



The State of New Jersey

Department of the Treasury

Division of Revenue

State of New Jersey MBE/WBE Certification Application

Dear Business Owner:

Enclosed please find the State of New Jersey MBE/WBE Certification Application. If you wish to become certified as a Minority and/or Women Business Enterprise, complete and submit the enclosed application with a non-refundable check or money order in the amount of \$100.00 made payable to **"NJ Division of Revenue"**. **DO NOT SEND CASH.**

Be advised that the average processing time is four weeks after your check has been cashed.

Your M/WBE certification is valid for 3 years. Annually, the business must submit, not more than 20 days prior the anniversary of the certification, an annual verification statement, in which it shall attest that there is no change in the ownership, control or any other factor of the business affecting eligibility for the certification as a minority or women- owned business.

If the certified business fails to submit the annual verification statement by the anniversary date, the certification will be revoked and the business will be removed from the SAVI₁ database that registers certified minority and women-owned businesses. If the business seeks to be certified, it will have to reapply and pay the \$100 application fee.

If the business submits the annual verification statement by the anniversary date, but either the verification statement or the information received by the Division indicates that the business is no longer eligible for certification as a minority or women-owned business, the Division shall revoke the certification pursuant to this chapter and following revocation, the business shall be removed from the SAVI database. The business may appeal this revocation pursuant to the procedures set forth at N.J.A.C. 17:46-1.8.

Please pay particular attention to the supporting documents required. For each question on the application, a response must be indicated, even if it is "Not Applicable." Incomplete applications will not be processed. *Any applicant, who knowingly supplies false information shall, upon conviction, be guilty of a crime of the fourth degree.*

NOTE: The State currently works with other certifying groups to accept alternative certifications. If you have a currently valid certificate with a national or statewide certifying group, you may submit a copy of their certification approval and the initial application from that group for consideration to satisfy requirements of certification under N.J.A.C. 17:46-1.10. You must also submit a non-refundable check or money order in the amount of \$100.00 and a Fast Track NJ Certification Application found at www.nj.gov/njbusiness/contracting/. Please send your completed application to:

***Division of Revenue
Business Support Services Bureau
P.O. Box 455
Trenton, NJ 08646***

If you require further information, please call the Division's Business Registration and Certification Office at (609) 292-2146.

Also, for free business counseling, you may contact the Small Business Development Center's general information office at (973) 353-1927.

¹ NJSAVI (New Jersey Selective Assistance Vendor Information) is a database that identifies businesses that are registered as a SBE and/or certified as a M/WBE with the State of New Jersey, through the Division of Revenue. The NJSAVI database identifies businesses eligible for mandated state programs such as the NJ Small Business Set Aside program, and aids in matching buyers and vendors for private contracting opportunities

4. Name, position & ethnicity of all principals with ownership interest. (Check all that are applicable. If no positions are held write "None".)

Name	Position	Group Code*	% Owned	Sex	US Citizen or Permanent Resident Alien
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

*Group Code Key (Please refer to regulations for definitions)

5. Gross Receipts (Sales). Please provide total gross sales for the last 3 years. (You must have some revenue to apply for and receive MBE/WBE status, even if it is for less than one year- cannot be zero income)

Current year: \$ _____ Last year: \$ _____ Previous year: \$ _____

Year: _____ Year: _____ Year: _____

6. Construction-related industry list **construction craft codes** (<http://www.nj.gov/njbusiness/documents/constcodes.pdf>) **5-digit codes** (12 codes maximum)

_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

7. For all other non-construction related industries, select from the NIGP Commodity/Services codes and enter the **5-digit codes** that most accurately describe the goods and services your firm provides. (www.state.nj.us/treasury/purchase/commcode.shtml) (12 codes maximum)

_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

8. Annual Verification Requirements (as applicable):

All certified Firms must complete the annual verification form at the end of years 1 & 2. Be advised that you may be asked for supporting document(s).

9. **Application:** Provide all required information and documentation as follows:

- a. Briefly describe the firm's major field(s) of operation;
- b. Articles of incorporation, corporation by-laws, certificate of formation, partnership agreements, and joint venture agreements;
- c. Names and addresses of members and officers of the business and board of directors in the case of corporations;
- d. Names and addresses of capital investors and the amount of capital contributed. Gifted ownership shall not be considered;
- e. Firm federal and state tax returns for the past three consecutive years;
- f. Most current income statements and balance sheets;
- g. Resumes of all principals, partners, officers and/or key employees of the firm. Show home address, telephone number, education, training and employment dates;
- h. Number of shares of all classes of stock issued, and stock outstanding in the case of a corporation;
- i. Proof of ethnicity and gender (i.e. Photo ID, driver's license, birth certificate, passport and /or green card);
- j. The affiliation of the firm or any of its owners, officers or directors with any other business entity;
- k. A complete list of major and real personal property holding of the firm;
- l. A complete listing and copy of signature cards for all banking institutions with which the firm is affiliated;
- m. A complete listing of previously attained certifications and listing of all legal entities which denied certifications;
- n. Copies of office lease/rental agreements or deeds, and mortgages when home based.

