the Association of Inspectors General.

Investigative Findings

On May 3, 2012, OIG Special Agents met with Sun Air's President/Director Erik Diaz at Sun Air's business location of 16760 N.W. 42nd Ave., Miami, FL 33055. Mr. Diaz provided a copy of the original invoice for the purchase and installation of the windows in question. **(Exhibit C)** The window prices (with labor included) shown on this invoice were significantly lower than those amounts shown on the second invoice provided to CAHSD by Bujeiro (Exhibit B).

On June 7, 2012, OIG Special Agents met with Mr. Bujeiro. It should be noted that Mr. Bujeiro initiated this meeting based on his own allegation that CAHSD had not paid him for work completed regarding another invoice, #18R, under this same contract.

Mr. Bujeiro, under oath, provided the following information to OIG Special Agents:

- He submitted the first invoice to CAHSD with the dollar amounts whited out because—according to him—“Why should the County know his supplier's costs?”
- The window prices quoted on the invoice were provided by Sun Air and the quote was based on certain window dimensions that he provided to Sun Air. Mr. Bujeiro stated that the actual cost of the windows only, without labor, was higher than his prices submitted on the final invoice and that he did his own labor. He contended that he lost money on this project.
- He submitted the second invoice (Exhibit B) with slightly elevated prices, which included his overhead costs and general liability insurance, which he believed he was entitled to. This invoice was provided to him by Sun Air and rewritten with the new prices because the original invoice (Exhibit C) provided by Sun Air was not accurate and Sun Air's pricing changed after he visited the homes and saw the jobs. He believed either Erik Diaz or Edward Jr. rewrote the invoice.

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- He denied recreating the second invoice (Exhibit B) himself and maintained that this invoice depicted his actual cost of materials including overhead.
- Relating to the invoice provided to the OIG by Sun Air (Exhibit C), Mr. Bujeiro stated that it had errors because he paid with only one check and the balance due was paid in cash.³

According to Erik Diaz of Sun Air, there was only one invoice provided to Fortress for these purchases—a copy of that invoice being the same one provided to the OIG (Exhibit C).

RESPONSE TO THE DRAFT REPORT

This report, as a draft, was provided to Roland Bujeiro, for his discretionary written response.⁴ The OIG did not receive a response to the draft version of this report. The draft report was also provided to Lucia Davis-Raiford, Director of CAHSD for informational purposes only.

CONCLUSIONS & RECOMMENDATIONS

The OIG's investigation concluded that Roland Bujeiro, sole officer and registered agent of Fortress, submitted an altered invoice to CAHSD in an attempt to obtain a payment that was higher than his actual costs from the County for windows purchased under RPQ-ARRA-018-38567-30-OS092611. Prior to the submission of the altered invoice, Fortress was terminated from its contract for non-performance. Accordingly, the OIG recommends that CAHSD initiate debarment proceedings against Mr. Bujeiro and Fortress, and take whatever other action it deems appropriate.

In accordance with Section 2-1076(d)(2) of the Code of Miami-Dade County, we request a status report addressing the OIG's recommendation and any other actions taken. The OIG requests that we receive this report in 60 days, on or before October 16, 2012.

³ On the original invoice provided by Sun Air, two checks were used to pay for the purchases made by Fortress; check #1014 in the amount of \$1,233.20 dated 11/3/11 for the initial 50% deposit and check #1022 (believed to be \$800.00 paid on 12/7/2011) and the final payment of \$433.21 was paid in cash. According to Mr. Bujeiro's statement, check #1022 was added in error to this invoice.

⁴The draft report was provided by U.S. Mail, U.S. Certified Mail, and hand delivery to Roland Bujeiro's home address.



