



**U.S. Department of
Transportation**

Office of the Secretary
Of Transportation

Departmental Office of Civil Rights
1200 New Jersey Avenue, S.E., W76-401
Washington, DC 20590

October 25, 2021

Docket No. 21-0085

Ms. Jamie C. Woods
Woods Commercial Door, Inc.
710 E. Parkridge Ave., Suite 100
Corona, CA 92879

Ramon Ortiz
Manager, Certification & Economic Development
Diversity & Economic Opportunity Department
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952

Dear Ms. Woods and Mr. Ortiz:

The Los Angeles County Metropolitan Transportation Authority (Metro) denied DBE certification to Woods Commercial Door, Inc. (WCD) on two grounds related to control.

First, Metro said that WCD's disadvantaged 51 percent owner, Jamie Woods, could not control the firm because she had less experience and expertise than her non-disadvantaged husband and co-owner. Metro credited Ms. Woods with 17 years of experience in the overhead door business, contrasted with Mr. Woods' 25 years. Metro also characterized Ms. Woods' experience as being principally in business end/administrative tasks, as distinct from Mr. Woods' greater substantive experience.

Metro's assertions are contrary to facts readily available in the record. As noted in Ms. Woods' resume, and amplified in her appeal letter, she has over 30 years experience in all aspects of the overhead door business, dating back to the mid-1980s. While Mr. Woods may do more of the field work for WCD than she does, Ms. Woods' extensive experience and clear understanding of the business is more than enough to meet the requirements of section 26.71(g) of the Department's DBE regulation.¹

¹ "The socially and economically disadvantaged owners must have an overall understanding of, and managerial and technical competence and experience directly related to, the type of business in which the firm is engaged and the firm's operations. The socially and economically disadvantaged owners are not required to have experience or expertise in every critical area of the firm's operations, or to have greater experience or expertise in a given field than managers or key employees. The socially and economically disadvantaged owners must have the ability to intelligently and critically evaluate information presented by other participants in the firm's activities and to use this information to make independent decisions concerning the firm's daily operations, management, and policymaking."

Second, Metro said that because Ms. Woods does not hold the contracting license needed in California for businesses in the overhead door field, she cannot legally control the business. Metro made no showing that state law requires an individual to hold the license in question to control a business.² We note that California issued the license in question to WCD as a corporation.

We find that Metro's denial is unsupported by substantial evidence and is inconsistent with applicable certification rules. Consequently, we reverse the denial and direct Metro to certify WCD immediately.

This decision is administratively final and not subject to petitions for review.

Sincerely,

Samuel F. Brooks
DBE Team Lead
Disadvantaged Business Enterprise Division

² Section 26.71(h) of the regulation provides that "If state or local law does not require [a disadvantaged owner] to have such a license or credential to own and/or control a firm, you must not deny certification solely on the ground that the person lacks the license or credential."