

A meeting of the City of Orlando Certification Board was held on Wednesday, January 29, 2014 at City Hall, 400 S. Orange Avenue, 2nd Floor Agenda Conference Room, Orlando, Florida 32802.

Board Members Present: Michael Harris, Chairman [4,1], Aida Gonzalez-Marquez [4,0], Chris Carmody [4,0], Carmen Dominguez [4,1] and Mi Hoshino [4,0]

Board Members Absent: Brikena Tomasic [4,1] and Marian Butler [4,2]

Staff Members Present: Kevin Walsh, MBE Official, Gina Bernard, Certification Officer III and Mary Williams, Recording Secretary

Michael Harris, Chairperson called the Certification Board meeting to order at 9:15 a.m.

The minutes from the December 18, 2013 Board meeting were approved as written.

MWBE RULINGS

Webster Law Group, P.A. – Sage Morris-Webster, Owner appeared before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to deny WBE status to Webster Law Group, P.A. based on:

1. The business concern must be at least 51% owned by minority group members or at least 51% owned by women group members, as characterized by:
 - (a) Independent contribution of capital by the minority or the women group members commensurate with percent of ownership claimed. Ownership gifted to minority or women owners, equipment or other assets gifted, and/or funds gifted to purchase ownership or to establish a new business will not be considered independent contributions of capital. Inherited capital or assets will not be considered as gifted for purposes of these rules. Expertise will not be considered capital for the purposes of these rules.
2. The company is not considered an independent women-owned enterprise because the husband and/or other male principal:
 - (a) Contributes to the capitalization of the firm. Ownership gifted to women owners, equipment or other assets gifted to women owners, and/or funds gifted to purchase ownership or to establish a new business will be considered contributing to the capitalization of the firm. Inherited capital or assets will not be considered as gifted for purposes of these rules.
 - (b) Transferred ownership to the woman-owner for less than fair market value. (Not an arms length transaction). Ownership gifted to women owners will not be considered an arms length transaction. Inherited ownership will not be considered as gifted for purposes of these rules.

The applicant was advised of her right to appeal the Board's decision.

Provisions Construction & Development, Inc. – Michael Arrington, Owner appeared before the Board. Discussion ensued. It was moved by Carmen Dominguez, seconded by Aida Gonzalez-Marquez and vote carried unanimously to certify Provisions Construction & Development, Inc. as an MBE General Contractor (Prime Only), Construction Management and Concrete.

Nature's Care Orlando, LLC – Arti Kalidas, President appeared before the Board. Discussion ensued. (Aida Gonzalez-Marquez presented Memorandum of Voting Conflict – Form 8b) It was moved by Carmen Dominguez, seconded by Mi Hoshino and vote carried unanimously to certify Nature's Care Orlando, LLC as an MWBE in Lawn Maintenance, Landscaping, Fertilization & Pest Control of Turf and Shrubs, Irrigation and Tree Trimming.

ASMAN, LLC d/b/a Voltage Cafe – Muzammil Nensey, Vice President of Operations appeared before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to certify ASMAN, LLC d/b/a Voltage Café as an MWBE in Concessions - Retail Food & Catering Services for Institutions (Colleges, Hospitals, Schools).

Carmen Dominguez Construction, LLC – Carmen Dominguez, Owner and Marcos Marchena, Attorney appeared before the Board. (Carmen Dominguez presented Memorandum of Voting Conflict – Form 8b) Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris to deny MWBE status to Carmen Dominguez Construction, LLC based on rule 118.1. Discussion ensued. The motion failed. [Mi Hoshino, Aida Gonzalez-Marquez, Michael Harris and Chris Carmody voted no] It was moved by Chris Carmody, seconded by Mi Hoshino and vote carried unanimously to re-certify Carmen Dominguez Construction, LLC as an MWBE in Construction Administration Only.

TLP Engineering– Yassi Myers, Owner appeared before the Board. Discussion ensued. It was moved by Chris Carmody, seconded by Carmen Dominguez and vote carried to re-certify TLP Engineering Consultants, Inc. as a WBE in Civil Engineering Consulting Services. [Aida Gonzalez-Marquez voted no]

ACES Academic Consulting & Educational Services, LLC – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify ACES Academic Consulting & Educational Services, LLC as a WBE in Tutoring.

