

# **Minority Business Enterprise Compliance Office**

## **Certification Review Committee (CRC)**

### **Minutes of the Meeting**

**December 18, 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, December 18, 2012. The meeting was called to order at 1:20 p.m. with a quorum being declared present. Members in attendance: Charles Newton, Carmen Dias-Jusino and Denise Correy. Members absent: Muraina Akinfolarin and Louise Anderson. Also in attendance were Patsy Peterson and Dorinda Keene, staff to the CRC.**

**The Minutes of the November 20, 2012 meeting were reviewed. After some discussion, a motion was made and properly seconded to approve the Minutes. Motion carried unanimously.**

**The CRC reviewed a recommendation by the MBE Compliance Office regarding the application for certification submitted on behalf of the following firm:**

**a) LDS Consulting Group, LLC    WBE/DBE MA**

**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 the newly certified DBE firm for the State of Rhode Island's MBE program. Motion carried unanimously.**

**The CRC reviewed a recommendation by the MBE Compliance Office regarding the application for certification submitted on behalf of the following firm:**

**b) Sweetland Foods, Inc., d/b/a Cross Country Cookie WBE/DBE RI**

**After some discussion, a motion was made and properly seconded to notify this firm of the need for a hearing based upon issues of control, dependency, compensation and the appearance that the firm was structured in order to take advantage of the MBE and DBE programs. Motion carried with unanimously.**

**Hearings:**

**Berkshire Concrete Cutting, LLC and Berkshire Industrial Services, LLC – A hearing was conducted before the CRC regarding the applications for certification as an WBE and DBE submitted on behalf of Berkshire Concrete Cutting, LLC and Berkshire Industrial Services, LLC, and was attended via telephone conference call by Ms. Kathleen Govotski, Member of said firms. After questioning by the members of the CRC regarding issues of ownership, control, dependency, affiliation, compensation, and the appearance that the firms may have**

been structured in order to take advantage of the MBE and DBE programs, a motion was made and properly seconded to deny certification of Berkshire Concrete Cutting, LLC as a DBE. Motion carried unanimously. A second motion was then made and properly seconded to deny certification of Berkshire Concrete Cutting, LLC as a WBE. Motion carried unanimously. A third motion was then made and properly seconded to deny certification of Berkshire Industrial Services, LLC as a DBE. Motion carried unanimously. A fourth motion was then made and properly seconded to deny certification of Berkshire Industrial Services, LLC as a WBE. Motion carried unanimously. It was also noted that a request was made by the CRC that the applicant provide a copy of the Attachment A to the Trust Agreement in order to complete the files.

#### **Old/New Business:**

A continued discussion ensued regarding the recent changes to 49 CFR 26 regarding Inter-State DBE Certification. A tentative agreement has been reached between the New England region UCP members. It was noted that the Inter-State Certification Agreement will impact only the DBE program. Out of state firms seeking MBE certification will still need to submit a full application for review.

A continued discussion ensued regarding potential changes to the current MBE certification regulations. The MBE Compliance Office is currently drafting new proposed regulations for review and approval.

**There being no further business to discuss, the meeting was adjourned at 3:07 p.m. The next meeting of the CRC is scheduled for Tuesday, January 15, 2013 at 1:00 p.m.**