



Minority/Woman-owned and Small Business Enterprise RECERTIFICATION APPLICATION

Important – Please read the following before completing this form. This application is for certification status and for use only by firms currently certified by The Port Authority of NY & NJ as an MBE, WBE or SBE.

General Instructions: Please type or print clearly. Do not leave any blank spaces. If a question is not applicable to your business, insert "N/A" in the space provided for your answer. Whenever the space is insufficient to answer the questions completely, attach additional sheets as necessary and use the question number to identify any answer continued on the additional sheet.

1a. Business Name and Street address Federal Taxpayer's I.D. No.: _____

1b. "Doing Business As" (D/B/A) Name: _____

1c. Mailing Address (if different from street address): _____

1d. Business Phone Number: () _____ Fax: () _____

E-mail Address: _____ Cell: () _____

1e. Has your firm relocated since last certification? No Yes

If yes, provide a copy of the lease agreement.

2a. Name of Company President/Chief Executive Officer/Owner

President

Chief Executive Officer

Owner

2b. Name & Title of officer of the firm to be contacted regarding this application

3. Type of Ownership:

Sole Proprietorship

Partnership

Corporation

LLC

Is this a change since firm was last certified? No Yes

If yes, describe change _____

4. What were the gross receipts of the firm reported for each of the last five (5) years? **(SUBMIT COPIES OF FIRM'S TAX RETURNS INCLUDING ALL SCHEDULES AND ATTACHMENTS)**

\$ _____ \$ _____ \$ _____ \$ _____ \$ _____

Last year

Previous year

5. Name of all Persons with ownership interest:

| Name | Position | *Group Code | %Owned | Sex | US Citizen or Permanent Resident Alien |
|------|----------|-------------|--------|---|--|
| | | | | <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | | <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | | <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | | <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> Yes <input type="checkbox"/> No |

*Group Code Key (Please refer to Page 4 for Definitions)

Is this a change since firm was last certified? No Yes

6. Does firm share office space, yard space or equipment with any other firms? No Yes

If Yes, please complete the following:

| <i>Other Firm's Name</i> | <i>Address</i> | <i>Telephone No</i> |
|--------------------------|----------------|---------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

Describe arrangement(s):

7. Do any principals, officers and/or owners of the firm have an affiliation (*i.e. business interest or employment*) with any other firms? No Yes If Yes, please complete the following:

| Name of Person | Firm Name & Address | Telephone | Nature of Business | Nature of Affiliation |
|----------------|---------------------|-----------|--------------------|-----------------------|
| | | | | |
| | | | | |
| | | | | |

Is this a change since the firm was last certified? No Yes .

8. Since your last certification by the Port Authority, has firm been certified, rejected, denied or decertified by any other governmental agency? No Yes If Yes, complete the following:

| Certified by: | Date | Contact Person | Telephone No. | Specify M/W/SBE |
|---------------|------|----------------|---------------|-----------------|
| | | | | |
| | | | | |
| | | | | |

9. Identify those individuals responsible for managerial operations (*State if owner or non-owner*):

| <u>Name & Title</u> | <u>Sex</u> | <u>*Group Code</u> | <u>Owner or Non-Owner</u> |
|---|---|--------------------|---|
| Financial Decisions | | | |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| Estimating | | | |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| Preparing Bids | | | |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| Negotiating Contracts | | | |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| Negotiating Insurance | | | |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| Marketing & Sales | | | |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| Purchasing Equipment/Supplies | | | |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| Managing & Signing Payroll | | | |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| Signatures for Business Accounts | | | |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |
| _____ | <input type="checkbox"/> Male <input type="checkbox"/> Female | _____ | <input type="checkbox"/> Owner <input type="checkbox"/> Non-Owner |

*See "Definitions of Group Codes" on page 4

DEFINITIONS OF GROUP CODES

(To be used for Question 5, Page 2 and Question 9, Page 3)

| Group Code | Group Name | Group Definition |
|-------------------|-----------------------------|---|
| 01 | Black | Persons having origins from any of the black African racial groups not of Hispanic origin |
| 02a | Hispanic | All persons of Mexican, Puerto Rican, Cuban, Caribbean Islands, Central or South American culture or origin, regardless of race |
| 02b | Portuguese | Persons whose culture or origin is rooted in Portugal |
| 02c | Spanish | Persons whose culture or origin is rooted in Spain |
| 03a | Asian-Pacific | Persons having origins in any of the original peoples of the Far East, Southeast Asian or the Pacific Islands |
| 03b | Asian-Indian | Persons having origins in any of the original peoples of the Indian subcontinent |
| 04 | Native American | Persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification |
| 05 | White (Non-Hispanic) | Persons whose culture or origin is other than those defined above |
| 06 | Other | Persons other than those defined above who believe they are socially and economically disadvantaged |

ACKNOWLEDGMENTS AND VERIFICATION

FIRST, this certification application form, the supporting documents, and any other information provided in support of the application are considered part of the application. The making of any false statements or misrepresentations in the application may result in the applicant’s disqualification from certification as MBE/WBE/SBE by The Port Authority of New York and New Jersey for itself and its subsidiaries, which are included in the term “Port Authority”.

