

Minority Business Enterprise Compliance Office

Certification Review Committee (CRC)

Minutes of the Meeting

March 20, 2012

A meeting of the Certification Review Committee (CRC) was held at the Rhode Island Department of Administration, One Capitol Hill, 2nd Floor, Providence, RI 02908 on Tuesday, March 20, 2012. The meeting was called to order at 1:16 p.m., with a quorum being declared present. Members in attendance: Charles Newton, Louise Anderson, and Denise Correy. Members absent: Muraina Akinfolarin.

Also in attendance were Patsy Peterson and Dorinda Keene, staff to the CRC.

The Minutes of the February 21, 2012 meeting were reviewed. After some discussion, a motion was made and properly seconded to approve the Minutes. Motion carried unanimously.

The Certification Review Committee reviewed recommendations by the MBE Compliance Office regarding the applications submitted on behalf of the following firms:

- a) Code Red Business Continuity Services, LLC WBE/DBE RI**
- b) Lynne Santos, d/b/a Air Quality Associates WBE MA**
- c) Omnia Agency, LLC WBE/DBE RI**

After some discussion, a motion was made and properly seconded to approve the DBE certification for those applicable firms. Motion carried unanimously. A second motion was then made and properly seconded to approve the newly certified DBE firms, as well as Lynne Santos, d/b/a Air Quality Associates, for the State of Rhode Island's MBE program. Motion carried unanimously.

The Certification Review Committee reviewed recommendations by the MBE Compliance Office regarding the application submitted on behalf of the following firm:

a) Green Building Solutions, Inc. WBE NY

After some discussion a motion was made and properly seconded to notify this firm of the need for a hearing based upon issues of ownership, control, dependency upon a non-minority individual, compensation, and the appearance that the firm may have been structured in order to take advantage of the MBE program. Motion carried unanimously.

Hearings:

Crew Two, Inc. – An ineligibility certification removal hearing was scheduled before the CRC for Crew Two, Inc. A notification was sent to the firm via certified mail as required by regulation. Said notification was returned by the US Postal Service as unclaimed after

several attempts at delivery. The address of record was confirmed by the MBE Compliance Office. After some discussion, a motion was made and properly seconded to remove the certification of this firm as both a WBE and a DBE based upon issues of control, dependency upon a non-minority individual, affiliation with a non-minority owned firm, the appearance that the firm was structured to take advantage of the MBE and DBE programs, the appearance that the firm was operating in a manner to subvert the MBE and DBE programs, and the failure of the firm to maintain an office as an on-going business concern. Motion carried unanimously.

Kim & Gary's Ice Cream Machine, Inc. – A hearing was conducted before the CRC regarding the application for certification submitted on behalf of Kim & Gary's Ice Cream Machine, Inc., and was attended by Ms. Kim Caron, President of the applicant firm, as well as by Shuly Klein, bookkeeper for the applicant, and Scott Partington, Esq., legal counsel for the applicant. After questioning by the members of the CRC regarding issues of control, dependency and compensation, a motion was made and properly seconded to approve the DBE certification for this firm with the stipulation that the applicant provide a corrected 2009 personal tax return for the file. Motion carried unanimously. A second motion was then made and properly seconded to approve this newly certified DBE firm for the State of Rhode Island's MBE program. Motion carried unanimously.

Old/New Business:

Britt Page Consulting – The application for certification submitted on behalf of Britt Page Consulting had been previously tabled, pending receipt of additional information which the applicant has now submitted. After some discussion, a motion was made and properly seconded to approve the DBE certification for this firm. Motion carried unanimously. A second motion was then made and properly seconded to approve this newly certified DBE firm for the State of Rhode Island’s MBE program. Motion carried unanimously.

A continued discussion ensued regarding recent changes to 49 CFR 26 regarding Inter-state certification of DBE firms. The CRC were advised that the next meeting of the New England region states is tentatively scheduled to be held on April 5, 2012 at the office of CT DOT. The CRC members will be advised of the final schedule for any meetings, as well as all discussions regarding this matter.

A continued discussion ensued regarding potential changes to the current certification regulations for the MBE program. Said discussion will be continued at the next CRC meeting.

There being no further business to discuss, the meeting was adjourned at 2:58 p.m. The next meeting of the CRC is scheduled for April 17, 2012 at 1:00 p.m.