

# THE PORT AUTHORITY OF NY & NJ

## SMALL BUSINESS ENTERPRISE PROGRAM ADMINISTERED BY THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

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 a 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.
- **Must not exceed the average annualized gross revenue limitations cited below for the last three (3) fiscal years.**

### Average Annualized Gross Revenue Limitation and other Port Authority Pre-Requisites by Procurement Category

#### **Construction - \$14 million**

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

#### **Architectural & Engineering (A&E) - \$4.5 million**

- *Landscape Architectural Services - \$7 million*
- *Marine Engineering & Naval Architecture - \$18.5 million*

In addition to adhering to maximum gross revenue thresholds, A&E firms must also have minimum average annual revenues of more than \$100,000 over the last three (3) fiscal years.

#### **Commodity - \$7 million**

Commodity firms eligible to participate are provided a five percent (5%) price preference in designated contracts solicited by the Port Authority's Procurement Department.

#### **Janitorial Maintenance - \$16.5 million**

#### **Unarmed Guard Service - \$18.5 million**

#### **Financial Services - \$7 million**

# THE PORT AUTHORITY OF NY & NJ

## Small Business Enterprise (SBE) Certification Application

Please answer all questions. Indicate N/A where not applicable.

1. Name of Firm: \_\_\_\_\_ Federal Taxpayer's I.D.: \_\_\_\_\_

2. Address: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: ( ) \_\_\_\_\_ FAX Number: ( ) \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Title: \_\_\_\_\_

3. Type of Ownership:

Sole Proprietorship       Partnership       Corporation       LLC       LLP

(a) The above type of ownership since: \_\_\_\_\_

(b) Date established: \_\_\_\_\_

(c) Method of acquisition (Explain): \_\_\_\_\_

(d) Date of Acquisition: Month \_\_\_\_\_ Year \_\_\_\_\_

4. Names of Officers, Owners, or Partners:

President: \_\_\_\_\_ Vice President: \_\_\_\_\_

Treasurer: \_\_\_\_\_ Secretary: \_\_\_\_\_

Owners or Partners (not listed above) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Are you a subsidiary of another company?  Yes  No

If yes, name of parent company:

\_\_\_\_\_  
(Parent Company must submit SBE application and meet SBE guidelines.)

6. What were the gross receipts of the applicant firm reported for each of the last three (3) fiscal years?  
(Copies of completed federal business tax returns must be submitted to substantiate your income)

Month/Year

Year ending \_\_\_\_\_ \$ \_\_\_\_\_

Year ending \_\_\_\_\_ \$ \_\_\_\_\_

Year ending \_\_\_\_\_ \$ \_\_\_\_\_

7. Please list principal types of services and/or supplies furnished. If available, specify

S.I.C. No. \_\_\_\_\_ Product(s): \_\_\_\_\_

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For Information Use Only

The Port Authority also sponsors a good faith minority and women-owned business enterprise (MWBE) program.

Do you wish to apply for certification as a Minority or Woman Business Enterprise with the Port Authority?

Yes  No

*If your answer is yes, please provide the following information.*

Ethnicity and gender of principal owners:

Black  Native American  Female  
 Hispanic  White (Non-Hispanic)  Male  
 Asian  Other (specify) \_\_\_\_\_

Is this firm currently certified as a minority, woman-owned or disadvantaged business with any agency?

Yes  No If yes, state agency and type of certification.

Agency	Date	Type
_____	_____	_____
_____	_____	_____
_____	_____	_____

*For assistance in completing this application, please contact the Office of Business Diversity and Civil Rights at:  
(212) 435-7808 or [OBJOCert@panynj.gov](mailto:OBJOCert@panynj.gov)*

ACKNOWLEDGMENTS AND VERIFICATION

**FIRST**, this application form, the supporting documents, and any other information provided in support of this application are considered part of the application. The making of any false statements or misrepresentations in the application may result in applicant's disqualification from certification as a Small Business Enterprise (SBE) by The Port Authority of New York and New Jersey and its subsidiaries (hereinafter referred to as the "Port Authority").

**SECOND**, the information contained herein is subject to the Port Authority's Freedom of Information Policy amended in August 1992.

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

**FOURTH**, by filing this application, the applicant consents to examination of its books and records and interviews of its principal and employees by the Port Authority to determine whether the applicant is, or continues to be, an eligible SBE. The applicant acknowledges that its certification may be immediately denied or revoked 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 SBE.

**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 to ascertain the applicant's eligibility for certification. If the applicant fails to permit such inquiries 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 granted for a period of five (5) years. However, the Port Authority may require submission of a new application, additional information, and examinations of the applicant's principals and employees at any time before the expiration of the five (5) year certification period. The applicant's failure to submit such material or to consent to such examinations and interviews will be grounds for immediate revocation of certification.

**EIGHTH**, 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 under law by the applicant against the Port Authority, its Commissioners, officers or employees and any such certification is only intended to facilitate the identification of qualified and bona fide 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 a current or former employee of the Port Authority or its subsidiaries (i.e., Port Authority Trans-Hudson Corporation (PATH); Newark Legal 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 any such current or former Port Authority employee(s)).

\_\_\_\_\_

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 any such current or former Port Authority employee(s)).

\_\_\_\_\_

\*Included within the scope of this certification are the individuals identified by the applicant in response to question 4.

\_\_\_\_\_  
Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

## 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 revised April 11, 1996 (a copy of which is available upon request to the Office of 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.