An Applicant who fails to comply with requested additional information or documentation within 30 days shall be considered in non-compliance and subject to rejection



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VERIFICATION

MUST BE SIGNED, DATED AND NOTARIZED

STATE OF _____)

SS

COUNTY OF _____)

(A) _____, being duly sworn, states that I am the owner
Name of President or Owner

(Or a partner/member in) of 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, state that I am the

_____ Title

_____ Name of Business

of the firm making the foregoing Application, that I have read the Application and know its contents, that the statements and representations made in the Application are true to my knowledge, and that the Application is fully authorized by the firm (if corporation, fully authorized by the Board of directors).

_____ Signature of President, Owner or Managing Partner

_____ Printed Name

Title _____ Date _____ Phone: _____

Notary Seal

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

Notary Public

Person assisting in completing the application: _____ Name _____ Telephone Number _____

NOTE: Applicant must also sign Fraud Statement

Fraud Statement: I attest that the information contained in this application has been completed as directed and that the information is accurate to the best of my knowledge. I understand that any information willfully falsified or omitted may result in penalties outlined in N.J..A.C. 17:46-1.10 and/or in prosecution under New Jersey's fraud statutes and liability to attendant civil or criminal penalties.

Mail completed form to:

NJ Division of Revenue, Business Support Services
PO Box 455, Trenton, NJ 08646

I have read and acknowledge the forgoing

Signature of Applicant ²

² Only the signature of the owner or president of a corporation is acceptable. (For a partnership, only a general Partner may sign, the signature of a Limited Partner is not acceptable. For an LLC, the managing member must sign.)

Frequently Asked Questions on the New Jersey Small Business Registration & Minority and Women Certification Programs

1. Where can I send my small business registration or minority/women certification application payment?

a. Make your check payable to Division of Revenue and send it to the NJ Division of Revenue, Business Support Services Bureau, PO Box 455, Trenton, NJ 08646

2. How long does it take before I get a decision on my application?

a. You will receive a response generally within 4 weeks of your check being cashed.

3. What happens when my application is approved?

a. You will receive a letter and a certificate in the mail.

4. What happens if my application is incomplete?

a. We will send you a request for additional information. You will be asked to respond within 30 days to prevent a non-compliance closure of your application.

5. What happens if my application is denied?

a. You will receive a letter explaining why your application was denied. The letter will also explain that we need to receive a letter from you on your company letterhead within 10 days if you wish to appeal the denial.

6. Where can I get help in filling out my application?

a. For one-on-one assistance, visit your local Small Business Development Center. For a complete listing, go to <http://www.njsbdc.com>

7. Is a business registration with the State of New Jersey, Division of Revenue the same as a small business registration with your Division?

a. No, these are two different types of registrations. A business registration with the Division of Revenue will ensure that the business is registered for applicable taxes and related liabilities. Businesses must submit to the Division of Revenue the Business Registration form (NJ-REG) and if applicable, the Public Records Filing for New Jersey Business Entity form. After registering, businesses will receive the forms, returns, instructions and other information required for on-going compliance with New Jersey State taxes. For more information on the Business Registration Form please see <http://www.state.nj.us/treasury/revenue/busregcert.shtml>

8. What is a Small Business Enterprise (SBE) registration?

a. The SBE registration is **required** to compete for contracts under the Small Business Set Aside Act. The small business set-aside program was established with the goal of awarding 25 percent of state and purchase order dollars to small businesses. Go to <http://www.nj.gov/njbusiness/contracting/> for a listing of the standards for eligibility and to obtain an application form.

9. How long will my SBE registration or M/WBE certification last?

a. The cost for both the SBE registration and M/WBE certification is \$100 for three years. Please note that you will have to submit an annual verification form or your registration or certification will be revoked.

10. Can I compete for a Small Business Set Aside contract if I get my SBE registration after the bid opening date?

a. You must have a current SBE registration on the bid opening date to be eligible to compete.

11. My company was considered ineligible to be a SBE under the old rules and regulations. Do the new rules and regulations take into consideration new industries or sizes?

- a. The new rules and regulations have changed the size of the categories so that the size of your industry is taken into account. As a result, your company may now qualify as a SBE and be eligible to participate in the Small Business Set Aside Program. To view Small Business size standard by NAICS industry see: **13 CFR 121.201** at <http://www.gpoaccess.gov/cfr/index.html>

12. What if I have a bid due before the four week response time?

- a. You must attach a request to expedite your application and accompany this request with a copy of the bid page that contains the bid due date. Please note that the application must be properly completed and all required support documentation must be received by our office before we are able to begin processing your request.

In cases where a prime is requiring a sub-contractor to obtain a registration or certification, you must submit a letter from the prime, on their letterhead, stating that there is a commitment to award the sub-contract if in fact registration/certification is provided. A copy of the bid page that contains the bid due date must be attached to the letter from the prime.

