



STATE OF NEW YORK  
OFFICE OF THE STATE INSPECTOR GENERAL  
**Final Report**  
**April 8, 2009**

## SUMMARY OF FINDINGS/RECOMMENDATIONS

The New York State Inspector General investigated complaints regarding contract irregularities at the Western New York Developmental Disabilities Services Office (Western New York DDSO) of the New York State Office of Mental Retardation and Developmental Disabilities (OMRDD). The investigation determined that procurement rules were either ignored or circumvented by staff members who were responsible for obtaining and reviewing bids from vendors for construction and maintenance projects, and that numerous bids submitted to the agency were forged or fraudulent. As a result, 165 maintenance projects at dozens of facilities were awarded to the same three vendors.

The Inspector General referred these findings to the Erie County District Attorney's Office, which brought criminal charges against nine individuals, including six OMRDD employees and three private contractors. All nine pleaded guilty to charges of filing a false instrument or forgery.

In addition, the Inspector General found that during a three-year period the Western New York DDSO awarded numerous floor installation contracts to a single firm without soliciting competing bids, as required by policy. The Inspector General further found that two DDSO employees were paid supplements to their salaries to be "on-call" for emergencies, even though there was no need for on-call employees.

Finally, the investigation determined that the DDSO lacked inventory controls for portable generators. Some of the generators were misappropriated by a vendor hired by the DDSO to install heaters in the DDSO's facilities. This matter was also forwarded to the Erie County District Attorney.

## ALLEGATIONS

On April 25, 2005, the Inspector General received a complaint alleging that the now-retired Western New York DDSO Chief Housekeeper Betty Kennedy had improperly awarded all DDSO flooring contracts to the same company, Spectra Flooring. During the course of the investigation, a second complainant, who requested confidentiality, alleged widespread improprieties in which the DDSO's maintenance supervisors obtained fabricated price quotes for small maintenance projects at various

facilities. It was further alleged that business office supervisor Deborah Shiffner was aware of this scheme. The same complainant alleged that two maintenance supervisors, Bruce Lounsberry and Bruce Hill, were receiving on-call pay seven days a week for services the complainant claimed were not needed. Finally, on July 24, 2006, the Inspector General received a letter from an anonymous complainant alleging that portable electric generators owned by the DDSO were being sold illegally from a storage area at the DDSO's West Seneca Campus.

## SUMMARY OF INVESTIGATION

### **I. Background**

OMRDD operates 13 Developmental Disabilities Services Offices, or DDSOs, across New York State. DDSOs are responsible for providing programs, such as housing, employment, and family support services to individuals with developmental disabilities. The Western New York DDSO operates the West Seneca Development Center in West Seneca, a residential facility that houses approximately 50 developmentally disabled individuals. In addition, the Western New York DDSO owns and manages 159 group homes throughout Western New York, which serve the needs of disabled consumers who are capable of living in a residential environment with assistance.

The DDSO is responsible for maintaining the buildings and grounds for all of the facilities it operates. A maintenance staff supervised by Plant Supervisor Timothy Doty and several maintenance supervisors perform routine maintenance work on the properties. A housekeeping staff is responsible for cleaning the facilities. The DDSO hires vendors under contract to perform larger projects or projects that require specialized skills.

All state agencies, including the Western New York DDSO, must follow certain guidelines when contracting with vendors. The Western New York DDSO is bound by policies issued by the New York State Office of General Services and OMRDD, as well as state law. In each of the contracts discussed in this report, the DDSO was required to obtain at least two bids from separate vendors before proceeding with the project.

### **II. Procurement Irregularities**

#### **A. Maintenance Projects**

The Community Minor Maintenance Program allows the DDSO maintenance supervisors to procure maintenance services for group homes, such as painting, bathroom renovations and ramp installations that are expected to cost less than \$15,000. For projects costing more than \$1,000, the maintenance supervisor in charge is responsible for obtaining two or three price quotes from separate vendors, depending on the expected cost. Once a vendor is chosen, the project is approved by the plant superintendent, and the related paperwork is forwarded to the DDSO business office for review.

The Inspector General found that, during the four-year period reviewed in this investigation, 165 projects cumulatively worth more than \$650,000 were awarded to only three vendors. Price quotes from other vendors supposedly competing for these projects were fabricated by the three vendors, with the knowledge and at the request of the DDSO maintenance supervisors.

