

## DETAILED APPLICATION INSTRUCTIONS

**It is recognized and acknowledged that the information contained in the Application is given under oath and that any misrepresentation may be grounds for denial of certification, revocation of certification, not awarding or terminating any contracts which may be awarded the Applicant by the State of New York. In addition, Applicant further understands that any misrepresentation made in this Application is subject to both civil and criminal laws of the State of New York.**

In order to ensure that your application for New York State Minority and/or Women Business Enterprise certification is done as expeditiously as possible, it is very important that you provide us with a complete application and all the supporting documents required for all applicants and your business structure type. If you have any questions on what you are to submit, please contact us at the Albany office 518-292-5251 or the New York City office 212-803-2414.

### **INCOMPLETE APPLICATIONS OR THOSE MISSING REQUIRED SUPPORTING DOCUMENTS WILL BE RETURNED AND NOT PROCESSED**

Do not leave any spaces blank on the application.

The fill-able application will not allow you to skip any questions and the fields will expand for you to sufficiently answer all questions.

If you are using the printable version and a question is not applicable to your business insert "N/A" in the space provided for your answer. If the spaces on the application are insufficient to answer completely, attach additional sheets and/or documents as needed. Be sure to use the question number to identify any answer contained on any additional sheet or any document

Once you have submitted a completed application and any information changes, you must notify us immediately. If we cannot reach you via mail, phone, or physically we will reject your application.

Q1- Federal Employer I.D. Number. A Federal Employer Identification Number (FEIN) is required for most business activities. Sole proprietorships may submit a social security number of the owner in lieu of the FEIN. Without this ID number your application will be returned. To apply for an FEIN number, go to <http://www.irs.gov>.

Q2a- Name - Enter the full legal name of the business applying exactly as it appears on your corporate registration or County Clerk issued business certificate. Enter the physical address of the business and not the mailing address in this area. Be sure it is a complete address including floor, suite, apartment, etc.

Q2b- Insert mailing address if different than physical address.

If you receive your business mail at a location other than your physical address, be sure to include it so that we can communicate with you via mail. If we can not reach you by mail, we can reject your application, or if already certified remove you from the Directory.

Q2c- "Doing Business As" (DBA) Name

Complete this question if your business does business under an assumed or trade name that is different from the legal name entered in 1a. To use a DBA on a corporation, you must have and supply the documentation you completed and submitted to your Department of State that shows you have the right to use the name. If a DBA is filed with your County Clerk, make sure to send the issued business certificate with your DBA name.

Q3a- Enter your business telephone and fax number. If we cannot reach you by telephone we can reject your application or if already certified, remove you from the Directory.

Q3b- Email Address for business. Most government entities now do business and bid solicitations electronically. Submit a valid email address if you want solicitations sent to you via email.  
Website Address for business. Submit a valid website address if your business has one.

Q4a- List all that apply to your type of business, but make sure you complete at least one line

Q4b- We will contact your business with any questions we have regarding what was submitted. This contact should preferably be the majority owner of the business, as he/she would have the most information on his/her business. If someone is designated other than the owner, be sure the designated person has knowledge of the business and the authority to discuss the business. We will want to talk to the owner at some point during the process so it's important the majority owner make him/herself available to us.

Q5- If you are male and belong to one of the following ethnic groups: Black; Hispanic; Asian-Pacific; Asian-Indian Subcontinent; or Native American you can apply for minority-owned status. If your gender is female and you do not belong to any of the ethnic groups listed above, you can apply for woman-owned status. If you are both female and belong to one of the ethnic groups listed above, you can apply for minority/woman-owned status. You will have to prove both ethnicity and gender. For further descriptions of the ethnic groups, refer to page 2 of the printable application or page 2 of the fill-able application. For minority and/or woman certification status you will have to show 51% or more of the business is owned, operated and controlled by a minority and/or woman. In the case of minority/woman owned certification a minority woman will have to show 51% or more of the business is owned, operated and controlled by them.

Q6- If you are currently involved in a bidding process or other contract/purchase order opportunity, be sure to complete this question with all the facts and contact information of the person you are in the procurement opportunity with.

