

Elmer, Linda

From: Purvis, Nikki
Sent: Monday, April 10, 2017 3:16 PM
To: Hoeschen, Brad
Cc: Elmer, Linda
Subject: RE: Sonag/Nuvos Appeals

Hi Brad,

Thank you for your questions.

Both certifications were denied based on fraudulent activity and sworn testimony documented in the search warrant.

After consulting with the City Attorney's Office and based on the definitions of sanctions (370-9) and penalties (370-11), I determined that the sworn testimony by a federal agent was sufficient to decertify Sonag and Nuvo.

- 370-9. Sanctions. Every contract awarded under this chapter shall contain language indicating that if any document submitted to the office of small business development by a contractor, subcontractor, bidder or individual to be certified as a small business enterprise for participating in any city contract contains false, misleading or fraudulent information, the office of small business development may direct the imposition of any of the following sanctions on the offending contractor, subcontractor, bidder or individual:
 - 1. Withholding of payment.
 - 2. Termination, suspension or cancellation of the contract in whole or in part.
 - 3. Denial to participate in any further contracts awarded by the city for a period of one year after the first violation is found and for a period of 3 years after any subsequent violations are found.
- 370-11. Penalties. Any person, firm or corporation knowingly engaging in fraud, misrepresentation or in any attempt, direct or indirect, to evade the provisions of this chapter by providing false, misleading or fraudulent information shall, upon conviction, forfeit not less than \$2,000 nor more than \$5,000 together with the costs of prosecution, or upon default of payment, shall be imprisoned in the house of correction or county jail not to exceed 90 days.

Please let me know if you have any additional questions.

Best,

Nikki Purvis, Director
Department of Administration - Office of Small Business Development
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From: Hoeschen, Brad [<mailto:BHoeschen@OldRepublicTitle.com>]
Sent: Sunday, April 09, 2017 7:13 PM

To: Elmer, Linda <lelmer@milwaukee.gov>; Purvis, Nikki <npurvi@milwaukee.gov>

Subject: Sonag/Nuvos Appeals

Nikki,

In preparation for Tuesday's meeting, I have reviewed the two appeals and the lengthy affidavit attached. Would you kindly tell me which of the criteria you used to deny the recertification request? I want to look at the affidavit again, with an eye toward the specific criteria that you believe was not met. If there is some other reason you used to deny recertification, please let me know that.

Linda, if allowed, I would like Nikki's response sent to the entire ARA Board.

Thank you,

Brad

Brad L.F. Hoeschen

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