The complaint received by the Inspector General identified 16 contractors whose names appeared on questionable price quotes, in some cases allegedly missing required signatures or contact information. The Inspector General searched Erie County public records and the Internet but could not establish the existence of four of the 16 supposed bidders. Price quotes supposedly submitted by nine other vendors contained addresses and phone numbers that did not correlate to the addresses and phone numbers listed for those companies on the Internet. The Inspector General interviewed the principal officers of these nine companies. Each principal officer reviewed the price quotes allegedly submitted by his company with his own signature. The principal officers all stated that they had not submitted the price quotes in question, and stated that the signatures were not theirs. Each of the principal officers provided the Inspector General with copies of price quote forms used by his company, which in every case were completely different in appearance from the purported price quotes the companies had supposedly submitted to the Western New York DDSO.

The remaining three companies submitting price quotes were B&B Construction, Creative Concrete, and Frank X Leonard Builders. Only these three companies had correct contact information listed on their quotes. An examination of minor maintenance project records at the Western New York DDSO from April 2001 through April 2005 revealed that these three companies won 165 maintenance projects. Specifically, the records disclosed that:

- B&B Construction was awarded 122 contracts totaling more than \$380,000;
- Creative Concrete was awarded 24 contracts totaling more than \$200,000;
- Frank X Leonard Builders was awarded 19 contracts totaling more than \$99,000.

The Inspector General interviewed the six DDSO maintenance supervisors who oversaw the 165 projects awarded to these three companies. Initially, all six maintenance supervisors denied any improprieties with the price quotes they obtained. However, after being presented with the documentary evidence gathered by the Inspector General, three of the maintenance supervisors, William Bolger, Thomas Schieber and Louis Marrara, admitted to knowingly accepting forged or fraudulent competitors' price quotes from the vendors that were awarded the projects.

Bolger, who oversees the maintenance of approximately 35 group homes, explained that in most of the contracts he oversaw, Frank Leonard, the owner and operator of Frank X Leonard Builders, submitted price quotes on behalf of his company as well as supposedly competing bids from F.A. Construction. F.A. Construction is owned and operated by Leonard's son, who is also employed by Frank X Leonard Builders. When a third bid was required, Leonard submitted a price quote in the name of

one of his employees. Bolger stated that Leonard submitted the lowest bids for his own company. Bolger admitted that this bid process of obtaining multiple quotes from a single contractor was “common knowledge” among all of the maintenance supervisors. Bolger further stated that this process has been going on for 10 years or longer.

Similarly, Schieber, after being confronted with documentary evidence, admitted to accepting supposed competitors’ price quotes from vendors who were awarded contracts. Schieber, who is responsible for maintenance projects involving kitchen remodeling, awarded five contracts to Leonard Builders and five to B&B Construction. The firms supposedly competing with B&B Construction for the five contracts it received were LT Kempski and Sons and White Eagle Builders. Representatives from both companies denied having submitted the price quotes contained in the five purchase orders. On price quotes allegedly submitted by Longin T. (Sonny) Kempski of LT Kempski and Sons, Kempski’s nickname was misspelled as “Sunny.” Schieber ultimately admitted that he regularly obtained all required price quotes from either Frank Leonard or Wilson Corah of B&B Construction. Schieber stated that at some point he was told that Leonard Builders and B&B Construction, if given the detailed specification sheets, could “get” the necessary three bids for the contract. Schieber could not remember who told him this, but stated that it was common knowledge among all of the maintenance supervisors at the DDSO that Leonard Builders and B&B Construction would submit all three bids for a maintenance project.

Marrara, who oversees 64 Western New York DDSO group homes, also admitted to knowingly accepting forged competitors’ price quotes from B&B Construction. Marrara stated that contractors are reluctant to bid on state work because of the prevailing wage and the amount of time it takes to obtain payment from the State after completing a project. However, Marrara further stated that Wilson Corah of B&B Construction does not mind dealing with these issues. Consequently, when projects arose that needed to be completed quickly due to the needs of the group homes’ clients, he began to ask Corah if he could obtain multiple bids, to which Corah replied he would obtain “courtesy bids.” Marrara explained that courtesy bids are bids the “winning” contractor requests from other contractors to be submitted along with the “winning” bid. The other contractors would just submit higher bids. In fact, Corah did not obtain such “courtesy bids” from other contractors, but rather fabricated them himself. Marrara explained that he requested that Corah supply the competing bids because the maintenance staff is stretched too thin and circumventing the procurement process just made things easier. Marrara, as well as Bolger and Schieber, denied receiving any personal gain from this process and all three stated that it was just easier and quicker to obtain multiple quotes from the same vendor.