Q7a. - Your business has to be legally set up in a business structure that is acknowledged by New York State to gain access to this program. If you are incorporated in another state, other than New York, you have to obtain the Authority to Do Business through the New York State Department of State to gain access to this program. Go to web site <http://www.dos.state.ny.us> for further information or call the NYS DOS at 518-473-2492. If you are an out-of-state sole proprietorship, you must check with the New York State Tax and Finance agency on whether you need a vendor tax number to do business in New York State. Most business types do need to register with Tax and Finance before doing business in New York State. Go to web site <http://www.tax.state.ny.us> for further information or call them at 1-800-698-2909.

Q7b- A detailed explanation should be submitted if any changes were completed in your business organization from inception. Samples: you started your business as a sole proprietorship and now have incorporated; you started your business as a partnership and now have established that business into a Limited Liability Partnership. Be sure to include all documentation of any changes made to your business from inception.

Q7c- Tell us exactly how you acquired this business. For example: Did you start from scratch? Did you purchase a business that was already in existence? You will have to submit all legal documentation on your specific business type and how you started this business. If you have purchased a business, we will need to see the purchase agreement.

Q7d- You must provide names, positions in the business, ethnic group code (page 2 on printable application and page 2 on electronic application), percentage of ownership, gender, and US citizen or permanent resident alien information on all owners of the business and you will have to submit all supporting documentation on each owner of the business irregardless of how much of the business they own. You will also have to submit detailed resumes on each owner showing work history, education, and training.

Q8- To start any business there are costs incurred. Some of these include costs to purchase equipment, costs to set the business up, costs to purchase inventory, monies invested as working capital and

monies invested to meet payroll. You must provide all investments you have made to the business and submit supporting documents that prove those investments. Supporting documentation includes, but is not limited to: cancelled checks (front and back), bank statements that clearly show you own the account, loan agreements signed by you, equipment purchase documents showing you purchased that equipment. Cash and capital contributions to the business are extremely important to show. You should not enter N/A in this area. To start a business or the purchase of one always has costs involved that can be substantiated.

Q9a- If your business structure is a partnership, complete this area for all partners. You will have to submit supporting documents that show this information in a legal document, such as a partnership agreement, business certificate and buy-out rights. You will need to submit detailed resumes for all partners showing work history, education and training. You will have to submit documentation showing all partners are either US citizens or permanent resident aliens. Majority ownership has to be held by applicable ethnic groups and/or women.

Q9b- If your business structure is a corporation, complete this area for all corporate shareholders. You will have to submit supporting documents that show this information in legal documents, such as issued stock certificates, stock ledgers and cancelled checks. To prove ownership in a corporation the business must have issued stock certificates. You will not gain access to this program without fully executed stock certificates and a stock ledger. You will also need to submit detailed resumes for all stock holders showing work history, education and training. You will have to show that all stock holders are US citizens or permanent resident aliens. Majority ownership has to be held by applicable ethnic groups and/or women.

Q9c- If your business structure is a corporation, complete this area for all stock the business is authorized to issue and the authorized stock that has been issued. You will have to submit supporting documents that show authorized authority – corporation by-laws, minutes of first corporate organizational meeting and stock certificates issued, front and back, and next unissued share along with the corporate stock ledger. To prove ownership in a corporation, the business must have issued stock certificates. You will not gain access to this program without fully executed stock certificates and stock ledger. You will be required to submit all corporate documentation such as Articles of incorporation, your corporate by-laws, minutes of your first organizational meeting, and if applicable – stock options; shareholders agreements; shareholders voting rights; buy-out rights, and any restrictions on the control of the corporation.

Q9d- If your business structure is a Limited Liability Corporation, complete this area for all owners, their positions and their percent interest in the business. You will have to submit supporting legal documents – Certificate of Registration or Articles of Organization and an executed Operating Agreement showing all interest owners, their roles in the business (member or manager) and their contribution to the business. You will need to submit detailed resumes on all members/managers showing work history, education and training. Majority ownership has to be held by applicable ethnic groups and/or women.

Q10- Provide your last three years of gross receipts from your federal tax returns. You will have to submit complete copies of these tax returns, plus your state and city, with all attachments and schedules. You must have at least one year of gross sales and be able to submit one business tax return prior to applying to this program. There are some waivers in this requirement on a case by case basis. Contact us for further details in Albany at 518-292-5250 or in New York City at 212-803-2424.

Q11- Average out your past year of employees and separate out between full time and part time both permanent and temporary. You could be asked for all W2s and 1099s issued by the business or payroll records to verify your employees, so be as exact as you can be.

