

Division of Minority and Women's Business Development

CERTIFICATION APPLICATION AFFIDAVIT

The New York State Department of Economic Development, Division of Minority and Women Business Development ("DMWBD") website, www.NewNYContracts.com, offers applicants the option to submit applications electronically. Any required documentation that is scanned and attached or sent by way of facsimile shall be subject to the same requirements as paper applications. **All applicants MUST read, review and verify the truthfulness and accuracy of the contents of this Application prior to signing.** These items contain responsibilities of the Applicant, rights retained by the State of New York and penalties that may be applied for false, misleading and/or inaccurate representations.

This Application, including any supplementary documentation, must be verified under oath in the following manner:

- (A) if the enterprise is a sole proprietorship, by owner; or if the enterprise is a partnership, by a partner, or
- (B) if the enterprise is a corporation, by a corporate officer designated by the Board of Directors.

FIRST, the content entered into the electronic Application form, the supporting documents, and any other information provided in support of the Application and submitted via the www.NewNYContracts.com or in any other manner, is considered part of the Application. It is recognized and acknowledged by the Applicant 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 to the Applicant by the State of New York. In addition, the Applicant further understands that any misrepresentation made in this Application is subject to both the civil and criminal laws of the State of New York.

SECOND, DMWBD is subject to the Freedom of Information Law ("FOIL"). At the time of Application, the Applicant may request that DMWBD except all or part of Contractor's proposal, reports or other information submitted to DMWBD from public disclosure, pursuant to Section 87(2)(d) of the Public Officers Law, on the ground that said specified item(s) contain trade secrets or that the information, if disclosed, would cause substantial injury to the competitive position of the applicant. The request for an exception must be in writing and must state the reasons why the information should be excepted from disclosure. It must also specify the items or portions thereof for which the exception is requested. DMWBD reserves the right to determine whether the information submitted by the Applicant may be withheld from disclosure under FOIL.

THIRD, DMWBD may require proof of minority or women status, in addition to the information disclosed in this Application. By filing this Application, the Applicant agrees to submit additional proof if it is requested, and acknowledges that DMWBD may decide not to certify the Applicant as a Minority or Women-Owned Business, if the additional proof is not submitted within 20 days after it is requested by DMWBD.

FOURTH, by submitting this Application, the Applicant consents to periodic examination of its books, records and an interview of its principals and employees by DMWBD for the purpose of determining whether the Applicant is, or continues to be, an eligible Minority or Women-Owned Business. The applicant acknowledges that its certification may be immediately denied or revoked, if such examinations or interviews are refused; or if DMWBD determines as a result of the examinations or interviews, that the Applicant does not qualify or continues to qualify as a Minority or Women-Owned Business Enterprise.

FIFTH, by submitting this Application, the Applicant consents to inquiries that may be directed by DMWBD 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 of 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 to provide notice to DMWBD of any material change in the information contained in the original Application within 30 days of such change.

SEVENTH, certification is normally granted for a period of 3 years. However DMWBD may require the submission of a new Application, additional information, and examination of the Applicant's principals and employees at any time before the expiration of the 3 year certification period. The Applicant's failure to submit such material, or to consent to such examinations and interviews, shall be grounds for immediate revocation of certification.

EIGHTH, by submitting this Application, the Applicant consents to DMWBD's sharing reports, summaries, reviews, analyses, recommendations and determinations related to this Application with other certifying agencies, which may request such information as a result of the Applicant submitting this Application for Certification to those agencies.

NINETH, Applicant further certifies that the personal net worth of each person upon which certification is based does not exceed \$3.5 million and the applicant firm does not employ more than 300 full-time equivalent employees.



By signing below I am attesting that I am providing this as part of this Application for certification or re-certification, and acknowledge that any false or misleading representations made by the Applicant will result in the denial of certification and is punishable as a Class E Felony under Section 175.35 of the New York State Penal Law.

I have read and acknowledge the foregoing.

Signature of Owner/Applicant

VERIFICATION

STATE OF _____)
COUNTY OF _____)

(A)

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

(B)

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

the enterprise 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.

Signature Date

Sworn to before me this _____
Day of _____, 20____

Notary Public

Person assisting in completing the Application: _____
Print Name

Telephone number _____ Signature

Organization