All six of the maintenance supervisors stated that their supervisor, Plant Superintendent Tim Doty, did not know of the improprieties in the procurement process. Doty himself denied having any knowledge of the submission of false bids by his subordinates. When the Inspector General reviewed suspicious bids with Doty, he conceded that B&B, Frank X Leonard Builders and Creative Concrete won numerous bids, but he claimed he never thought about why this occurred. He also claimed he did not notice which companies they beat out because he only glances at the bids. He

explained, “We have the same pool of contractors who we normally get quotes from. I can’t tell one contractor: Hey, sharpen your pencil. They’re either hungry and want the work or not.” He also provided an example of a bathroom project for which only one contractor out of seven who were sent the specifications responded. Deborah Shiffner, the DDSO business office supervisor, required that the project be bid out again to 15 contractors identified in the Yellow Pages. Although two additional contractors responded, the original contractor won. Doty viewed this exercise as a waste of time, saying, “People are not knocking down our doors to put up with the [state] paperwork.”

The Inspector General also interviewed Shiffner and Susan Chowaniec, head account clerk in the business office. Chowaniec stated that her sole responsibility related to these maintenance projects was to review the documents submitted by Doty to ensure that the lowest quote was selected and it contained all the required signatures. She then would enter the information into the database. When the Inspector General presented her with documentation in which the bids were not all signed by the appropriate vendor, she stated that that was not unusual. The Inspector General asked Chowaniec if she ever found it unusual that, as she was reviewing and signing off on the paperwork, the same losing contractors submitted bids repeatedly over the years, never winning a bid. When reminded that, earlier in the interview, Chowaniec was adamant about how hard it is to get contractors to bid on a project even once, she admitted, “It does seem a little weird.” Shiffner, who acknowledged that she is responsible for ensuring the DDSO’s compliance with procurement rules, especially for contracts under \$15,000, stated that she was unaware of any fraud in the minor maintenance program.

The Inspector General interviewed the proprietors of the three companies that won the majority of the minor maintenance projects and obtained written statements from Frank Leonard of Frank X Leonard Builders and Wilson Corah of B&B Construction. Leonard admitted that at the direction of Maintenance Supervisors William Bolger, Michael Roman, and Thomas Schieber he fabricated and submitted fictitious bids. According to Leonard, one of the maintenance supervisors had approached him privately and requested that, in addition to his own quotes, he submit additional quotes known as “courtesy bids.” Leonard voluntarily provided the Inspector General with copies of the fabricated quote sheets that he had submitted to the DDSO, and admitted that he had never notified any of the contractors that he had submitted bids in their names.

Corah admitted that, at the direction of Maintenance Supervisors Louis Marrara and David Kennedy, retired Maintenance Supervisor Frank Bellasano, and DDSO Chief Housekeeper Betty Kennedy, he had used the names of local contractors, without their knowledge, to prepare fictitious bids. Corah further stated that he had prepared these fraudulent bids on his personal computer and submitted them along with his own, legitimate bid for the maintenance projects. Corah also admitted that after becoming aware of this investigation, he had disposed of the computer on which he had prepared the fictitious quotes.

Russell “Bo” Tucker, owner and operator of Creative Concrete, denied any wrongdoing, even after investigators presented him with his company’s handwritten bids

and the similar handwritten bids that were submitted by “competitors” for the 24 jobs he had been awarded. Tucker was also informed that the officials of the companies whose handwritten bids had been submitted with his successful bids (i.e., B&W Custom Concrete, Northlands Construction, and DDM) had all told the Inspector General that they had not submitted the bids to the Western New York DDSO. Tucker denied that he wrote any bids other than those of his own company. After an initial interview with the Inspector General’s office, Tucker retained an attorney, who declined on behalf of his client to provide any additional assistance or information.

