

**STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES**

Final Order No. DMS – 16-0100

IN RE: HIALEAH TRANSPORT, LLC

CASE NO.: 16-34501

FINAL ORDER

THIS MATTER is before the Department regarding the placement of Hialeah Transport, LLC on the Convicted Vendor List.

FINDINGS OF FACT

1. On April 23, 2015, Hialeah Transport, LLC (Hialeah) was convicted of two counts of Grand Theft in the 3rd Degree. Attachment 1. This conviction arose from Hialeah's improper and unlawful sale, under a contract with Miami-Dade County, of lower grade fuel as if it were higher grade fuel. Attachment 2.

2. On August 16, 2016, by letter sent certified mail, return receipt requested, the Department put Hialeah on notice of its intent to place it on the convicted vendor list for a period of 36 months. Attachment 3. The letter informed Hialeah that it had 21 days from receipt to file a petition for an administrative hearing to contest his placement on the convicted vendor list.

3. The return receipt card was returned to the Department with return receipt signed for August 19, 2016, Domestic Return Receipt signed. Attachment 4.

4. Twenty one days after August 19, 2016, elapsed Friday, September 9, 2016, without Hialeah filing a petition for an administrative hearing.

CONCLUSIONS OF LAW

6. The Department has jurisdiction over the subject matter and the parties in this matter pursuant to chapter 120, Florida Statutes, and section 287.133, Florida Statutes.

7. The two counts of Grand Theft in the 3rd degree in paragraph 1 are "public entity crimes" as that phrase is defined in section 287.133(1)(g), Florida Statutes.

8. The Department's actions, as described in paragraph 2, fulfilled its duty to notify Hialeah in writing of its intent to place Hialeah on the convicted vendor list. Section 287.133(3)(e)1., F.S.


9. As a result of Hialeah's inaction as described in paragraph 4, the Department must enter this final order placing Hialeah on the convicted vendor list for 36 months. Id., Section 287.133(2)(a), F.S.

Having considered this matter and being fully advised in the premises, it is hereby **ORDERED AND ADJUDGED:**

A. Hialeah Transport, LLC, is placed upon the convicted vendor list for 36 months, beginning the effective date of this Final Order.

B. This Final Order shall become effective on the date of filing with the Agency Clerk of the Department of Management Services.

DONE AND ORDERED this 30th day of September, 2016.



CHAD POPPEL, Secretary
Department of Management Services
4050 Esplanade Way
Tallahassee, Florida 32399-0950

Copies Furnished To:

Hialeah Transport, LLC
c/o William Putnam
Registered Agent
2955 East 11th Avenue
Hialeah, Florida 33013

Roz Ingram
State Purchasing Director
Department of Management Services
4050 Esplanade Way, Suite 360J
Tallahassee, Florida 32399-0950

Michael A. Greif
Assistant General Counsel
Department of Management Services
4050 Esplanade Way, Suite 160
Tallahassee, Florida 32399-0950


Judson Freeman
Governance Manager
Department of Management Services
4050 Esplanade Way, Suite 380I
Tallahassee, Florida 32399-0950

NOTICE OF RIGHT TO APPEAL

Unless expressly waived by a party such as in a stipulation or in other similar forms of settlement, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal and a copy of the notice with the Agency Clerk of the Department of Management Services within thirty (30) days rendition of this order, in accordance with rule 9.110, Fla. R. App. P., and section 120.68, Florida Statutes.

Certificate of Agency Clerk:

Filed in the office of the Agency Clerk of
the Department of Management Services on
this 30th day of September, 2016.


Diane Wint, Agency Clerk

STATE OF FLORIDA
Plaintiff

-VS-

Hiacah Transport, LLC
Defendant

FILED
APR 23 2015
A. IGLUS
CLERK

IN THE ELEVENTH JUDICIAL
CIRCUIT COURT, IN AND FOR
MIAMI-DADE COUNTY

CASE NUMBER F15-8386B
DC NUMBER _____

Local Jurisdiction Identification Number _____

- ORDER OF PROBATION
- DRUG OFFENDER PROBATION
- COMMUNITY CONTROL
- COMMUNITY CONTROL/PROBATION
- COMMUNITY CONTROL/DRUG OFFENDER PROBATION
- DRUG OFFENDER PROBATION/PROBATION
- SEX OFFENDER PROBATION
- COMMUNITY CONTROL/SEX OFFENDER PROBATION

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

- entered a plea of guilty to
- been found guilty by jury verdict of
- entered a plea of nolo contendere to
- been found guilty by the court trying the case without a jury of

Count <u>1</u>	<u>Grand Theft 3rd degree</u>	Count _____	_____
Count <u>2</u>	<u>Grand Theft 3rd degree</u>	Count _____	_____
Count _____	_____	Count _____	_____
Count _____	_____	Count _____	_____

SECTION 1: JUDGMENT OF GUILT

- The court hereby adjudges you to be guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on Probation Community Control Drug Offender Probation Sex Offender Probation for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.

