



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

In the matter of the appeal of

Caysea Contracting Corp.

FINAL ORDER 24-01

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

This order arises from an administrative appeal brought on behalf of Caysea Contracting Corp. (“Caysea” or “Appellant”) pursuant to section 144.2 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 April 21, 2023, to deny Caysea’s September 15, 2020, application for certification as a Woman-owned Business Enterprise (“WBE”).

Appellant filed a request to appeal via written submission to the Division, dated May 18, 2023. A notice to proceed via written appeal was sent to Caysea on May 24, 2023. Appellant filed its written appeal by letter dated June 20, 2023, from its attorney, Carmen Vacco, Esq., of Lippes Mathias LLP, with attachments. In response, the Division filed an Affidavit of Amanda Brennan, Project Director, dated September 21, 2023, and a brief written by Marina O’Leary Esq., counsel for the Division, dated September 26, 2023. Administrative Law Judge (“ALJ”) David A. Murad presided over the appeal.

The issues on appeal were whether Appellant sufficiently demonstrated that (1) the Woman owner relied upon for certification possesses adequate, industry-specific competence to make critical business decisions without relying upon other persons, as required under 5 NYCRR §144.2(c)(1); and (2) the business enterprise operates independently, as required under 5 NYCRR § 144.2(e).

On January 3, 2024, the Division received a Recommended Order from ALJ Murad that recommended affirmation of the Division's denial of the application to certify of Caysea Contracting Corp. as a WBE on the grounds set forth in the Division's April 21, 2023, denial 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 April 21, 2023, is affirmed. Accordingly, Caysea Contracting Corp. will not be listed in the Division's directory for Minority and Women-owned Business Enterprises.

February 22, 2024



Jason M. Clark
Executive Vice President and Executive Director
Division of Minority and Women's Business Development