## **B. Flooring Contracts**

In violation of its procurement policies, the Western New York DDSO awarded contracts to install flooring in various facilities to Spectra Flooring without obtaining competing bids. From 2002 to 2005 the DDSO hired Spectra for 419 floor installation projects with a total value of approximately \$546,000. The Inspector General interviewed current and former DDSO employees, and reviewed a random sample of purchase orders for flooring projects completed by Spectra Flooring. The investigation revealed that, in violation of agency policies, no price quotes were solicited for flooring installation costing between \$1,000 and \$5,000. The DDSO was required by its own rules to obtain at least two price quotes from vendors pre-approved by the state for every project costing over \$1,000.

The Inspector General’s investigation revealed that now-retired DDSO Chief Housekeeper Betty Kennedy, who was charged with overseeing the DDSO’s flooring installations, was ignorant of the correct process for contracting with flooring vendors. Kennedy stated that she understood that her role was only to “get the paperwork started” and forward it to the DDSO business office for review and approval. Kennedy stated that she was performing a duty normally performed by a maintenance supervisor. She stated that she was unfamiliar with the specifics of Spectra’s contract with the state, was unaware of other eligible vendors, and was also unaware that she was required to obtain multiple price quotes. She stated that it was her understanding that the one vendor was to perform all flooring installations for the DDSO.

The Inspector General’s interviews of DDSO Business Office employees revealed a failure to adequately review the flooring contracts. Susan Chowaniec, the head account clerk, stated that neither she nor any other office employee questioned the fact that Spectra was being used exclusively for flooring installation because they trusted the judgment of Kennedy, who they understood had been dealing with the flooring contracts for a number of years.

OMRDD’s Bureau of Fiscal Management oversees the agency’s budget and finances. The Inspector General’s investigation revealed that the Bureau of Fiscal Management exercised very little oversight over smaller contracts at the agency’s 13 regional offices. Only purchases exceeding \$15,000 are regularly reviewed by the Bureau of Fiscal Management. The Director of Fiscal Management described OMRDD’s

fiscal management program as “decentralized” in that each district has its own business office and processes its own bids.

Furthermore, according to the Director of Fiscal Management, there is no formal training for the districts. Rather, the districts learn about the procurement process through practical training on the job, support from the Bureau of Fiscal Management, procurement guidelines, bulletins and comptroller’s manuals, which are available on-line. If a business officer needs training, a contract management specialist would be retained to teach the business officer or a colleague from a neighboring business office could act as a mentor. When asked if a head housekeeper would typically handle complicated service contracts or the installation of a floor at a DDSO group home, the Director of Fiscal Management responded that this would be unusual.

### **III. On-Call Pay Status**

The Inspector General determined that two employees of the Western New York DDSO were paid supplements to their salaries for being “on call” for emergencies, even though there was little need for these employees to be on call.

Records revealed that since 1996, Western New York DDSO Deputy Director John Messinger sought and obtained authorization from OMRDD central office for Bruce Lounsbury and Bruce Hill to receive supplemental on-call pay. Lounsbury’s on-call responsibilities were to respond to transportation emergencies, such as car breakdowns and snow removal, between 5:30 a.m. and 10:00 p.m. seven days per week, including holidays. Hill’s on-call responsibilities required him to be available to respond to all maintenance emergencies, such as heating and cooling problems or water line breaks, after hours, including weekends and holidays.

As compensation for these on-call duties, Lounsbury and Hill were paid 20 percent of their daily rate for each eight hours of on-call duty, in addition to their regular pay. Lounsbury received an additional \$27,755 annually from December 2002 to September 2005. Hill received a total of \$54,304 in additional compensation during this same period. Despite these substantial sums of money, time and attendance records for this period disclosed that Lounsbury recorded no hours of actual on-call work. Hill recorded 142 hours, less than four work weeks, of actual on-call work over the nearly three-year period.

In light of the limited hours actually worked and the expense incurred, the Inspector General sees no justification for these on-call assignments.

### **IV. Portable Electric Generators**

The Inspector General found that the Western New York DDSO had no inventory system to track the agency’s electric portable generators. The DDSO was unable to produce an accurate inventory list at the request of the Inspector General, and an audit by the DDSO determined that 20 generators were missing. In the course of the

investigation, two maintenance supervisors revealed that at least five generators were in the possession of Russell “Bo” Tucker, a contractor who had been hired to replace the generators with gas-powered heating units. Tucker is one of the three vendors discussed previously who submitted fraudulent price quotes to the DDSO for minor maintenance projects.

