

A meeting of the City of Orlando Certification Board was held on Wednesday, March 26, 2014 at City Hall, 400 S. Orange Avenue, 2nd Floor Agenda Conference Room, Orlando, Florida 32802.

Board Members Present: Brikena Tomasic, Vice-Chairperson [6,1], Aida Gonzalez-Marquez [6,1], Carmen Dominguez [6,1], Marian Butler [6,2] and Mi Hoshino [6,0]

Board Members Absent: Michael Harris, Chairman [6,2] and Chris Carmody [6,1]

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

Brikena Tomasic, Vice-Chairperson called the Certification Board meeting to order at 9:15 a.m.

The minutes from the February 26, 2014 meeting were approved with the following corrections:

#### New Discussion

Carmen Dominguez and Chris Carmody requested a presentation from staff at the next meeting of the timeline and notifications sent to renewal applicants regarding their upcoming expiration date.

#### MWBE RULINGS

**Wrightson, Johnson, Haddon & Williams, Inc.** – Cheli Myers, Owner appeared before the Board. Discussion ensued. It was moved by Carmen Dominguez, seconded by Aida Gonzalez-Marquez and vote carried unanimously to certify Wrightson, Johnson, Haddon & Williams, Inc. as a WBE Design and Consulting firm specializing in Acoustics and Electronic Systems.

**AceApplications, LLC** – Courtney Powell, Owner appeared before the Board. Discussion ensued. It was moved by Carmen Dominguez, seconded by Marian Butler and vote carried unanimously to certify AceApplications, LLC as an MBE in Information Technology Consulting, Software Development, and IT Staffing.

**Blue Marlin Engineering, LLC** – Ociel Plaza, Owner and Marcos Marchena, Attorney appeared before the Board. Discussion ensued. It was moved by Carmen Dominguez, seconded by Brikena Tomasic and vote carried (Aida Gonzalez-Marquez voted no) to re-certify Blue Marlin Engineering, LLC as an MBE in Geotechnical Engineering and Materials Testing Services.

**Zabik Turner Engineering d/b/a ZTE**– Jennifer Zabik, Owner appeared before the Board. Discussion ensued. It was moved by Marian Butler, seconded by Carmen Dominguez and vote carried unanimously to certify Zabik Turner Engineering d/b/a ZTE as a WBE Structural Engineering Consultant.

**RTG Construction Group, LLC** – Rachquel Gibson, Owner appeared before the Board. Discussion ensued. (Marian Butler presented Memorandum of Voting Conflict – Form 8b) It was moved by Carmen Dominguez, seconded by Aida Gonzalez-Marquez and vote carried unanimously to certify RTG Construction Group, LLC as an MWBE firm specializing in Project Management: Estimating, Budget Control and Management, Scheduling, General Project

Oversight, Jobsite Supervision, Subcontractor Coordination, Review Drawings with Superintendent, Coordinate the construction of the project, process subcontractor invoices, All residential and construction related activities. General Construction: Design/Build, New Construction, Facility upgrades, Historic Restoration, Tenant improvements, Remodels, All residential and construction related activities. Post-Construction Services: Obtain final inspections, perform walk through, provide all warranty information for any installed equipment, and all residential and construction related activities.

**Elite Celebrity Services, LLC d/b/a Elect Protection Group** – Glen Smith, Owner appeared before the Board. Discussion ensued. It was moved by Carmen Dominguez, seconded by Aida Gonzalez-Marquez and vote carried unanimously to certify Elite Celebrity Services, LLC d/b/a Elect Protection Group as an MBE in Protection and Investigations (i.e.: background checks and pre employment screening)

**United Flooring & Construction, Inc.** – Vita Pirone, Representative appeared before the Board. Discussion ensued. It was moved by Aida Gonzalez, seconded by Marian Butler and vote carried unanimously to deny MWBE status to United Flooring & Construction, Inc. 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 minority or 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) Whether substantial time is devoted to the business.
  - b) Who supervises the management and field operations of the firm.
3. The firm must not be affiliated or associated with another non-minority or non-women owned firm to a degree which could prevent or inhibit an independent status, as characterized by:
  - a) Substantial use of the same non-minority or women-owned subcontractor.
4. The company is not considered an independent women-owned enterprise because the husband and/or other male principal:
  - a) Provides the expertise to perform line(s) of business or has the greater experience in the industry.
  - b) Possesses equal or greater powers to direct management and day-to-day decisions.

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

**KRM Design, LLC** - Katharine Mizla, Owner appeared before the Board. Discussion ensued. It was moved by Aida Gonzalez, seconded by Marian Butler and vote carried (Brikena Tomasic and Carmen Dominguez voted no) to deny WBE status to KRM Design, LLC based on:

1. The Company must be legally organized, as characterized by:
  - a) Hold all required state/local licenses, permits, etc., required to perform line of business in the City of Orlando.
2. The company is not considered an independent women-owned enterprise because the husband and/or other male principal:
  - 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 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.
  - c) Provides expertise, occupational services or other assets to the firm for less than fair market value.
3. When the husband or other male family members contribute to the above characteristics, the firm may be considered a family-owned firm rather than a Women-Owned Business Enterprise, as defined in Rule 111.1 and WBE status may be denied.

