



DEPARTMENT OF THE AIR FORCE

ARLINGTON, VA 22202-3258

Office of the Deputy General Counsel

VIA FEDEX

SAF/GCR
1235 S. Clark Street
Suite 301
Arlington, VA 22202

JUN 14 2012

Joe A. Persaud a/k/a
Ayodha Persaud



Re: Notice of Debarment

Mr. Persaud:

Effective this date, the Air Force has debarred you, Joe A. Persaud a/k/a Ayodha Persaud, from Government contracting and from directly or indirectly receiving the benefits of federal assistance programs. This action is initiated pursuant to Federal Acquisition Regulation (FAR) Subpart 9.4, Defense FAR Supplement 209.4 and Appendix H, and 2 C.F.R. Part 1125.

On May 4, 2012, the Air Force proposed you for debarment and afforded you the opportunity to submit information and argument in opposition to your proposed debarment. You were issued a Notice of Proposed Debarment and a Memorandum in Support of the Proposed Debarment. You have not responded.

I have carefully considered all information contained in the Administrative Record and determined that a preponderance of the evidence establishes the existence of a cause for your debarment, and you have failed to demonstrate your present responsibility. I have, therefore, concluded that debarment is in the public interest and necessary to protect the Government's interests.

The effects of debarment are set forth in the Notice of Proposed Debarment issued to you, as well as in FAR Subpart 9.4, Defense FAR Supplement 209.4 and Appendix H, and 2 C.F.R. Part 1125, which are provided on our website at:

<http://www.safgc.hq.af.mil/organizations/gcr1/index.asp>. Given the serious nature of your improper actions, the fact that you have not responded, and the fact you are imprisoned through July 5, 2015, your debarment is effective immediately and will run for seven years from the date of your suspension, August 30, 2011. Your debarment will terminate on August 29, 2018.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Shaw', written over a horizontal line.

STEVEN A. SHAW
Deputy General Counsel
(Contractor Responsibility)



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VIA FEDEX

SAF/GCR
1235 S. Clark Street
Suite 301
Arlington, VA 22202

JUN 14 2012

Henry McFlicker



Re: Notice of Debarment

Mr. McFlicker:

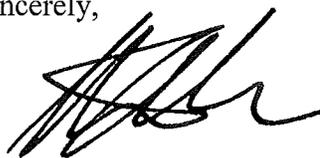
Effective this date, the Air Force has debarred you, Henry McFlicker, from Government contracting and from directly or indirectly receiving the benefits of federal assistance programs. This action is initiated pursuant to Federal Acquisition Regulation (FAR) Subpart 9.4, Defense FAR Supplement 209.4 and Appendix H, and 2 C.F.R. Part 1125.

On May 4, 2012, the Air Force proposed you for debarment and afforded you the opportunity to submit information and argument in opposition to your proposed debarment. You were issued a Notice of Proposed Debarment and a Memorandum in Support of the Proposed Debarment. You have not responded.

I have carefully considered all information contained in the Administrative Record and determined that a preponderance of the evidence establishes the existence of a cause for your debarment, and you have failed to demonstrate your present responsibility. I have, therefore, concluded that debarment is in the public interest and necessary to protect the Government's interests.

The effects of debarment are set forth in the Notice of Proposed Debarment issued to you, as well as in FAR Subpart 9.4, Defense FAR Supplement 209.4 and Appendix H, and 2 C.F.R. Part 1125, which are provided on our website at: <http://www.safgc.hq.af.mil/organizations/gcr1/index.asp>. Given the serious nature of your improper actions, the fact that you have not responded, and the fact you are imprisoned through March 5, 2016, your debarment is effective immediately and will run for eight years from the date of your suspension, August 30, 2011. Your debarment will terminate on August 29, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Shaw', written over a horizontal line.

STEVEN A. SHAW
Deputy General Counsel
(Contractor Responsibility)



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VIA FEDEX

SAF/GCR
1235 S. Clark Street
Suite 301
Arlington, VA 22202

Daytona Aerospace, Inc.
[REDACTED]

JUN 14 2012

Re: Notice of Debarment

Ladies and Gentlemen:

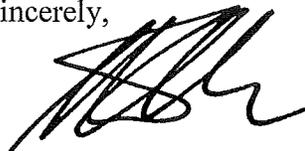
Effective this date, the Air Force has debarred Daytona Aerospace, Inc. (DUNS No. 83-866-8846; Cage Code 1NWK5) (Daytona), from Government contracting and from directly or indirectly receiving the benefits of federal assistance programs. This action is initiated pursuant to Federal Acquisition Regulation (FAR) Subpart 9.4, Defense FAR Supplement 209.4 and Appendix H, and 2 C.F.R. Part 1125. The effects of debarment are set forth in the Notice of Proposed Debarment as well as in the aforementioned regulations, which are provided on our website at: <http://www.safgc.hq.af.mil/organizations/gcr1/index.asp>.

