

**The Florida Bar: Real Property, Probate and Trust Law Section  
Construction Law Committee**

**Small Business Sub-Committee**

March 14, 2016

Subcommittee Chair: Lisa Colon Heron  
Smith Currie & Hancock, LLP

I. SIZE APPEAL OF : Modus Operandi, Inc SBA No. Siz-5716

Opinion attached.

II. **IN THE NEWS**

A. **New York Construction company accused of defrauding DBE program**

On March 10, 2016 a federal grand jury indicted David Pfeiffer and Thomas Colton with conspiracy to commit mail fraud and mail fraud. They are charged with conspiring to defraud government agencies, including the U.S. Department of Transportation, New York State Department of Transportation, city of Niagara Falls, Buffalo Urban Development Corporation and the Niagara Frontier Transportation Authority between May 2009 and 2013 and the DBE program. It alleged that the men used a DBE owned by Colton to obtain federal contracts but Colton's DBE certification was fraudulently obtained.

Register today for the webinar!

# *DBE REQUIREMENTS AND GOOD FAITH EFFORTS*

**Contract Law**      **Co-Sponsored by ABA Section of Public**

**March 23, 2016, 2015 at 1:00 P.M. - 2:30 P.M. EST**  
(90 minutes)

Add a new weapon to your federal contracting arsenal. Learn how the Disadvantage Business Enterprise (DBE) program works and get practical tips to counsel clients bidding or working on a project with DBE goals. DBE goals are tied to a project that receives federal-aid funds for transportation projects. This means that contractors that receive federally funded contracts must undertake good-faith efforts required to develop a subcontracting plan to utilize a certain percentage of DBEs on each project. Failure to meet DBE goals can subject the unsuspecting contractor to fines and penalties.

***Join our experienced government contracting attorneys as they discuss:***

- How the DBE program works
- How to show good faith efforts
- How to document efforts to obtain DBE participation
- What to do when replacing a subcontractor?
- What happens when you fail to meet the goal?
- What is the future of the DBE program?

## **Register Now!**

**Forum and Co-Sponsor Members: \$95      ABA**  
**Members: \$150      General Public: \$195**

**SPEAKERS:**

Register today for the webinar!  
*DBE REQUIREMENTS AND GOOD  
FAITH EFFORTS*

**Co-Sponsored by  
ABA Section of Public Contract Law  
March 23, 2016, 2015 at 1:00 P.M. - 2:30  
P.M. EST (90 minutes)**

Add a new weapon to your federal contracting arsenal. Learn how the Disadvantage Business Enterprise (DBE) program works and get practical tips to counsel clients bidding or working on a project with DBE goals. DBE goals are tied to a project that receives federal-aid funds for transportation projects. This means that contractors that receive federally funded contracts must undertake good-faith efforts required to develop a subcontracting plan to utilize a certain percentage of DBEs on each project. Failure to meet DBE goals can subject the unsuspecting contractor to fines and penalties.

*Join our experienced government contracting attorneys as they discuss:*

- How the DBE program works
- How to show good faith efforts
- How to document efforts to obtain DBE participation
- What to do when replacing a subcontractor?
- What happens when you fail to meet the goal?
- What is the future of the DBE program?

**Register Now!**

**Forum and Co-Sponsor Members:  
\$95 ABA Members:  
\$150 General Public: \$195**

## **SPEAKERS:**

<b>Brian</b>	<b>R.</b>	<b>Tamara</b>	<b>Moderator</b>
<b>Dugdale</b>		<b>Lindsay</b>	<b>Lisa Colon</b>
Varela,	Lee,	Coats Rose	<b>Heron</b>
Metz	&	New	Smith, Currie,
Guarino,LLP		Orleans, LA	& Hancock
Tyson's			Fort
Corner, VA			Lauderdale,
			FL

## **NEXT MEETING**

**March 30, 2015 @ 4 PM EST.**

**Call-in number and password: 712 770-4010 Access code 994-627**