



**Division of Minority
and Women's
Business Development**

New York State
Department of Economic Development
Division of Minority and Women's
Business Development

In the matter of the appeal of

Northern Pioneer Contractors, Inc.

FINAL ORDER 17-55

From a denial of certification as a Women-owned Business Enterprise pursuant to Executive Law Article 15-A.

This order arises from an administrative appeal brought on behalf of Northern Pioneer Contractors, Inc. ("Northern") pursuant to section 144.4 of title 5 of the New York Codes, Rules and Regulations. Appellant seeks reversal of the decision of the Division of Minority and Women's Business Development (the "Division"), dated July 27, 2016, to deny Northern certification as a Women-owned Business Enterprise ("WBE").

This appeal was assigned to Administrative Law Judge Daniel P. O'Connell. Ms. Sharon Sauer submitted a written appeal on behalf of Appellant on October 11, 2016. Ms. Shirley S. Paul, Esq. submitted a response to the appeal on July 07, 2017. The submissions of the parties are contained in the appeal record.

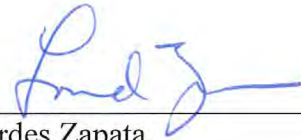
The issues on appeal were whether the woman owner of Northern: contributed money, property, equipment, or expertise proportionate to her equity interest in Northern; made decisions pertaining to the operations of the business enterprise; and possessed adequate managerial experience or technical competence to operate the business enterprise.

On September 27, 2017, the Division received from Administrative Law Judge O'Connell a Recommended Order that recommended affirmation of the Division's denial of the application to certify Northern as a WBE on the grounds set forth in the Division's July 27, 2016 letter.

After considering the appeal record, I accept the recommendation of the Administrative Law Judge as it pertains to the facts of this case. Incorporation by reference is hereby made with respect to the findings and conclusions of the Recommended Order.

It is hereby **ORDERED** that the decision to deny certification, dated July 27, 2016, is affirmed. Accordingly, Northern will not be listed in the Division's directory of certified Minority and Women-owned Business Enterprises.

September 28, 2017



Lourdes Zapata
Executive Director
Division of Minority and Women's
Business Development