

A meeting of the City of Orlando Certification Board was held on Wednesday, June 24, 2015, at City Hall, 400 S. Orange Avenue, 2nd Floor Agenda Conference Room, Orlando, Florida 32801.

Board Members Present: Brikena Tomasic, Chairperson [9, 1], Charles Hawkins II [9, 2], Mi Hoshino [9, 2], Ramesh Panchal [9, 2].and Maria G. Turk [9, 2].

Board Members Absent: Bruno Portigliatti [9, 3]

Staff Members Present: Kevin Walsh, MBE Official, Gina Bernard, Certification Officer III and Susana Black, Recording Secretary.

The Board convened at 8:30 a.m. Brikena Tomasic, Chairperson called the Certification Board hearing to order at 9:15 a.m.

The minutes from the May 27, 2015 meeting were approved as written with the following corrections:

Dunkman Paint & Wallcovering, LLC - add, "and refrained from voting" following Form 8b; strike out "unanimously" and add, "by the voting members" before the wording to deny...(reference page 1, original Certification Board Minutes, 05/27/15).

USA Hospitality, Inc. - add, "and refrained from voting" following Form 8b; strike out "unanimously" and add, "by the voting members" before the wording to deny...(reference page 4, original Certification Board Minutes, 05/27/15).

#### M/WBE RULINGS

**Midway Electric, Inc.** – Emanuel Hillery, President appeared before the Board. Discussion ensued. It was moved by Maria G. Turk, seconded by Ramesh Panchal and vote carried unanimously to deny MBE status to Midway Electric, Inc., based on:

1. The business concern must be at least 51% owned by minority group members, as characterized by:
  - a. Independent contribution of capital by the minority group members commensurate with percent of ownership claimed. Ownership gifted to minority, 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.
  - b. Receipt of the customary incidents of ownership, such as salary and/or intangible benefits commensurate with the ownership interest.
2. The firm must not be affiliated or associated with another non-minority owned firm to a degree which could prevent or inhibit an independent status, as characterized by:

- a. Relationship between owners, directors, officers, or key employees or their relatives and non-minority owned firms in a similar line of business.
3. A company must provide a commercially useful function within the normal industry practices. Contractors must demonstrate the independent capability to perform line(s) of business, as characterized by:
  - a. Has sufficient labor force and/or the independent capability of obtaining such a force.
  - b. Has sufficient equipment, tools, etc., and/or the independent capability of obtaining such items.
4. The company is not considered an independent minority owned business enterprise because the non-minority male:
  - a. Provides expertise, occupational services or other assets to the firm for less than fair market value.
  - b. Possesses equal or greater powers to direct management and day-to day decisions.
5. The business concern has not demonstrated that it is a functioning business enterprise, as characterized by:
  - a. Demonstrates the capability (i.e., employees, equipment, facilities, supplies, etc.) to perform a line of business.
  - b. Is a for-profit business which has been in business for not less than six (6) months prior to the submittal of the application.

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

**Pinnacle Construction Support Group, Inc.** – Gill Simmonds, Assistant Project Manager appeared before the Board. Discussion ensued. It was moved by Charles Hawkins II, seconded by Maria G. Turk and vote carried unanimously to certify Pinnacle Construction Support Group, Inc., as an MBE General Contractor (Prime Only) and Construction/Project Management.

**Unified Labor Solutions, LLC** – Sharon McBride, President appeared before the Board. Discussion ensued. It was moved by Maria G. Turk, seconded by Charles Hawkins II and vote carried unanimously to certify Unified Labor Solutions, LLC as a WBE in Construction Cleaning.

**AEG Environmental Services Corp** – Marcus Webb, CEO appeared before the Board. Discussion ensued. It was moved by Maria G. Turk, seconded by Ramesh Panchal and vote carried unanimously to certify AEG Environmental Services Corp as an MBE in Commercial and Residential Mowing, Landscaping, Concrete Finishing Drives, Walks and Pads. Tree Trim and Removal.