SECOND, the information contained herein is subject to the Port Authority’s Freedom of Information policy as reflected in the resolution adopted by the Committee on Operations of the Port Authority on August 13, 1992.

THIRD, the Port Authority may require further proof of eligibility for certification in addition to the information disclosed in this application and the applicant shall cooperate with the Port Authority in supplying the additional information. By completing this application, the applicant agrees to submit the additional proof required and acknowledges that the Port Authority may decide to close out the application if the additional proof is not submitted within 30 days after it is requested.

FOURTH, by completing this application, the applicant consents to examination of its books and records and interviews of its principals and employees by the Port Authority for the purpose of determining whether the applicant is, or continues to be, an eligible Minority or Woman-owned or Small Business Enterprise. The applicant acknowledges that its certification may be denied if such examinations or interviews are refused or if the Port Authority determines, as a result of the examinations or interviews, that the applicant does not qualify for certification as a Minority or Woman-owned or Small Business Enterprise.

FIFTH, by filing this application, the applicant consents to inquiries being directed by the Port Authority to the applicant’s bonding companies, banking institutions, credit agencies, contractors, clients and other certifying agencies for the purpose of ascertaining the applicant’s eligibility for certification. If the applicant fails to permit such inquiring to be made, such failure may be grounds for denying or revoking the applicant’s certification.

SIXTH, the applicant agrees that it will advise the Port Authority of any change in the ownership or operational and managerial control of applicant’s business after the certification application has been filed, within 30 days of such change.

SEVENTH, certification is normally granted for a period of five (5) years. However, the Port Authority may require submission of a new application, additional information, examinations of the applicant’s principals and employees any time before the expiration of the five-year certification period. The applicant’s failure to submit such material or to consent to such examinations and interviews will be grounds for revocation of certification.

EIGHT, the filing of this application, its acceptance by the Port Authority, and any subsequent certification of the applicant by the Port Authority is not intended to and does not create any procedural or substantive rights enforceable at law by the applicant against the Port Authority, its Commissioners, officers, agents or employees and any such certification is only intended to facilitate the identification of qualified and bona fide Minority, Woman-owned and Small Business Enterprises.

NINTH, the Code of Ethics certification attached hereto shall be considered a part of this certification application and the applicant is advised to familiarize him/herself with the terms of the certification prior to submitting this application.

TENTH, in submitting this application the applicant and each person signing on behalf of the applicant certifies that, to the best of their knowledge and belief, the following statements are true and correct:

- A) No individual who is current or former employee of the Port Authority or its subsidiaries (i.e., Port Authority Tans-Hudson Corporation (PATH): Newark Legal and Communications Center Urban Renewal Corporation) other than those individuals identified in the space immediately below (1) owns an interest in; or (2) has involvement in a relationship with the applicant firm (a) from or as a result of which the individual has received within the past year, or is entitled to receive in any future year, more than \$1,000 or its equivalent; or (b) which has a market value in excess of \$1,000. * (List here any such current or former Port Authority Employee (s))
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- B) No individual who is a current or former employee of the Port Authority or its subsidiaries other than those individuals identified in the space immediately below (1) holds a position in the applicant firm such as an officer, director, trustee, partner, employee, or a position of management; or (2) acts as a consultant, agent or representative of the firm in any capacity. * (List here any such current or former Port Authority Employee (s))
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*Included within the scope of this certification are the individuals identified by the applicant in response to question 5.

Applicant _____

Date _____

VERIFICATION

STATE OF _____)

SS:

COUNTY OF _____)

(A) (For Sole Proprietorships, Partnerships, and Limited Liability Partnerships)

_____, being duly sworn, states that he or she is the owner of (or a Partner in) the entity making the foregoing application and that the statements and representations made in the application are true to his or her own knowledge.