The Inspector General twice interviewed Plant Superintendent Tim Doty. Doty explained that the DDSO had embarked on a multi-year project to replace portable electric generators in all 159 group homes with permanent, gas-powered heating units. Tucker, owner of Creative Concrete, was contracted to install the new heating units. Doty explained that the protocol for replacing the generators at each home was clearly outlined. The maintenance supervisor assigned to the particular home was to supervise the installation of the heating unit. The maintenance supervisor was then responsible for transporting the portable electric generator to the DDSO’s West Seneca Campus, and with the assistance of Doty, placing it in a secured location on the campus. Doty was the only person with access to the secured location.

The Inspector General requested a list of generators purchased within the previous five years as well as an inventory of generators then in the possession of the DDSO and their location. On October 11, 2006, Western New York DDSO Director Bruce Korotkin provided a list, which he stated had been compiled to the “best of their ability.” Doty informed the Inspector General that the DDSO did not have an existing inventory of generators and the list provided on October 11 was compiled as a result of the Inspector General’s request. Doty had compiled the list by requesting that maintenance supervisors record the serial numbers of the generators present in the homes they supervised.

On October 13, 2006, an ice and snow storm left much of Western New York without power for approximately one week. Due to the extended power outage, some of the residents of the area’s group homes had to be temporarily relocated. Following the storm, Doty told the Inspector General that Maintenance Supervisors Rodney Davie and Bruce Hill had informed him that they knew of additional portable generators that were not on the recently-compiled inventory list provided to the Inspector General. Pursuant to Doty’s direction, Davie and Hill returned these units to the West Seneca Campus. In total, 11 additional portable generators were discovered following the storm. At least five of the units had been “stored” at Tucker’s shop. These additional generators could have been utilized by group homes or other locations to provide temporary power following the ice storm.

When interviewed by the Inspector General, neither Davie nor Hill could explain how they knew Tucker was “storing” generators. Davie stated that he had been unaware that the contractor was keeping the portable generators. Hill informed the Inspector General that he had had no prior knowledge of the location of the five portable generators he had retrieved from Tucker’s shop. Rather, he stated that following the storm, Davie informed him that Tucker was in possession of portable generators.

When advised of the 11 generators that were not on the list he had provided to the Inspector General, DDSO Director Korotkin stated that the DDSO's inventory system had been in "benign neglect for some thirty years." Korotkin also informed the Inspector General that an internal audit of the generators conducted using purchase and maintenance records revealed that an additional nine portable generators were missing.

The Inspector General interviewed a confidential source who was in possession of a portable generator he received from Tucker. The confidential source told the Inspector General that Tucker gave him the portable generator to use while the confidential source was performing work for Tucker. The confidential source further stated that Tucker told him to keep the generator because Tucker had a couple more.

## FINDINGS AND RECOMMENDATIONS

### **I. WNYDDSO Procurement Irregularities**

The Inspector General found that the Western New York DDSO's maintenance supervisors, along with B&B Construction, Creative Concrete and Frank X Leonard Builders, conspired to circumvent OMRDD and New York State procurement rules. There is no evidence, however, that any of the maintenance supervisors received any monetary or other personal gain in exchange for submitting fictitious bids from a single vendor. Rather, the maintenance supervisors apparently desired only to avoid paperwork. Nevertheless, the practice has been ongoing and widespread at the DDSO for at least 10 years. Since there can be no accounting for the additional costs incurred by the State as a result of the failure to obtain competitive bids, the Inspector General cannot definitively ascertain the amount of taxpayer dollars lost.

Moreover, the Inspector General found OMRDD's oversight of procurement practices for the Community Minor Maintenance Program to be wholly inadequate, especially since audits of contracts less than \$15,000 are rarely conducted. Accordingly, the Inspector General recommended that OMRDD conduct audits of its Community Minor Maintenance Program at the other 12 DDSOs to determine whether similar procurement irregularities have occurred. It was further recommended that OMRDD implement new procurement procedures for the program that would remove the maintenance supervisors from any role in awarding contracts. Moreover, the procurement procedures should require the DDSO business offices to randomly confirm that the losing bids submitted for a contract were actually submitted by the losing contractor. Finally, it was recommended that OMRDD conduct regular audits of the program.