ORDER

ESTIMATE

SUN AIR WINDOWS OF FLORIDA

AWNING WINDOWS-SINGLE HUNG-SLIDING DOOR-SCREEN & GLASS
STORE FRONTS-TUB & SHOWER ENCLOSURES-MIRRORS

16760 N.W. 42nd AVE., MIAMI, FL 33055

ATT: Rolando Bujeno

620-85

PHONES: 621-41

Fax 621-59

CUSTOMER Fortress Builders, Inc		DELIVERY ADDRESS	
STREET ADDRESS			
CITY		STATE	PHONE 6-786-266710
SALES ENGINEER ERIK DIAZ		DATE 11/1/14	YOUR P.O. NO.
LEGAL DESCR.		OUR INV. NO. F 305-558-8511	
OWNERS permit by Fortress Builders Inc			

QUANTITY	SIZE	TYPE	GLASS	DEL ONLY	IN. STKD	UNIT COST	TOTALS
1	(2035 NW 68 Terr)	AWN	1/8			JOHNSON TALK	
1	23 SWING OUT	S. HUNG	MILL/GRAY W/S				
1	2/23	H. ROLLER	MILL/GRAY W/S				
1	23	S. HUNG	MILL/GRAY W/S			w/PAK & LAB	
	NO (1840 NW 127 ST)						
1	24	S. HUNG	1/2 MILL/GRAY W/S			w/PAK & LAB	
	NO (421 SW 60 AVE)						
1	24	S. HUNG	1/2 MILL/CLEAR W/S			w/PAK & LAB	
	NO (110 NW 58 ST)						
1	33	H. ROLLER	BROME/BROME W/S				
1	4/32	S. HUNG	" OAK W/S			w/PAK & LAB	
	(5219 NW 24ct)						
1	23	S. HUNG	1/2 MILL/GRAY W/S				
1	24	"	"				
1	23	"	"			" SWING OUT w/PAK & LAB	
	NO (1077 NW 42 ST)						
	165 X 58	H. ROLLER	1/2 MILL/GRAY W/S			w/PAK & LAB	

INSTRUCTIONS:

NOTE:

- Materials will be invoiced upon shipment from this company's warehouse of frames and/or glass. Delivery and/or installation of screening may be withheld for convenience of customer, but this shall in no way affect date of invoice or amount due.
- In the event that amount herein shown is not paid when due, interest at highest legal rate per annum shall accumulate on total amount remaining due. All costs of collection shall be paid by the customer including reasonable attorney's fee.
- Title on materials delivered to customer shall remain in this company until payment in full is received.

AMOUNT	
SALES TAX	
INSTALLATION	
TOTAL	
CHECK # 1010	DEPOSIT
BALANCE DUE	

EXHIBIT A

INITIAL INVOICE COPY SUBMITTED BY
FORTRESS TO CAHSD

Sales Dept.
Date
Credit Dept.

TERMS: 50% Deposit!



ORDER

ESTIMATE

SUN AIR WINDOWS OF FLORIDA
 AWNING WINDOWS-SINGLE HUNG-SLIDING DOOR-SCREEN & GLASS
 STORE FRONTS-TUB & SHOWER ENCLOSURES-MIRRORS
 16760 N.W. 42nd AVE., MIAMI, FL 33055

620-8594
 PHONES: 621-4109
 Fax 621-5976

CUSTOMER FORTRESS BUILDERS INC		DELIVERY ADDRESS	
STREET ADDRESS		CITY	
STATE		PHONE C 786-221 6710	YOUR P. O. NO.
SALES ENGINEER ERIC DIAR	DATE 11/1/11	F 305-558 8811	OUR INV. NO.
LEGAL DESCR. OWNERS PERMIT BY Fortress Builders Inc			

QUANTITY	SIZE	TYPE	GLASS	DEL ONLY	IN. ST'D	UNIT COST	TOTALS
	ANNIE JOHNSON 2035 NW 68 TER						
1	23	SAH/SWINGOUT GREEN	MIL/6MM 1/4"				460 00
1	2/23	H. ROLLER OR	"	"	"		650 00
1	23	SAH/MIL/6MM 1/4"					475 00
	EDUARDO DE LA 1840 NW 127 ST						
1	24	SAH/MIL/6MM 1/4"					375 00
	NEILDA RINOLA 421 SW 60 AVE						
1	24	SAH/MIL/CLEAN W/S					375 00
	DONOTHA FLOREAN 110 NW 58 ST						
1	33	H. ROLLER BRZ/BRZ 1/4"					400 00
1	1/23	SAH/BZ/6MM 1/4"					250 00
	PEARL FELTON						
1	23	SAH/MIL/6MM 1/4"					335 00
1	24	"	"	"	"		440 00
1	23	"	"	"	"		445 00
	JOHNNIE PORTER 1077 NW 425 ST						
1	65x58	custom H. ROLLER	MIL/6MM 1/4"				500 00

