

A meeting of the City of Orlando Certification Board was held on Wednesday, February 22, 2017 at City Hall, 400 S. Orange Avenue, 2<sup>nd</sup> Floor Agenda Conference Room, Orlando, Florida 32802. The Board convened at 8:30 a.m. to review case files.

Board Members Present: Annas Kabbaj, [4-1]  
Brikena Tomasic, [5-0]  
Bruno Portigliatti, Chairperson [5-0]  
Khalid Muneer, Vice Chairperson [5-0]  
Marquis Alexander, [3-2]  
Mi Hoshino, [4-1]

Staff Members Present: Kevin Walsh, MBE Official  
Gina E. Bernard, Certification Officer III  
Dafina Doctor, Recording Secretary

Bruno Portigliatti, Chairperson, called the Certification Board meeting to order at 9:15 a.m. The minutes from the January 25, 2017 meeting were approved as written.

#### MWBE RULINGS

**Mack Contracting, LLC** – Lawrence Mack-Harrell, President appeared before the Board. Discussion ensued. It was moved by Mi Hoshino, seconded by Khalid Muneer and vote carried unanimously to certify Mack Contracting, LLC as an MBE Certified Construction (Prime Only) Underground Utility Contractor & Excavating Contractor.

**WBQ Design & Engineering, Inc.** – Derek Burke, President appeared before the Board. Discussion ensued. It was moved by Mi Hoshino, seconded by Annas Kabbaj and vote carried unanimously to recertify WBQ Design & Engineering, Inc. as an MBE in Professional Civil Engineering Services.

**Contract Furniture, Inc.** – The applicant did not appear before the Board. Discussion ensued. It was moved by Mi Hoshino, seconded by Annas Kabbaj and vote carried unanimously to deny WBE status to Contract Furniture, Inc. 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% women owned must be qualified by the registration of at least one (1) of the women owners.
  - b) The qualifying Agent must have an ownership interest in the company and be a full-time employee of the company.
2. 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.
3. The firm is not considered an independent women owned business because the husband and/or male principal and/or male employee:
    - 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) Receives equal or greater compensation than the woman-owner, not commensurate with ownership.
  4. 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.

**Seating Installation Group LLC** – The applicant did not appear before the Board. Discussion ensued. It was moved by Marquis Alexander, seconded by Mi Hoshino and vote carried unanimously to deny WBE status to Seating Installation Group LLC 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) Company documentation to reflect ownership, such as Stock Certificates, Articles of Incorporation, Minutes of Board meetings, Fictitious Name Registration, Partnership Agreements, etc.
  - b) 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.
  - c) Financial or bonding support provided by firms, individuals or financial institutions with terms and conditions consistent with the lending industry. (Arm's Length Transaction)
2. The firm is not considered an independent women owned business 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) Receives equal or greater compensation than the woman-owner, not commensurate with ownership.
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 Solon Group Inc.** – The applicant did not appear before the Board. Discussion ensued. It was moved by Annas Kabbaj, seconded by Marquis Alexander and vote carried unanimously to deny MWBE status to The Solon Group Inc. based on:

1. The company has not demonstrated that it is a "regular dealer" of the commodities for which M/WBE status is requested, as characterized by:
  - a) Owns, operates, or maintains a store, warehouse or other establishment in which commodities or goods of the general character as those identified in the M/WBE application are brought, kept in stock, and sold to the public in the usual course of business.
  - b) Has an established or leased or assigned space in which it regularly maintains a stock of goods in which it claims to be a supplier/distributor.
  - c) While not required that all sales be made from stock, the Company must maintain a stock of goods of the general character as those identified on the M/WBE Application, and as a regular course of business dealings, makes sales from such stock.
2. Companies whose regular method of operation is determined to be to secure contracts/subcontracts as M/WBE's and thereafter buy or contract for the commodities or services necessary to fill the contract will not be considered commercially useful and M/WBE status will be denied.

**KBC Construction, LLC d/b/a BCL** – The applicant did not appear before the Board. Discussion ensued. It was moved by Mi Hoshino, seconded by Annas Kabbaj and vote carried unanimously to certify KBC Construction, LLC d/b/a BCL as an MBE Underground Utility & Excavation Contractor.

**Murray Design Group, Inc.** – The applicant did not appear before the Board. Discussion ensued. It was moved by Mi Hoshino, seconded by Annas Kabbaj and vote carried unanimously to certify Murray Design Group as an MBE Landscape Architect.

### **Re-Certifications**

The applicants did not appear before the Board. Discussion ensued. It was moved by Mi Hoshino, seconded by Khalid Muneer and vote carried unanimously to recertify the following companies: A.D.A. Engineering, Inc.; AED Inc.; Air Products & Equipment, Inc.; Architecture Studio, Inc.; The ARTEC Group, Inc.; Asha Planning Consultancy Inc.; Axios Construction

Services, LLC; Briones Consulting & Engineering, LTD; C.T. Hsu + Associates; Central Florida Construction Walls Inc.; COFINIOTIS Design Group; Creative Resources Enhancing Workable Sustainability, LLC d/b/a CREWS, LLC; Datawise Inc; Educational & Leadership Training, Inc.; Estrada Hinojosa & Company, Inc.; Florida Investments Unlimited, Inc. d/b/a Team Staffing Services; Horticultural Consulting Services, Inc. d/b/a HCS, Inc.; Hyatt Survey Services Inc; L & S Diversified, LLC; Ruth Hamberg Landscape Architecture & Urban Design; Sky High Gourmet, LLC; Sun State Ford, Inc.; and Wyche & Associates.

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

The applicants did not appear before the Board. Discussion ensued. It was moved by Mi Hoshino, seconded by Annas Kabbaj and vote carried unanimously to terminate the following companies for non-responsiveness: AMCON, Inc.; The BRS Group, Inc.; Hoke Design, Inc.; Infinite Imagination Services; JMD Global Developers, LLC; Orange County Painting Company; PCS Services, Inc; and Ruel Nicole, LLC.

### **New Business**

A discussion ensued regarding the City of Orlando's definition for Hispanic individuals and other local and state agencies definitions. An additional review will be scheduled at a later date.

There being no further business, the meeting adjourned at 10:17 a.m.

The next regularly scheduled meeting will be held on Wednesday, March 29, 2017.

*Dafina Doctor*

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Dafina Doctor, Recording Secretary