SECTION 2: ORDER WITHHOLDING ADJUDICATION

- Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld and that you be placed on Probation Community Control Drug Offender Probation Sex Offender Probation for a period of 90 days under the supervision of the Department of Corrections, subject to Florida law.

SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE

It is hereby ordered and adjudged that you be:

- committed to the Department of Corrections

for a term of _____ prison with credit for _____ jail time, followed by Probation Community Control Drug Offender Probation Sex Offender Probation for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.
or

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that the foregoing is a true and correct copy of the Original on file in this office JUN 23 2015 AD 20
HARVEY RUVIN, Clerk of Circuit and County Courts
Deputy Clerk



Defendant _____

Case # F15-8386B

confined in the County Jail for a term of _____ with credit for _____ jail time. After you have served _____ of a term, you shall be placed on Probation Community Control Drug Offender Probation Sex Offender Probation for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.

or confined in the County Jail For a term of _____ with credit for _____ jail time, as a special condition of supervision.

IT IS FURTHER ORDERED that you shall comply with the following standard conditions of supervision as provided by Florida law:

- (1) You will report to the probation office as directed.
- (2) You will pay the State of Florida the amount of \$ _____ per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
- (3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm. You will not possess, carry, or own any weapon without first procuring the consent of your officer.
- (5) You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation of law to constitute a violation of your probation, community control, or any other form of court ordered supervision.
- (6) You will not associate with any person engaged in any criminal activity.
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where he/she is receiving treatment to determine the presence of alcohol or controlled substances.
- (12) You will submit a DNA sample to your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will submit to the taking of a digitized photograph by the department. This photograph may be displayed on the department's website while you are on supervision, unless exempted from disclosure due to requirements of s. 119.07, F.S.
- (14) You will report in person within 72 hours of your release from incarceration to the probation office in _____ County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at _____.

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Distribution: White: Office

Yellow - Probation

Pink - Defendant

(Revised 7/01/14)

SPECIAL CONDITIONS

1. You must undergo a Drug and Alcohol Drug Alcohol Mental Health Psycho-sexual Drug, Alcohol and Mental Health evaluation and, if treatment is deemed necessary, you must successfully complete the treatment, and be responsible for the payment of any costs incurred while receiving said evaluation and treatment, unless waived by the court.
Additional instructions ordered: _____

2. You will make restitution to the following victim(s), as directed by the court, until the obligation is paid in full:
NAME: _____
TOTAL AMOUNT: \$ _____
Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several: _____

NAME: _____
TOTAL AMOUNT: \$ _____
Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several: _____

3. You will be required to pay for drug testing unless exempt by the court.
 4. You will enter the Department of Corrections Non-Secure Drug Treatment Program or other residential treatment program/Probation and Restitution Center for a period of successful completion as approved by your officer. You are to remain until you successfully complete said Program and Aftercare. You are to comply with all Rules and Regulations of the Program. You shall Shall not be confined in the county jail until placement in said program, and if you are confined in the jail, the Sheriff will transport you to said program.

5. You will abstain entirely from the use of alcohol and/or illegal drugs, and you will not associate with anyone who is illegally using drugs or consuming alcohol.

6. You will submit to urinalysis testing on a monthly bi-weekly weekly basis to determine the presence of alcohol or illegal drugs. You will be required to pay for the tests unless exempt by the court.

7. You will not visit any establishment where the primary business is the sale and dispensing of alcoholic beverages.

8. You will successfully complete _____ hours of community service at a rate of _____, at a work site approved by your officer.
Additional instructions ordered: _____

9. You will remain at your residence between 10 p.m. and 6 a.m. due to a curfew imposed, unless otherwise directed by the court.

10. You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay \$ _____ per day for the cost of the monitoring service.

11. You will not associate with _____ during the period of supervision.

12. You will have no contact (direct or indirect) with the victim or the victim's family during the period of supervision.

