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State Dismisses City Complaint About Minority Contractor



The state economic agency that certifies minority-owned contractors has **rejected a city watchdog's complaint** that asked whether a company that received a set-aside contract on a Housing Bureau project did so **fraudulently**.

In a letter sent to **city ombudswoman Margie Sollinger** this morning, the state agency **Business Oregon** reiterates that it **doesn't believe the East Portland company, Elkins Masonry Restoration, Inc., broke any rules** requiring it to be fully independent.

As first reported by *WW* today, Sollinger questioned in an April 26 letter whether the company's owner, Nichole Elkins, a member of the Confederated Tribes of the Grand Ronde, **had improperly relied on a masonry company owned by her husband, who is white**.

"Concerning the complaint's charge that [Elkins] has attempted to circumvent the intent and purpose of the... program and is, therefore, ineligible for certification, there is no evidence to substantiate these assertions," writes Raleigh Lewis Raleigh Lewis, manager of Oregon's Office of Minority, Women and Emerging Small Business. "Unless our office receives such evidence, **we will not review the matter further.**"

But Business Oregon's letter goes further, essentially **telling Sollinger to back off** asking questions about the state minority-business certification process and **mind her own business**.

"By its own admission from its webpage, the City of Portland created the Office of Ombudsman to to assist the public with complaints and concerns about city agencies," Lewis writes. **"It handles complaints against the City of Portland, not Federal, State,**

Metro, or County agencies. While [Elkins] operates some business in the City of Portland and at times may enter into contracts with the City, its eligibility as a Minority/Women Business Enterprise is a concern solely of... a state agency."

As **first reported by WW today**, the state of Oregon cleared Elkins this spring of allegations made by the city's procurement office she wasn't eligible under the set-asides program, and that her company wasn't independent from a firm owned by her husband, Ray Elkins.

But Sollinger wrote in her April letter that the record is filled with **contradictions**: Elkins' firm shares office space and supplies with companies owned by her husband, and she used equipment from her husband's company on the city contract. And, Sollinger says, there's no evidence Elkins paid her husband's company for use of the equipment or the employee.

The state replied today that **Sollinger provided no new evidence** of fraudulent use of employees or property in her complaint, and that the sharing of office space and supplies has nothing to do with Elkins' independence.

"The investigation did not reveal, nor did anyone provide any evidence to the contrary, that Mr. Elkins at any time performed a management or operational control function for the business," the state's letter says.

The state's letter, however, **does not directly address Sollinger's question of whether Nichole Elkins ever demonstrated the qualifications or on-site experience required to run a masonry company.** Elkins told investigators her experience as office manager for her husband's company, D&R Masonry Restoration Inc., qualified her, and that she would do the estimating for the project.

Sollinger declined comment on the state's response, saying she would need to take a couple days to consider it.