Where/When feasible we will issue an expedite certificate five days before the bid due date.

Note: Submitting an application does not mean that you will automatically receive an approval. You need to submit your application and the front page of the bid for review to the Division at least 48 hours before the bid opening date. If you submit your application with less than 48 hours before the bid opening, there may not be enough time to process your application or answer any questions.

13. What is a Minority and/or women Owned Business Enterprise (MWBE) certification?

- a. MWBE's are encouraged to become certified with the State so that we can accurately and timely assess the share of procurement activity recorded by this group compared to the share of business registered by non MWBE vendors. In addition, private firms and municipal (not State) governments may require proof of an MWBE certificate.

Go to <http://www.nj.gov/njbusiness/contracting/> for a listing of the standards for eligibility and to obtain an application form.

The MWBE certification cost is \$100 for three years. Please note that you will have to send in annual verification forms or your certification will be revoked.

14. My MWBE certification is going to expire. Do I have to recertify my business?

- a. You no longer recertify your business under the new rules and regulations. You must submit a new application with the required information.

15. Can I use my MWBE to compete for bids under the Small Business Set Aside law?

- a. The New Jersey State Government contracting process is race and gender free so you don't need a MWBE designation. You need an SBE designation to compete under the Set Aside Act (Refer to response to Question #8).

16. How do I go about ensuring that information in my record is updated?

Change in general contact information or description of services fields (refer to listing below *) must be accompanied by:

1. Written request signed by the owner, president or managing partner.

*Listing of fields:

- * Phone number
- * Fax number
- * Email address
- * Business location or mailing address
- * Correct any spelling on the company's name or owner's name
- * Add or Delete construction or Commodity codes (NOT categories)

Change of the Company Name must be accompanied by:

1. Written request signed by the owner, president or managing partner
2. Copy of the certificate of Incorporation, formation or business registration that shows the amendment/change for the name.

Change of the Company Federal ID# must be accompanied by:

1. Written request signed by the owner, president or managing partner to close the record that is currently approved/certified.
2. Copy of certificate of dissolution or other legally binding documentation that shows that the company is no longer in business.
3. Provide IRS form assigning FEIN number to the designated business. If a sole proprietor, proof that this is the applicant's social security number.
4. Submission of a new application meeting all the requirements and fee.

Change in Owners or Ownership Breakdown (Percentages of ownership) must be accompanied by:

1. Written request signed by the new/revised owner(s).
2. Agreement/contract of sale transferring ownership (proof of payment, cancelled check)
3. Resume for the new owner (s)
4. When applicable proof of ethnicity (MBE) or gender (WBE)
5. If new owner is not MBE or WBE, a new application will need to be submitted.

Change in Category

Changes in category are authorized only when upon review by an auditor, she/he confirms that the original designation was incorrect when initially approved **OR** that upon receipt of documentation that accompanies the annual verification form, there is proof of a significant change that requires change in category. In both cases, the owner, president or managing partner must provide copies of page 1 of the business tax returns for the last 3 years.

NOTE: The Division of Revenue reserves the right to request additional documentation from your business and to contact you to schedule a site visit to confirm validity of change(s) requested.

17. Where do I get information on new bids from State agencies, universities and authorities?

- a. The Division offers a centralized database that post all statewide bids which you can access anytime by keyword, agency or commodity code. Go to <http://www.nj.gov/njbusiness/contracting> Refer to the right hand side banner Online Services, Click on Statewide Bid Opportunities.

For guidance on how to navigate and maximize the potential of the State's procurement process, small businesses are encouraged to contact the New Jersey Small Business Development Center at www.njsbdc.com

18. Can I get automatic notification of new bid opportunities?

- a. You can sign up to get customized email notifications for opportunities within the goods, service, or construction field you identify as being of interest. The identification of goods, services or construction field will be based on the National Institute of Governmental Purchasing, Inc. NIGP code, which you must provide. Go to njstart@treas.nj.gov

For those of you familiar with the North American Industry Classification System (NAICS) and need to find an equivalent NIGP code you can do so by searching for similar wording or description. Treasury has an NIGP lookup tool located at: <http://www.state.nj.us/treasury/purchase/commcode.shtml>

19. Where can I find the commodity and construction codes?

- a. Commodity and construction codes consist of expense account codes that provide information and/or descriptions of nature of the purchases (goods, services, construction field) made by state agencies. Constitutes a system of identifying a commodity by an assigned number. Go to: <http://www.state.nj.us/treasury/purchase/commcode.shtml>

20. What happens if I lose my registration/certificate?

- a. You may ask for a replacement by sending your request to us on your company letterhead. You may send your request to us by mail or fax (609-984-6679).

21. Do you give out grants?

- a. While the Division does not give grants, you may explore other funding sources by calling the Economic Development Authority Customer Care line at 609 777-4898 or your local Small Business Development Center www.njsbdc.com