13. You will have no contact (direct or indirect) with _____ during the period of supervision.

14. You will maintain full time employment or attend school/vocational school full time or a combination of school/work during the term of your supervision.

15. You will make a good faith effort toward completing basic or functional literacy skills or a high school equivalency diploma.

16. You will successfully complete the Probation & Restitution Program, abiding by all rules and regulations.

SPECIAL CONDITIONS – CONTINUED

- 17. You will attend a support group with a focus on _____ at least monthly, unless otherwise directed by the court.
- 18. You must successfully complete Anger Management Batterer's Intervention Program Anger Management / Batterer's Intervention Program and be responsible for the payment of any costs incurred while receiving said treatment, unless waived. If convicted of a Domestic Violence offense, as defined in s. 741.28, F.S., you must attend and successfully complete a batterer's intervention program, unless otherwise directed by the court.
Additional instructions ordered: _____
- 19. You will attend an HIV/AIDS Awareness Program consisting of a class of not less than two (2) hours or more than four (4) hours in length, the cost for which will be paid by you.
- 20. If you have been found to have committed a crime on or after October 1, 2008 for the purpose of benefitting, promoting, or furthering the interests of a criminal gang, you are prohibited from knowingly associating with other criminal gang members or associates, except as authorized by law enforcement officials, prosecutorial authorities, or the court, for the purpose of aiding in the investigation of criminal activity.
- 21. You will successfully complete a Post-adjudicatory treatment-based drug court program, as provided in s. 397.334(3), F.S.
- 22. If you are required to register as a sexual predator under s. 775.21 or sexual offender under s. 943.0435, s. 944.606, or s. 944.607, F.S., you will undergo an evaluation, at your expense, by a qualified practitioner to determine whether you need sexual offender treatment. If the qualified practitioner determines that sexual offender treatment is needed and recommended, you must successfully complete and pay for the treatment as provided in s. 948.31, F.S.
- 23. Other: Eligible for early termination @ 1 year must petition court
- 24. Other: restoration done in full prior to plea agreement
- 25. Other: plea agreement
- 26. Other: _____
- 27. Other: _____
- 28. Other: _____
- 29. Other: _____
- 30. Other: _____

AND, IF PLACED ON DRUG OFFENDER PROBATION, YOU WILL COMPLY WITH THE FOLLOWING CONDITION OF SUPERVISION IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

- (15) You will participate in a specialized drug treatment program, either as an in-patient or out patient, as recommended by the treatment provider. You will attend all counseling sessions, submit to random urinalysis and, if an in-patient, you will comply with all operating rules, regulations and procedures of the treatment facility. You will pay for all costs associated with treatment and testing unless otherwise directed.
Additional instructions ordered: _____

- (16) You will remain at your residence between _____ p.m. and _____ a.m. due to a curfew imposed, unless otherwise directed by the court.
- (17) You will successfully complete a Post-adjudicatory treatment based drug court program, as provided in s. 397.334(3), F.S.

AND, IF PLACED ON COMMUNITY CONTROL, YOU WILL COMPLY WITH THE FOLLOWING CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

- (15) You will report to your officer as directed, at least one time a week, unless you have written consent otherwise.
- (16) You will remain confined to your approved residence except for one half hour before and after your approved employment, public service work, or any other special activities approved by your officer.
- (17) You will maintain an hourly accounting of all your activities on a daily log, which you will submit to your officer on request.
- (18) You will successfully complete _____ hours of community service at a rate of _____, at a work site approved by your officer.
Additional instructions ordered: _____

Defendant _____

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- (19) You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay \$ _____ per month for the cost of the monitoring service.

AND, IF PLACED ON PROBATION OR COMMUNITY CONTROL FOR A SEX OFFENSE PROVIDED IN CHAPTER 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, COMMITTED ON OR AFTER OCTOBER 1, 1995 YOU WILL COMPLY WITH THE FOLLOWING STANDARD SEX OFFENDER CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

- (15) A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and the alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.
- (16) If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, child care facility, park, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, child care facility, park, playground, or other place where children congregate. The distance may not be measured by a pedestrian route or automobile route.
- (17) Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the offender's own expense. If a qualified practitioner is not available within a 50-mile radius of the offender's residence, the offender shall participate in other appropriate therapy.
- (18) A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.
- (19) If the victim was under the age of 18, a prohibition on contact with a child under the age of 18 except as provided in this paragraph. The court may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The court may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time.
- (20) If the victim was under age 18, a prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to any school, child care facilities, park, playground, pet store, library, zoo, theme park, or mall.
- (21) Unless otherwise indicated in the treatment plan provided by a qualified practitioner in the sexual offender treatment program, a prohibition on viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.
- (22) A requirement that the offender submit a DNA sample to the Florida Department of Law Enforcement to be registered with the DNA data bank.
- (23) A requirement that the offender make restitution to the victim, as ordered by the court under s. 775.089, for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.
- (24) Submission to a warrantless search by the community control or probation officer of the offender's person, residence, or vehicle.