Advanced Engineering Design, Inc. d/b/a AED, Inc. – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify Advanced Engineering Design, Inc. d/b/a AED, Inc. as an MBE Management Consulting Firm Offering Program Management and Acquisitions Support Services, Facilities Management (FM) and Information Technology (IT).

Advanced IT Concepts, Inc. – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify Advanced IT Concepts, Inc. as an MBE Information Technology Systems Integrator, Professional Services provider with focus on: Assessment, Design, and

Implementation of Data, Voice and Video Networks, Data Centers, Classrooms and Conference Rooms, Wireless Networks, COOP and Deployable Nodes, Information Security Solutions, Remote Network Management and Protection Solutions, Computer Hardware, Virtualization, Thin Clients; Storage and Servers.

Blake Riker Enterprises – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Chris Carmody and vote carried unanimously to deny WBE status to Blake Riker Enterprises based on:

1. Failure to provide sufficient information to the Certification Board on which a determination of eligibility can be based.
2. Refusal to comply with a reasonable City request for information, data, or access to records pertinent to the application for certification or recognition within the time period specified by either the Certification Board or City MBE staff.

Champion Controls, Inc. – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify Champion Controls, Inc. as an MWBE Manufacturer of Custom Engineered Control Systems for Water/Waste Water, Factory Automation, Movable Bridge Rehabilitation and All Process Control Industries. Includes SCADA, RTU and Industrial Control Systems-Engineered; Manufactured and Programmed.

CK United Sheet Metal & Mechanical, Inc. d/b/a CK United, Inc. – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify CK United Sheet Metal & Mechanical, Inc. d/b/a CK United, Inc. as an MBE Fabricator and Installer of Sheet Metal Siding and Decking.

Custom Welding by Law, Inc. – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Chris Carmody and vote carried unanimously to deny WBE status to Custom Welding by Law, Inc. based on:

1. Failure to provide sufficient information to the Certification Board on which a determination of eligibility can be based.
2. Refusal to comply with a reasonable City request for information, data, or access to records pertinent to the application for certification or recognition within the time period specified by either the Certification Board or City MBE staff.

Educational & Leadership Training, Inc. – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify Educational and Leadership Training, Inc. as an MWBE Educational Consultant.

Foresight Design Group, Inc. – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Chris Carmody and vote carried unanimously to deny WBE status to Foresight Design Group, Inc. based on:

1. The business concern must be at least 51% owned by minority group members or at least 51% owned by women group members, as characterized by:
 - (a) Independent contribution of capital by the minority or the women group members commensurate with percent of ownership claimed. Ownership gifted to minority or women owners, equipment or other assets gifted, and/or funds gifted to purchase ownership or to establish a new business will not be considered independent contributions of capital. Inherited capital or assets will not be considered as gifted for purposes of these rules. Expertise will not be considered capital for the purposes of these rules.
2. The company is not considered an independent women-owned enterprise because the husband and/or other male principal:
 - (a) Transferred ownership to the woman-owner for less than fair market value. (Not an arms length transaction). Ownership gifted to women owners will not be considered an arms length transaction. Inherited ownership will not be considered as gifted for purposes of these rules.

Lago Consulting & Services – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify Lago Consulting & Services as an MWBE in Computer Modeling Services for Hydrology/Hydraulic Water Management and Pollution. Specific targets include: Wetland Conservation and Restoration, Surface Water Structure Design and Water Supply Planning.

Personnel Solutions Plus – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify Personnel Solutions Plus as an MBE Personnel Staffing/Employment Agency.

Professional Associates of Background Screeners, LLC – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify Professional Associates of Background Screeners, LLC as an MBE in Level 1 and 2 Background Checks; Employment Verifications; Professional License Verifications; and Credit Checks.

Ruel Nicole, LLC d/b/a RN Harriott Contracting – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Michael Harris and vote carried unanimously to certify Ruel Nicole, LLC d/b/a RN Harriott Contracting as an MBE Installer of Fixed Seating and Hand/Guard Rails.