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

**Baker Barrios Architects, Inc.** – Carlos Barrios, President appeared before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to re-certify Baker Barrios Architects, Inc. as an MBE in Architecture, Interior Design, and Master Planning.

**Property Services of Orlando** – Dexter Sanders, President appeared before the Board. Discussion ensued. It was moved by Marian Butler, seconded by Carmen Dominguez and vote carried unanimously to certify Property Services of Orlando as an MBE in Painting Interior & Exterior, Janitorial Services Residential & Commercial, Dry Walling, Window Cleaning, Carpet Cleaning and Landscaping.

**Skybuilders USA, LLC** – Juan Velez, President appeared before the Board. (Marian Butler presented Memorandum of Voting Conflict – Form 8b) Discussion ensued. It was moved by Carmen Dominguez, seconded by Aida Gonzalez-Marquez and vote carried unanimously to re-certify Skybuilders USA LLC as a WBE in General Contractor (Prime Only) and Construction

Management (Requested the Following Expanded line(s) of business: Electrical Contractors; Drywall; Stucco; EIFS; Painting, Demolition; and Acoustical Ceiling.

**TSR Consultants, PLLC** – Tamara Richardson, President appeared before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to certify TSR Consultants, PLLC as a WBE Civil and Environmental Engineering Consultant.

**Excel 4, LLC** – Cleo Davis, Owner appeared before the Board. Discussion ensued. It was moved by Carmen Dominguez, seconded by Brikena Tomasic and vote carried unanimously to certify Excel 4, LLC as an MBE in General Contracting Services, Construction Consulting and Concrete, Masonry and Carpentry.

**Margaret A Davis d/b/a MAD Creative Fabrication, LLC** – Margaret A Davis, Owner appeared before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Brikena Tomasic and vote carried unanimously to certify Margaret A Davis d/b/a MAD Creative Fabrication, LLC as a WBE in Specialty Fabrication, Set Building, Scenery, Scenic Art, Metal Art, Prop Fabrication, Prop Modification, Prop and Scenery Rehabilitation, Mold Making, Casting, Rotational Casting, Welding, Ornamental Ironwork, Metal Fabrication, Millwork, Carpentry, Woodworking, Sculpture, Multi-Mediums, Foam Sculpture, Theming, Theme Art, Sets, FRP, Fiberglass, Hard-Coating, Plastics, Plastics Fabrication, Vacuum Forming, Scenic Painting, Faux Painting, Mural Painting, Automotive Painting, Architectural Ornamentation, Facades, Fixtures, Retail Environment, Fire-Retardant Coating and Casting Processes, Model Making, Artificial Foliage, Exhibits, Dioramas, Trade Show, Shop Drawings, On-Site Installation and Delivery, Design, Consultation and Development of Themed Environments.

**Base Consultants, Inc.** – Salia Alath, Owner appeared before the Board. (Marian Butler presented Memorandum of Voting Conflict – Form 8b) Discussion ensued. It was moved by Aida Gonzalez, seconded by Carmen Dominguez and vote carried unanimously to re-certify Base Consultants, Inc. as an MWBE Structural Engineering Consulting Firm; Parking Consultant; and Threshold Inspection Services; General Contractor (Prime Only) and Construction/Project Management.

**Rapid Staffing, Inc.** – Lani Harless, Owner appeared before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Marian Butler and vote carried unanimously to re-certify Rapid Staffing, Inc. as a WBE Temporary Staffing Agency (Clerical, Hospitality, Drivers, Light Industrial and Skilled Trades).

**William's Pharmacies, LLC** – Phillip Saunders, Owner appeared before the board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to re-certify William's Pharmacies, LLC as an MBE Pharmacy; and Related Medical Supplies.

**Identity Define, Inc. d/b/a Wraps for Less** – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Marian Butler to deny WBE status to Identity Define, 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.

**All N Professional Services, Inc.** – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to certify All N Professional Services, Inc. as an MBE in Mobile Detail, Janitorial, Pressure Washing, Janitorial Equipment Repair, Construction Cleanup, Final Cleanup and Property Preservation.

**Florida Transportation Engineering, Inc. d/b/a FTE** – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to certify Florida Transportation Engineering, Inc. d/b/a FTE as an MBE Professional Civil Traffic/Transportation Engineering Consultant.

**Onopa Services, LLC d/b/a Onopa** – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to certify Onopa Services, LLC d/b/a Onopa as an MBE in Disaster Recovery, Demolition Services, Waste Management, Environmental Engineering, Construction and General Contracting.