EFFECTIVE FOR PROBATIONER OR COMMUNITY CONTROLLEE WHOSE CRIME WAS COMMITTED ON OR AFTER OCTOBER 1, 1997, AND WHO IS PLACED ON COMMUNITY CONTROL OR SEX OFFENDER PROBATION FOR A VIOLATION OF CHAPTER 794, s. 800.04, s. 827.071, s. 847.0135(5) or s. 847.0145, IN ADDITION TO ANY OTHER PROVISION OF THIS SECTION, YOU MUST COMPLY WITH THE FOLLOWING CONDITIONS OF SUPERVISION:

- (25) As part of a treatment program, participation at least annually in polygraph examinations to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. A polygraph examination must be conducted by a polygrapher who is a member of a national or state polygraph association and who is certified as a post conviction sex offender polygrapher, where available, and at the expense of the offender.
- (26) Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.
- (27) A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.
- (28) If there was sexual contact, a submission to, at the offender's expense, an HIV test with the results to be released to the victim and/or the victim's parent or guardian.
- (29) Electronic monitoring when deemed necessary by the probation officer and supervisor, and ordered by the court at the recommendation of the Department of Corrections. If you are placed on electronic monitoring you must pay the Department for the cost of the electronic monitoring service.

Defendant Haleah Transport, LLC

Case # F15-8386B

(30) Effective for an offender whose crime was committed on or after July 1, 2005, and who are placed on supervision for violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, a prohibition on accessing the Internet or other computer services until a qualified practitioner in the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.

(31) Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:

- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
- Are designated as a sexual predator pursuant to s 775.21; or
- Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

(32) Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s.943.0435(1)(a)1.a.(1), or a similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense: the following conditions are imposed in addition to all other conditions:

- (a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The court may also designate additional locations to protect a victim. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.
- (b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

(33) Effective for offenders whose crime was committed on or after October 1, 2014, and who is placed on probation or community control for a violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, in addition to all other conditions imposed, is prohibited from viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material unless otherwise indicated in the treatment plan provided by a qualified practitioner in the sexual offender treatment program. Visual or auditory material includes, but is not limited to, telephone, electronic media, computer programs, and computer services.

YOU ARE HEREBY PLACED ON NOTICE that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

IT IS FURTHER ORDERED that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

IT IS FURTHER ORDERED that the clerk of this court file this order in the clerk's office and provide copies of same to the officer for use in compliance with the requirements of law.

DONE AND ORDERED, on

4/23/15
JASON BLOCH

Circuit Judge

I acknowledge receipt of a copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date: 4/23/15

Defendant

Instructed by: [Signature]
Supervising Officer - (Sign & Print Name)
Cart



CLOSE-OUT MEMO
Criminal Investigation
Public Corruption Unit

A.S.A.: Luis Perez Medina

INVESTIGATION #: PC

SIGNATURE: 

DATE: April 23, 2014

REVIEWED BY: 

DATE: 4/23/15

Tim VanderGiesen, Division Chief, PCU

DATE: _____

JOSE J. ARROJO, Chief Assistant

SUBJECT(S): AMANCIO ALONSO

EMPLOYMENT: MacMillan Oil and Hialeah Transport

INVESTIGATOR: Dennis Delgado

INTERNAL AFFAIRS

INVESTIGATOR:

AGENCY: MDPD-PCU
 PHONE: 305 629-2607

AGENCY:
 PHONE:

CONCLUSION

CHARGES FILED

COURT CASE NUMBER:

CRIME	STATUTE	DEGREE
GRAND THEFT	812.014	F3

OTHER:

FACTS

On Wednesday, January 29, 2014, Detectives Dennis Delgado and Eduardo Torga interviewed Wilfredo Manuel Matos and Eduardo Rodriguez. Mr. Matos and Mr. Rodriguez worked for MacMillan Oil Company of Florida, (hereinafter "MacMillan Oil"), which is located in Hialeah, Florida. Mr. Rodriguez and Mr. Matos both stated that MacMillan Oil is owned and operated by Amancio Alonso. Both Mr. Matos and Mr. Rodriguez advised that MacMillan Oil is the Miami-Dade County vendor that provides the county with all the fuel consumed for daily operations.