The Inspector General provided information relating to the fictitious bids to the Erie County District Attorney's Office.

## **II. Flooring Contracts**

The Inspector General found that Western New York DDSO employees violated agency procurement rules in awarding numerous floor installation contracts over several years to a single vendor without obtaining competing bids. Primary responsibility for managing the flooring installation procurement was delegated to the DDSO's chief housekeeper, and required review by the DDSO business office was seriously deficient or absent. The Inspector General did not find evidence of fraud in the awarding of flooring contracts.

The Inspector General further determined that oversight and training provided to the Western New York DDSO by OMRDD's Bureau of Fiscal Management may be insufficient. Accordingly, the Inspector General recommended that OMRDD conduct a comprehensive review of procurement practices at the Western New York DDSO and assess the need for similar reviews at other DDSOs statewide.

## **III. On-Call Pay Status**

The Inspector General found that for more than two years, two employees at the Western New York DDSO were paid substantial amounts of money for being "on-call." Despite the substantial sums paid, the two employees documented little, if any, hours actually worked. Therefore, the need for this "on-call" pay is at best questionable. Accordingly, the Inspector General recommended that OMRDD review "on-call" pay made to Western New York DDSO employees to determine whether such payments are warranted and cost-effective.

## **IV. DDSO Project to Replace Portable Generators at its Group Homes**

The Inspector General found that the Western New York DDSO failed to maintain proper inventory controls and failed to follow established protocol in the supervision of the replacement of generators at 159 group homes. The lack of inventory controls and oversight resulted in the loss of at least 20 portable gas generators. These generators could have been used to provide backup power at group homes or elsewhere during the power outage following the ice storm.

The Inspector General provided evidence indicating that Russell "Bo" Tucker possessed the portable gas generators to the Erie County District Attorney's Office, which determined there was insufficient evidence to proceed.

## **Response by the Office of Mental Retardation and Developmental Disabilities**

OMRDD advised the Inspector General that it has taken, or plans to take, a number of specific actions in response to the recommendations contained in this report.

OMRDD stated that it concurred with the Inspector General's finding that Western New York DDSO staff circumvented the DDSO's existing internal controls over

the Community Minor Maintenance program through the submission of false quotes. OMRDD advised that the DDSO business officer has implemented a revised procurement process for the program that documents the qualifications of all vendors and requires formal bids. As a result, only vendors vetted through this process will be allowed to bid on projects. OMRDD noted that the revised process, which exceeds Office of the State Comptroller requirements, was implemented while the Inspector General's investigation was ongoing.

Additionally, OMRDD stated it is taking steps to reduce enterprise-wide risks related to the Community Minor Maintenance program. These include contacting experts within the agency to review all related policies and practices to implement an agency-wide approach to program management and monitoring. Training for appropriate staff is also planned.

Regarding flooring contracts, OMRDD concurred with the report's finding that Western New York DDSO staff failed to follow internal agency procedures. OMRDD attributed the failure to staff's confusion regarding the flooring installation procurement and the use of a statewide contract. As a result, OMRDD has requested the Comptroller's Office to provide training to appropriate staff.

In response to the Inspector General's findings concerning compensation paid to on-call employees, OMRDD stated that it determined that the program is being used appropriately. OMRDD noted that while on-call employees may not directly respond to every emergency, they are responsible for identifying and coordinating the appropriate response.

Finally, OMRDD advised that it agreed with the Inspector General's finding that the Western New York DDSO failed to adequately account for portable generators. As a result, the DDSO's business office has tightened oversight of equipment inventories.

### **Criminal Prosecution of 6 OMRDD Employees and 3 Contractors**

The Inspector General referred evidence relating to fictitious construction contract bids to the Erie County District Attorney's Office, which brought criminal charges against nine individuals, including six OMRDD employees and three private contractors. All nine pleaded guilty, as follows:

OMRDD Maintenance Supervisors Michael Roman, Rodney Davie, Louis Marrara, David Kennedy, Thomas Schieber, and William Bolger, pleaded guilty in Erie County Court to filing a false instrument, a misdemeanor.

Contractors Russell "Bo" Tucker, owner of Creative Concrete; Frank X Leonard, owner of Frank X Leonard Builders; and Wilson G. Corah, owner of B&B Construction, pleaded guilty to misdemeanor forgery.