**Pure Xoul Productions** – The applicant did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to certify Pure Xoul Productions as an MBE Entertainer, Singer, Show Producer and Interactive DJ.

### **Re-Certifications**

**PSA Constructors, Inc.** - The applicant did not appear before the Board. (Brikena Tomasic and Marian Butler presented Memorandum of Voting Conflicts – Form 8b) Discussion ensued. It was moved by Carmen Dominguez, seconded by Aida Gonzalez-Marquez and vote carried unanimously to table PSA Constructors, Inc. Renewal Application as an MBE in Design/Planning, Construction Management, Program Management and MBE Training until a quorum of voting members are present.

**Customed USA, LLC** - The applicant did not appear before the Board. (Carmen Dominguez presented Memorandum of Voting Conflict – Form 8b) Discussion ensued. It was moved by Brikena Tomasic, seconded by Aida Gonzalez-Marquez and vote carried unanimously to re-certify Customed USA, LLC as an MBE Supplier - Hospital and Medical Devices.

The applicants did not appear before the Board. (Marian Butler presented Memorandum of Voting Conflicts – Form 8b) Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to re-certify the following companies: Construct Two Construction Managers, Inc. d/b/a Construct Two Group, Kathy Jakubcin Construction, Pellot Construction Services, Inc. and Votum Construction, LLC.

The applicants did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Carmen Dominguez and vote carried unanimously to re-certify the following companies: A & A Construction and Design, Inc., Ambient Technologies, Inc., Barrier Cable, Inc., Baslee Engineering Solutions (BES), Inc. d/b/a BES Inc., Bithgroup Technologies, Inc., Breaking Ground Contracting Company, Cadjazz, LLC, Done Today Beautiful Tomorrow, DS Transportation, Inc., EAC Consulting, Inc., First American Steel Erectors Corp., G.W. Trucking, Inc., Gartek Engineering Corporation, Kathy Jakubcin Construction, Kun-young Chiu & Associates, Inc., LG Environmental Engineering, M2 Management, Inc., Mega Solutions, LLC, S R Plumbing, Samuel A. Ramirez & Company, Inc., d/b/a Ramirez & Co., Inc., Sancho Trucking, Inc., Trijay Systems, Inc., and Yvonne I. Froscher.

### **Terminations/Non-Responsive**

The applicants did not appear before the Board. Discussion ensued. It was moved by Aida Gonzalez-Marquez, seconded by Marian Butler and vote carried to terminate the following companies for non-responsiveness: A & A Associates d/b/a/ A & A, A Taxi & Tours, American DataSearch, Inc., Canova Incorporated, Capri Contractors, Inc., Corzo Castella Carballo Thompson Salman PA d/b/a C3TS, Delgado Electric, Inc., Devo Seereeram, Ph.D, P.E., LLC d/b/a Devo Engineering, LLC, Hands on Security Protection & Investigations, Inc. d/b/a Hands On Security, Inc., Modern Industry Services, Inc., R & R Sheet Metal Fabrication, Inc., Synergy Software Solutions, Inc., T & G Corporation d/b/a T & G Constructors and T. Gregory Construction, Inc.

### **New Business:**

Carmen Dominguez and Chris Carmody (absent board member at today's hearing) requested a presentation from the MBE staff on how applicants are notified that their MWBE status is terminating.

Staff summarized the notification procedure for the Board members as follows:

1<sup>st</sup> notice given in award letter (see below):

The initial and/or re-certification award letter provided to the applicant after granted approval stipulates “as a condition of continued certification you must file a Re-Certification Application not less than sixty (60) days prior to the date of expiration of the existing certification. Failure to file this application will result in the termination of your certification. However, if at any time the ownership, control, location and/or minority/women-owned business status of your firm changes, the City of Orlando MBE Official should be notified immediately of the changes.”

A second notice is sent via e-mail one (1) month prior to their expiration date as a courtesy reminder from staff; if the applicant is non-responsive by the close of the month, a third notification is sent at least 2

weeks prior to the Board meeting with a specific deadline to ensure review before the next regularly scheduled Certification Board Meeting.

Discussion ensued. Carmen Dominguez commented that the actual expiration date on the award letters is after the Certification Board meetings are held. Mrs. Dominguez mentioned that the applicants are being terminated before their expiration date. Staff explained that the applicants are required to file at least sixty days before their expiration date to ensure the firms information will be reviewed by the Board prior to their expiration date. Staff and the Board members asked for suggestions from Mrs. Dominguez regarding revising the current procedure. Mrs. Dominguez provided none. Discussion ensued. Mrs. Dominguez asked staff to include a copy of the reminders and notifications that the applicants receive in the paperwork that is presented to the board members for review. Staff will comply with the request by Mrs. Dominguez for additional information regarding non-responsive applicants.

The meeting was adjourned at 11:35 a.m.

The next regularly scheduled meeting will be held on Wednesday, April 30, 2014.

*Mary Williams*

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Mary Williams, Recording Secretary