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Mr. Matos and Mr. Rodriguez alleged that MacMillan Oil purchased regular (87 octane) gasoline from Port Everglades and sold it to its customers as if it was midgrade (89 octane) gasoline. Mr. Matos and Mr. Rodriguez stated that Miami-Dade County and the City of Hialeah purchased fuel from MacMillan Oil since 2010. Both Mr. Matos and Mr. Rodriguez stated that MacMillan Oil sold Miami-Dade County and the City of Hialeah regular gasoline and charged the county and the city as if it was midgrade gasoline.

The gasoline was delivered to its final destination by trucks owned by Hialeah Transport LLC., (hereinafter "Hialeah Transport"). Hialeah Transport is owned and operated by Amancio Alonso. During the delivery process, the truck drivers, employed by Hialeah Transport LLC., would produce fraudulent tickets and documents, by altering the octane and type of gasoline delivered to the customers. Thus, the customers would sign off on documents indicating that they received midgrade (89 octane) gasoline, when in reality the drivers knew they were actually delivering regular (87 octane) gasoline. The drivers would then give the falsified tickets to the billing department at MacMillan Oil. There are no allegations that the billing clerks at MacMillan Oil knew that the bills they were submitting to the City of Hialeah or Miami-Dade Aviation were based on falsified tickets, produced by the drivers employed by Hialeah Transport LLC.

As part of the investigation, documents were obtained from the General Services Administration (GSA). These documents revealed that Miami-Dade County had been purchasing regular gasoline for many years. According to GSA, the only county agency still purchasing midgrade gasoline in large quantities was the Aviation Department, which was not managed by GSA.

Documents obtained from the Miami-Dade Aviation Department revealed that Miami-Dade Aviation Department purchased midgrade gasoline from 2011 through 2014. According to the documents examined, Miami-Dade Aviation Department bought 48,032.86 gallons of midgrade and was overbilled by .07 cents per gallon. The total amount overbilled was \$3,362.30 from 2011 through 2014. Additionally, the octane level of the gasoline found in the midgrade fuel tanks was tested and had a reading of 87 octane which corresponded with regular gasoline. Midgrade gasoline should have an octane level of 89.

Documents obtained from the City of Hialeah revealed that the City of Hialeah purchased midgrade gasoline from 2009 through 2011. However, not all of the midgrade gasoline purchased was overbilled. According to the document examined, between January 21, 2009 and August 17, 2011, the City of Hialeah bought 971,209.91 gallons of midgrade gasoline. Out of that total, only 670,170.71 was overbilled by .07 cents per gallon. Therefore, the City of Hialeah was overbilled a total of \$46,911.94 based on a price differential of .07 cents per gallon.

As part of the investigation, detectives from Miami-Dade Public Corruption Unit and the State Attorney's Public Corruption Task Force responded to MacMillan Oil Company and executed a search warrant of the premises. Mr. Amancio Alonso gave a statement where he admitted knowing that his drivers were delivering regular gasoline to the City of Hialeah and Miami-Dade Aviation. He stated that this was done when there was an order for midgrade and the plant did not have the appropriate gasoline to create the midgrade blend. Mr. Alonso stated that none of the staff of MacMillan Oil's billing department were aware of the overbilling and they would just submit a bill based on the documents they received from the driver.

DISPOSITION

Amacio Alonso and Hialeah Transport were each charged with two counts of grand theft. Amancio Alonso was charged since he was the owner of both Hialeah Transport and MacMillan Oil, and was responsible for ordering the drivers employed by Hialeah Transport to falsify their delivery records. Hialeah Transport was charged since it employed the drivers that falsified the delivery tickets to the City of Hialeah and to Miami-Dade Aviation.