INSTRUCTIONS:

PAID

- NOTE:
- Materials will be invoiced upon shipment from the manufacturer. Delivery and/or installation of screening may be required for convenience, but this shall in no way affect date of invoice or amount due.
 - In the event that amount herein shown is not paid when due, interest at highest legal rate per annum shall accumulate on total amount remaining due. All costs of collection shall be paid by the customer including reasonable attorney's fee.
 - Title to materials delivered and/or installed pursuant to this order shall remain in the name of SUN AIR WINDOWS INST. until same is paid in full, and the purchaser waives all

EXHIBIT B

SECOND (REVISED) INVOICE PROVIDED TO CAHSD BY FORTRESS

AMOUNT	
SALES TAX	included
INSTALLATION	by fortress
TOTAL	4695 00
DEPOSIT	1293 20
BALANCE DUE	3461 80
TERMS:	

Sales Dept. **1014 CRACK**

Date

Credit Dept.

Date



ORDER

ESTIMATE

SUN AIR WINDOWS OF FLORIDA
 AWNING WINDOWS-SINGLE HUNG-SLIDING DOOR-SCREEN & GLASS
 STORE FRONTS-TUB & SHOWER ENCLOSURES-MIRRORS
 16760 N.W. 42nd AVE., MIAMI, FL 33055

620-8594
 PHONES: 621-4109
 Fax 621-5976

ATT: Rolando Bujero

CUSTOMER Fortress Builders, Inc		DELIVERY ADDRESS	
STREET ADDRESS			
CITY	STATE	PHONE 2-786-266710	YOUR P.O. NO.
SALES ENGINEER Edik Diaz	DATE 11/1/11	F 305-558-8811	OUR INV. NO.
LEGAL DESCR.	OWNERS permit by Fortress Builders Inc.		

QUANTITY	SIZE	TYPE	GLASS	DEL. ONLY	IN-STD	UNIT COST	TOTALS
	(2035 NW 68 terr)		AWNIE			JOHNSON TULLOY	
1	23	SWING OUT	S.HUNG MILL/GRAY w/s				
1	2/23	H-ROLLER	MILL/GRAY w/s				
1	23	S.HUNG	MILL/GRAY w/s			w/PAV&LAB	737 55
	NO (1840 NW 127 ST)						
1	24	S.HUNG 1/2	MILL/GRAY w/s			w/PAV&LAB	200
	NO (421 SW 60 AVE)						
1	24	S.HUNG 1/2	MILL/CLEAR w/s			w/PAV&LAB	175
	NO (110 NW 58 ST)						
1	33	H-ROLLER	BROWN/BROWN w/s				
1	4232	S.HUNG	" OPGC w/s			w/PAV&LAB	369 72
	(5219 NW 24 CT)						
1	23	S.HUNG 1/2	MILL/GRAY w/s				
1	24	"	"				
1	23	"	"			w/PAV&LAB	694 75
	NO (1077 NW 42 ST)						
1	65 X 58	H-ROLLER 1/2	MILL/GRAY w/s			w/PAV&LAB	289 39

INSTRUCTIONS:

NOTE:
 1. Materials will be invoiced upon shipment from this company's warehouse of frames and/or glass. Delivery and/or installation of screening may be withheld for convenience of customer, but this shall in no way affect date of invoice or amount due.
 2. In the event that amount herein shown is not paid when due, interest at highest legal rate per annum shall be collected on all amounts of collection shall be paid by the customer in full.

EXHIBIT C

ORIGINAL INVOICE PROVIDED TO OIG BY
 SUN AIR WINDOWS OF FLORIDA

[Handwritten signature]
 Sales Dept.
 Date
 Credit Dept.
 Date

AMOUNT	2466 41
SALES TAX	included
INSTALLATION	included
TOTAL	2466 41
check # 1014 DEPOSIT	1233 20
BALANCE DUE	1233 21
	12/7/11 800 00
	433 21
TERMS:	50% Deposit / 50% Full