Valve Depot Corp – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Chris Carmody and vote carried unanimously to deny MWBE status to Valve Depot Corp based on:

1. Failure to provide sufficient information to the Certification Board on which a determination of eligibility can be based.
2. Refusal to comply with a reasonable City request for information, data, or access to records pertinent to the application for certification or recognition within the time period specified by either the Certification Board or City MBE staff.

Blue Marlin Engineering, LLC – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Chris Carmody and vote carried unanimously to deny MBE re-certification status to Blue Marlin Engineering, LLC based on:

1. The minority or the women owner(s) must possess independent power to direct or cause direction of management and policies of the firm, as characterized by:
 - (a) Substantial experience in firm's line(s) of business for which minority and/or women-owned business status is requested.
2. The company is not considered an independent minority-owned enterprise because the non-minority male or non-minority woman:
 - (a) Provides the expertise to perform line(s) of business or has the greater experience in the industry
 - (b) Contributes to the capitalization of the firm. Ownership gifted to minority owners, equipment or other assets gifted to minority owners and/or funds gifted to purchase ownership or to establish a new business will be considered contributing to the capitalization of the firm. Inherited capital or assets will not be considered as gifted for purposes of these rules
 - (c) Receives equal or greater compensation than the minority owner, not commensurate with ownership.
 - (d) Provides expertise, occupational services or other assets to the firm for less than fair market value.
3. Firms, or individuals within a firm, which are denied certification/recognition, are prohibited from re-organizing under a different name and status purely to circumvent the decision of the Certification Board.

Re-Certifications

The applicants did not appear before the Board. Discussion ensued. It was moved by Carmen Dominguez, seconded by Michael Harris and vote carried unanimously to re-certify the following companies: ABC Landclearing & Development, Alpha Insulation & Waterproofing Company, American Pride Construction Services, Inc., American Sprinkler Company, Inc.,

Amerishine Corp., ATW Custom Computer Services, Inc., Bagel King Wholesale, Inc., Comar's Trucking, Inc., Construction & Engineering Service Consultants, Inc., Cornerstone Construction Services, Inc., Diversified Supply, Inc., Evans Equipment Company, ITY Systems, Inc., Janice Young & Associates, Inc., JPL Engineering, Inc., Maberry Consulting and Evaluation Services, LLC, Maverick Constructors, LLC, McKissack & McKissack of Washington, Inc., Merit Fasteners Corp, Project Management Technologies, Inc. d/b/a Promatech, PRWT Services, Inc., Sterling Window Cleaning, Inc., Tekontrol, Inc. and Triple B Cleaning, Inc.

The meeting was adjourned at 10:40 a.m.

The next regularly scheduled meeting will be held on Wednesday, February 26, 2014.

Mary Williams

Mary Williams, Recording Secretary

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>GONZALEZ, Aida</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>MWBE Certification Board</i>	
MAILING ADDRESS <i>4854 Walnut Ridge DR</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Orlando FL</i> COUNTY		<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>1/29/14</i>		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Aida Cruz, hereby disclose that on 1/29/14, 20 14:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Previous Bus. Engagements With
Nature's Care Orlando LLC

1/29/14
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Dominguez, Carmen		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Certification	
MAILING ADDRESS PO Box 1955		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Winter Park FL	COUNTY FL	<input type="checkbox"/> CITY	<input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED Jan 29, 2014		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Carmen Ramirez, hereby disclose that on January 29, 2014:

(a) A measure came or will come before my agency which (check one)

- ☒ Inured to my special private gain or loss;
- ☐ Inured to the special gain or loss of my business associate, _____;
- ☐ Inured to the special gain or loss of my relative, _____;
- ☐ Inured to the special gain or loss of _____, by whom I am retained; or
- ☐ Inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

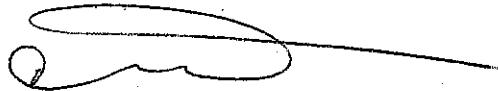
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

As it is my company that was certified

Date Filed

Feb 03, 2014

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.