As a resolution to this case, the defendants Amancio Alonso and Hialeah Transport have agreed to the following:

1. Each defendant will plead guilty at arraignment, on two counts of grand theft, felonies in the third degree.
2. Each defendant will be sentenced to two years reporting probation.
3. Each defendant will receive a withhold of adjudication.
4. Full restitution, totaling \$50,274.00 (\$46,912.00 to the City of Hialeah and \$3,362.00 to Miami-Dade Aviation Department) will be collected when the plea agreement is executed.
5. Donations of \$9,000 to the Denise Moon Fund and the Police Officer's Assistance Trust will be collected when the plea agreement is executed.
6. Cost recovery, for the cost of the investigation, totaling \$42,500.00 will be collected when the plea agreement is executed.
7. If all terms of probation are completed, the defendants may move for early termination of probation after twelve months are completed.



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**management
SERVICES**

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Office of the General Counsel
4050 Esplanade Way, Suite 160
Tallahassee, FL 32399-0950
Tel: 850-487-1082 | Fax: 850-922-6312

Rick Scott, Governor

Chad Poppell, Secretary

August 16, 2016

Hialeah Transport LLC
C/O William Putnam
Registered Agent
2955 East 11th Avenue
Hialeah 33013

Certified Mail, Return Receipt Requested

RE: NOTICE OF INTENT TO PLACE ON CONVICTED VENDOR LIST ("NOTICE")

To Mr. Putnam:

BE ADVISED: The Department has found good cause to place Hialeah Transport LLC on the convicted vendor list ("List") as a result of the attached finding of guilt by a court relating to the transaction of business with a public entity. Placement on the List subjects Hialeah Transport LLC to section 287.133, Florida Statutes, which, in pertinent part, states:

(2)(a) A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

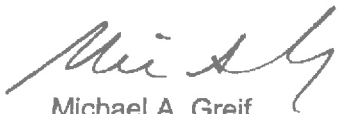
(b) A public entity may not accept any bid, proposal, or reply from, award any contract to, or transact any business in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO with any person or affiliate on the convicted vendor list for a period of 36 months following the date that person or affiliate was placed on the convicted vendor list unless that person or affiliate has been removed from the list pursuant to paragraph (3)(f). A public entity that was transacting business with a person at the time of the commission of a public entity crime resulting in that person being placed on the convicted vendor list may not accept any bid, proposal, or reply from, award any contract to, or transact any business with any other person who is under the same, or substantially the same, control as the person whose name appears on the convicted vendor list so long as that person's name appears on the convicted vendor list.

To contest placement on the List Hialeah Transport LLC must request an administrative hearing within 21 days of receipt of this Notice. To request an administrative hearing, governed by sections 120.569, 120.57(1), and 287.133, Florida Statutes, and Chapter 28-106, Florida Administrative Code, Hialeah Transport LLC must file a written petition with the Agency Clerk. A petition is filed when it is received by the below addressee:

Agency Clerk
Office of the General Counsel
Department of Management Services
4050 Esplanade Way, Suite 160
Tallahassee, Florida 32399

Failure to timely request a hearing waives the right to a hearing and shall result in final agency action upon the issuance of a Final Order by the Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Greif". The signature is fluid and cursive, with a large initial "M" and "G".

Michael A. Greif
Assistant General Counsel

Attachment

English

Customer Service

USPS Mobile

Register / Sign In



USPS Tracking®

Still Have Questions?

Browse our FAQs >



Get Easy Tracking Updates >
Sign up for My USPS.

Tracking Number: 70131090000084710621

Product & Tracking Information

Postal Product:

Features:
Certified Mail™

Available Actions

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
August 19, 2016 , 11:56 am	Delivered, Left with Individual	HIALEAH, FL 33013

Your item was delivered to an individual at the address at 11:56 am on August 19, 2016 in HIALEAH, FL 33013.

August 18, 2016 11:35 pm	Departed USPS Facility	MIAMI, FL 33152
August 18, 2016 5:23 pm	Arrived at USPS Facility	MIAMI, FL 33152
August 17, 2016 10:06 pm	Departed USPS Facility	TALLAHASSEE, FL 32301
August 17, 2016 , 9:18 pm	Arrived at USPS Facility	TALLAHASSEE, FL 32301

Track Another Package

Tracking (or receipt) number


Track It

Manage Incoming Packages

Track all your packages from a dashboard. No tracking numbers necessary.

Sign up for My USPS >



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery 8/19/16</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>William Putnam, Registered Agent Hialeah Transport, LLC. 2955 East 11th Avenue Hialeah, FL 33013</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

LEGAL INFORMATION

Privacy Policy

Terms of Use

FOIA

No FEAR Act EEO Data

Attachment 4

2. 7013 1090 0000 8471 0621

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9/8/2016