**King Construction & Energy Management, LLC** - Bobby Garrett, Owner appeared before the Board. Discussion ensued. It was moved by Charles Hawkins II, seconded by Maria G. Turk and

vote carried unanimously to certify King Construction & Energy Management, LLC as an MBE General Contractor (Prime Only)/Construction Management and Certified Roofing Contractor.

**Broussard & Cullen, P.A.** – The applicant did not appear before the Board. (Brikena Tomasic and Charles Hawkins II presented Memorandum of Voting Conflicts-Form 8b). Discussion ensued. This item was tabled for the next Certification Board meeting.

**Acoustical Ceilings & Interior Services, Inc.** - The applicant did not appear before the Board. Discussion ensued. It was moved by Brikena Tomasic, seconded by Maria G. Turk and vote carried unanimously to certify Acoustical Ceilings & Interior Services, Inc., as an MBE in Acoustical Ceilings.

**Exterior Metal Services, Inc.** – The applicant did not appear before the Board. Discussion ensued. It was moved by Brikena Tomasic, seconded by Charles Hawkins II to deny WBE status to Exterior Metal Services, Inc., based on:

1. 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 women-owned business status is requested.
  - b. Not controlled by any other contractual or financial relationship, which would subject women owners to control by non-women group members.
2. The women owner(s) must be independently responsible for the day-to-day management and control of the firm's daily operations, commensurate with ownership, as characterized by:
  - a. Who prepares and/or approves job take-offs and estimates.
3. The firm must not be affiliated or associated with another non-women owned firm to a degree which could prevent or inhibit an independent status, as characterized by:
  - a. Shared facilities, inventory, equipment, labor force, etc., without adequate compensation.
  - b. Relationship between owners, directors, officers, or key employees or their relatives and non-women owned firms in a similar line of business.
  - c. Substantial use of the same women-owned subcontractor.
  - d. Financial or bonding support provided by non-women owned firms in a similar line of business, without adequate compensation.
4. The company is not considered an independent women-owned enterprise because the husband and/or male principal and/or male employee:
  - a. Provides the expertise to perform line(s) of business or has the greater experience in the industry.

- b. Provides expertise, occupational services or other assets to the firm for less than fair market value.
- c. Possesses equal or greater powers to direct management and day-to-day decisions.

**RTM Engineering Consultants, LLC** – The applicant did not appear before the Board. Discussion ensued. It was moved by Maria G. Turk, seconded by Charles Hawkins II to deny MBE status to RTM Engineering Consultants, LLC based on:

1. Companies that are required to hold any professional license or permit for performance of their line(s) of business that are obtained based on a Qualifying Agent's registration must comply with the following:
  - a. Companies that are at least 51% minority owned must be qualified by the registration of at least one (1) of the minority owners.
  - b. The Qualifying Agent must have an ownership interest in the company and be a full-time employee of the company.
  - c. The company and the Qualifying Agent shall obtain and hold any licenses as required by the municipal, county or state law.
2. The business concern has not demonstrated that it is a functioning business enterprise, as characterized by:
  - a. Is an independent business concern that it is at least 51% owned by minority group members or at least 51% owned by women group members.

### **Re-Certification**

The applicants did not appear before the Board. Discussion ensued. It was moved by Charles Hawkins II, seconded by Maria G. Turk and vote carried unanimously to re-certify the following companies: Buchheit Associates, Inc., Surveyors & Mappers, Cost Management, Inc., Derek & John Painting, Inc., Inglur, Inc., Lago Consulting & Services, LLC, Landscape Builders, Inc., Metric Engineering, Inc., Orange Legal, Inc., Road Runner Trucking, Inc., and Sterling Silver Scape & Sod, Inc.

### **Terminations/Non-Responsiveness**

The applicant did not appear before the Board. It was moved by Brikena Tomasic, seconded by Charles Hawkins II and vote carried unanimously to terminate the following company for non-responsiveness: E/S Concrete Service, Inc.

The meeting was adjourned at 9:52 a.m.

The next regularly scheduled meeting will be held on Wednesday, July 29, 2015.

***S. Black***

Susana Black, Recording Secretary