Q12- Enter all licenses/permits/certificates need to conduct the type of business you do. Be sure to name the type, who it was issued by, when it was issued, the expiration date (if any) and who is the holder of the license/permit/certificate. You should submit copies of all licenses/permits/certificates needed to conduct your type of business. All submittals should be current.

Q13a- Check all that best describe your type of business operation. If you feel that none of the options describe what the business does, then check other and explain what the business does do.

Q13b- Use this area to further describe your principal product or service. You should be very specific in this area so it can be determined how best to categorize you with our Product Code system if you are granted New York State minority or woman certification.

Q13c- Provide us with your NAICS that is found on your federal business tax returns. If you do not know this number, you can look it up at <http://www.census.gov> and click on NAICS. If you know your UNSPSC number (s) you should submit them in this area also labeling them as UNSPSC. We currently are not requiring UNSPSC, but may in the future.

Q14a- Complete all 12 areas in this question by filling in who is responsible for each area of the business, their genders, ethnicities and if they are an owner in the business. There must be at least one name assigned to each of the 12 areas. You will be asked to submit supporting documentation for many of these areas such as bank signature card or letter from the bank that holds your business accounts showing who has signatory authority on those accounts and any limitations on those signators, detailed resumes and copies of any employment agreements.

Q14b- This area is to submit who else is involved in your business and if they work for another business. According to Article 15-A your business must be independent of any other. We will look for the business relationship between your business and any other.

Q14c- In this area you will submit if you share office space, yard space, or equipment with any other business. According to Article 15-A your business must be independent of any other. We will look for the business relationship between your business and any other.

Q15a- You should submit all spaces that you rent, what type of facility it is, who rents the space to the business and the yearly amount paid for the space. You will be required to submit a signed lease for all space as supporting documentation.

Q15b- You need to list all equipment that the business either owns or leases that is required to conduct the type of business the business does. If a vehicle is needed in your type of business you should list it here. You will be required to submit all signed leases and/or bills of sale for equipment listed here as supporting documentation.

Q16- In this area you will be required to enter information on any owner, officer, or principal in the business that has an affiliation (business interest or employment) with any other business. You should enter the name of the person, the other business name and address, phone number, the nature of the other business, and the person's nature of affiliation with that business.

Q17- In this area you will submit the contact information for the business's attorney. If you do not have an attorney, put N/A in the space provided.

Q18- In this area you should put the contact information for the business's accountant. If you do not have an accountant, put N/A

Q19a- You should detail to us any other certifications you have either applied for, registered with, were certified by, withdrew from, were rejected by, were denied by or were decertified by. It is also important to complete each area, 1 thru 7, with a contact person and phone number for the contact person.

Q19b- In this area you submit if there are any appeals pending on any certification you have applied for with an agency, date of appeal, contact person, and telephone number for contact person. Even if you are denied by another certification program, it does not necessarily mean you will be denied from this one.

Q20- You should list the three largest jobs you have had in the last two years along with the name of the client, the dollar value of job, where you performed the job and how long the job took. You could be asked to submit copies of these contracts/purchase orders/agreements as supporting documentation.

Q21- You need to identify all banks your business accounts are held with by name of bank, address, and contact in the bank, the account type(s) and the account number(s). You will be asked to submit either bank signature cards or letters from those banks that state who has signatory authority on the accounts, any limitations on those signators, when the account(s) was opened and who owns the accounts.

Q22- In this area you are asked to submit if you have any lines of credit, who they are with, the dollar limits on them, and the name of the guarantor on these lines of credit. You could be asked for copies of all open credit agreements as supporting documentation.

Q23- In this area you are to list any major creditors or lenders the business has. You need to submit the name of the creditor/lender, the type of credit it is and the dollar value of the credit.

Q24- In this area you will have to submit the name, address, and percent ownership in your business of any other company or business. You will need to include any venture capitalists and other similar investors in this area. You will be asked for all legal documentation on any of the transactions in this question.

Q25- If your business is bonded, you will need to disclose that in this area. You should list your bonding company, their address, telephone number, the contact person, the type of bond and the limit of the bond. You could be asked to submit copies of this bonding as supporting documents.

Q26- In this area you are to submit whether you are a Union Shop or not. If yes, you will need to submit the name of the Union and the local number. You could be asked to submit copies of all signed Union agreements the business has.