On May 4, 2012, the Air Force proposed Daytona for debarment and afforded it the opportunity to submit information and argument in opposition to its proposed debarment. Daytona was issued a Notice of Proposed Debarment and a Memorandum in Support of the Proposed Debarment. Daytona has not responded.

I have carefully considered all information contained in the Administrative Record and have made the following determinations: a preponderance of the evidence establishes the existence of a cause for debarment; Daytona has failed to demonstrate its present responsibility; and debarment is in the public interest and necessary to protect the Government's interests.

I have determined that a eight-year debarment term is appropriate and commensurate with the seriousness of the cause for debarment. Given the serious nature of Daytona's improper actions, the fact that it has not responded, the fact that the co-owners of the company are debarred for eight and seven years respectively, and that the misconduct of these co-owners is imputed to the company, Daytona's debarment is effective immediately and will run for eight years from the date of its suspension, August 30, 2011, and, thus, will terminate on August 29, 2019.¹

Sincerely,

A handwritten signature in black ink, appearing to read 'S.A. Shaw', written in a cursive style.

STEVEN A. SHAW
Deputy General Counsel
(Contractor Responsibility)

¹ However, if the reconsideration factors of FAR 9.406-1 were to become relevant (for example, if the corporate structure were to change) the Air Force would be willing to review a request for reconsideration of this debarment term.



DEPARTMENT OF THE AIR FORCE

ARLINGTON, VA 22202-3258

MAY 04 2012

Office Of The Deputy General Counsel

MEMORANDUM IN SUPPORT OF THE PROPOSED DEBARMENTS OF:

HENRY MCFlickER
JOE A. PERSAUD a/k/a
AYODHA PERSAUD
DAYTONA AEROSPACE, INC.

Effective this date, the Air Force has proposed the debarment of Henry McFlicker (McFlicker), Joe A. Persaud a/k/a Ayodha Persaud (Persaud) (collectively Subjects), and Daytona Aerospace, Inc. (Daytona Aerospace) from Government contracting and from directly or indirectly receiving the benefits of federal assistance programs. This action is initiated pursuant to Federal Acquisition Regulation (FAR) Subpart 9.4

INFORMATION IN THE RECORD

Information in the record establishes by a preponderance of evidence that at all times relevant hereto:

1. Daytona Aerospace was a U.S. Department of Defense supplier of aircraft and other transportation equipment parts for use in several aviation and critical weapons system applications.
2. Daytona Aerospace is owned or operated by McFlicker and Persaud.
3. McFlicker and Persaud instructed employees to falsify Certificates of Conformance stating incorrect origins for parts.
4. Persaud trained one of the employees as to how to use TRACEFORALL, a computer program used to create Daytona's incorrect or fraudulent Certificates of Conformance, to create records falsely indicating the origin of the parts.
5. On October 14, 2011, McFlicker and Persaud were indicted on one count each of conspiracy pursuant to 18 U.S.C. §371 for conspiring to fraudulently misrepresent the condition and origin of aircraft parts they were supplying to the Air Force among others.
6. On April 10, 2012, McFlicker was sentenced to 45 months imprisonment, three years probation, and a fine of \$1,454,232.00.
7. On April 10, 2012, Persaud was sentenced to 37 months imprisonment, three years probation, and a fine of \$1,454,232.00.

BASES FOR THE PROPOSED DEBARMENTS

1. The improper conduct of Subjects is of so serious or compelling a nature that it affects their present responsibility to be Government contractors or subcontractors and provides a separate independent basis for each of their debarments pursuant to FAR 9.406-2(c).
2. Subjects' convictions provide a separate independent basis for their debarments pursuant to FAR 9.406-2(a)(5), commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects the present responsibility of a Government contractor or subcontractor.
3. Subjects' convictions provide a separate independent basis for their debarments pursuant to FAR 9.406-2(a)(3), commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property.
4. Subjects' convictions provides a separate independent basis for each of their debarments pursuant to FAR 9.406-2(a)(1), commission of fraud or a criminal offense in connection with performing a public contract.

Imputation

5. Pursuant to FAR 9.406-5(a), the seriously improper conduct of Subjects is imputed to Daytona Aerospace because their conduct occurred in connection with the performance of their duties for or on behalf of Daytona Aerospace or with Daytona Aerospace's knowledge, approval, or acquiescence. The imputation of their seriously improper conduct provides a separate independent basis for the debarment of Daytona Aerospace.

Affiliation

6. Pursuant to FAR 9.406-1(b), debarments may be extended to the affiliates of a contractor. Subjects and Daytona Aerospace are affiliates, as defined at FAR 9.403 (Affiliates), because directly or indirectly, either one has the power to control the other or a third party has the power to control both. The affiliation of Subjects and Daytona Aerospace provides a separate independent basis for each of their debarments.



STEVEN A. SHAW
Deputy General Counsel
(Contractor Responsibility)