Signature Date

(B) (For Corporations and Limited Liability Companies)

_____, being duly sworn, states that he or she is the
Name of Corporate Officer

_____ of _____,
Title of Corporate Officer Name of Corporation

the entity making the foregoing application, that he or she has read the application and knows its contents, that the statements and representations made in the application are true to his or her knowledge, and that the application is made at the direction of the Board of Directors of the Corporation.

Corporate Seal _____ Signature Date

Sworn to before me this _____ day of _____, 20_____

Notary Public

Mail to: The Port Authority of New York and New Jersey
Office Business and Job Opportunity - Certification Unit
233 Park Avenue South, 4th Floor
New York, NY 10003

CODE OF ETHICS CERTIFICATION

In signing and submitting the annexed Certification Application, each applicant and each person signing on behalf of any applicant certifies that they have not made any offers or agreements or given or agreed to give anything of value or taken any other action with respect to any employee or former employee of The Port Authority of New York and New Jersey or any of its subsidiaries (hereinafter referred to as "the Authority") or any immediate family member of either which would constitute a breach of ethical standards under the Code of Ethics and Financial Disclosure dated as of July 18, 1994 (a copy of which is available upon request to the Economic Development Department/Business & Job Opportunity), nor do they have any knowledge of any act on the part of such employee or former employee relating either directly or indirectly to the applicant which constitutes a breach of the ethical standards set forth in said Code.

As used herein "anything of value" shall include but not be limited to any (a) favors, such as meals, entertainment, transportation (other than that contemplated by any Authority contract), etc., which might tend to obligate the Authority employee to the Contractor and (b) gift, gratuity, money, goods, equipment, services, lodging, discounts not available to the general public, offers or promises of employment, loans or the cancellation thereof, preferential treatment or business opportunity. Such term shall not include compensation contemplated by any Authority contract.

The foregoing certification shall be deemed to have been made by the applicant as follows: If the applicant is a corporation, such certification shall be deemed to have been made not only with respect to the applicant itself, but also with respect to each director and officer, as well as, to the best of the certifier's knowledge and belief, each stockholder with an ownership interest in excess of 10%; if the applicant is a partnership, such certification shall be deemed to have been made not only with respect to the applicant itself, but also with respect to each partner. Moreover, the foregoing certification, if made by a corporate applicant, shall be deemed to have been authorized by the Board of Directors of the applicant, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of such certification as the act and deed of the corporation.

In any case where the applicant cannot make the foregoing certification, the applicant shall so state and shall furnish with the application a signed statement, which sets forth in detail the reasons thereof.

The foregoing certification or signed statement shall be deemed to have been made by the applicant with full knowledge that it would become part of the records of the Authority and that the Authority will rely on its truth and accuracy in granting certification.

Applicants are advised that knowingly providing a false certification or statement pursuant hereto may be the basis for prosecution for offering a false instrument for filing (see e.g., New York Penal Law, Section 175.30 et. Seq.). Applicants are also advised that the inability to make such certification will not in and of itself disqualify an applicant, and that in each instance the Authority will evaluate the reasons therefore provided by the applicant.

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|---|
| <p style="text-align:center">SMALL BUSINESS ENTERPRISE PROGRAM ADMINISTERED BY THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY</p> |
|---|

The Small Business Enterprise Program is designed to promote New York and New Jersey businesses and to provide them with the advantage of competing against firms of like size and expertise in a limited competitive environment. In order to be eligible to participate in opportunities set aside for the program, the Port Authority must certify a firm as a Small Business Enterprise. To be eligible for certification, firms at a minimum:

- Must have its principal place of business in either New York or New Jersey
- Must have operated in that specific type of business for at least three (3) years
- Cannot exceed the average annual income limitations (cited below) utilizing gross revenues for the last three (3) fiscal years

Average Annual Income Limitation for Programs

❑ **SBE Construction Program - \$13 million**

The Port Authority's Engineering Department must also qualify firms applying for this program. This requires the submittal of acceptable references for completed contracts. A minimum of three (3) acceptable references is required for each construction specialty area.

❑ **SBE Architectural & Engineering Program - \$4.5 million**

- *Landscape Architectural Services - \$6.5 million*
- *Marine Engineering & Naval Architecture - \$17 million*

Firms applying for these programs must also have averaged annual revenues of no less than \$100,000 over the last three (3) fiscal years to be considered for the program.

❑ **SBE Commodity Program - \$6.5 million**

Firms eligible to participate in the Commodity Program are eligible to take advantage of a five percent (5%) price preference in designated contracts solicited by the Port Authority's Procurement Division.

❑ **SBE Janitorial Maintenance Program - \$15 million**

❑ **SBE Unarmed Guard Service Program - \$11.5 million**