



**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

January 18, 2023

Docket No. 22-0081

Giovanna Barrios  
Florida Cleaning Systems, Inc.  
624 Douglas Ave., Ste. 1420  
Altamonte Springs, FL 32714

Dear Ms. Barrios:

On April 6, 2022, the Nebraska Department of Transportation (NDOT) issued a notice of intent (NOI) to remove the certification of Florida Cleaning Systems, Inc. (FCS) on the grounds that you and Roger Barrios, who own the company, are not socially and economically disadvantaged. In addition, the NOI proposed to decertify FCS because the firm had failed to cooperate with NDOT's requests for documents concerning your ownership of the firm.

On July 6, 2022, NDOT issued a notice of decision (NOD) removing the firm's certification. It cited three communications from NDOT to FCS, on January 7, February 3, and February 16, 2022 requesting information concerning a trust through which your parents had passed ownership in FCS to you and Roger Barrios, and the beneficiaries of and assets held in that trust. The NOD states that on March 16 and April 8, 2022, FCS declined to provide the requested information.

Your appeal, while stating that FCS meets all DBE eligibility requirements, does not refute NDOT's contention that FCS declined to provide the requested financial information. We therefore conclude that NDOT had substantial evidence to find that FCS failed to cooperate, as required by section 26.109(c) of the Department's DBE regulation. For this reason, we affirm NDOT's decision to decertify FCS under section 26.89(f)(1) of the regulation.

Our decision does not address the question of whether FCS meets substantive criteria for DBE certification and does not affect the status of FCS in any jurisdiction other than Nebraska.

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

Sincerely,

Samuel F. Brooks  
DBE Team Lead  
Disadvantaged Business Enterprise Division

cc: Zidarta Winfrey, NDOT