

**Addendum for MWBE Certification with
The Port Authority of New York and New Jersey**

Instructions: Please review the requirements below regarding the use of this Addendum to apply for MWBE certification with The Port Authority of New York and New Jersey (PANYNJ). Please submit this Addendum and all requested supporting documentation. The Addendum (including any supporting documentation submitted with said Addendum) are intended to address additional required information relating to MWBE certification with PANYNJ, which is not required by New York State Department of Economic Development, Division of Minority and Women's Business Development (DMWBD) for M/WBE Certification.

If eligible, applicants must simultaneously submit this Addendum and the fully completed DMWBD M/WBE Certification Application and PANYNJ MWBE Certification Application for the Minority and Women-owned Business Enterprise Program to DMWBD. If your firm is granted certification as an M/WBE with DMWBD, DMWBD will submit these documents to the PANYNJ on your behalf. Please be advised that this service is a one-time courtesy for firms that have never previously applied or are not currently under review for certification with DMWBD or PANYNJ. In addition, please note that PANYNJ reserves the right to request additional information from the applicant to determine the firm's eligibility for certification as an MWBE with PANYNJ.

Note: Failure to certify with DMWBD may or may not preclude a business entity from eligibility for MWBE Certification with PANYNJ. An applicant may choose to separately submit a properly completed PANYNJ MWBE Certification Application to PANYNJ. However, it is important for applicants to note that DMWBD ***will not forward*** a completed Addendum for MWBE Certification with PANYNJ to PANYNJ for review if the applicant is denied M/WBE Certification by DMWBD.

Your business must meet the following requirements when applying for certification:

1. **Minority Business Enterprise (MBE)** — Your business must be at least 51 percent owned by, or, in the case of a publicly owned business, at least 51 percent of the stock must be owned by citizens or permanent resident aliens, and the management and daily business operations must be controlled by one or more of such individuals who meet the following ethnic definitions: Black, Hispanic, Asian-Pacific, Asian-Indian, or Native American.
2. **Women-owned Business Enterprise (WBE)** — If your business is at least 51 percent owned by citizens or permanent resident aliens who are women and whose management and daily business operations are controlled by women, your firm may qualify for this certification. In the case of a publicly owned business, the requirement is that at least 51 percent of the stock must be women-owned.

Register Your Business at <https://paprocure.com/savvi.asp> with the PANYNJ's Procurement Department by creating a vendor profile to be included in its vendor database, which serves as the prime resource for PANYNJ personnel. The vendor database is organized by type of product or service delivered by a business. Lists of certified firms registered in this database are made available to PANYNJ departments, prime contractors, tenants and other businesses in the region to help them recruit qualified MWBEs. Please ensure that your business profile contains accurate and updated information so that you can be reached.

For more information about the PANYNJ MWBE certification program, please visit our website <http://www.panynj.gov/business-opportunities/sd-become-certified.html>

The following forms, grouped by category, must be downloaded from the PANYNJ website, completed, and submitted with any of the certification applications.

All Applications	<p style="text-align: center;"><u>PANYNJ MWBE Certification Application</u> http://www.panynj.gov/business-opportunities/pdf/mwsbe-certification-application.pdf</p> <p style="text-align: center;"><u>Marketing Data Form</u> http://www.panynj.gov/business-opportunities/pdf/marketing-data-form.pdf</p>
Architectural and Engineering Firms	<p style="text-align: center;"><u>Architectural & Engineering Specialty Form</u> http://www.panynj.gov/business-opportunities/pdf/ae-specialty-form.pdf</p>
Construction Firms	<p style="text-align: center;"><u>Construction Reference Sheet</u> http://www.panynj.gov/business-opportunities/pdf/construction-reference-sheet.pdf</p>

ACKNOWLEDGEMENTS AND VERIFICATION

FIRST, this certification application form, the supporting documents, and any other information provided in support of the application is considered part of the application. Any false statements or misrepresentations in the application may result in the applicant's disqualification from certification as Minority and/or Woman-owned Business Enterprise (M/WBE) by The Port Authority of New York and New Jersey for him/herself 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 amended in May 2008.

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 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 principals and employees by the Port Authority for the purpose of determining whether the applicant is, or continues to be, an eligible M/WBE. 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 M/WBE.

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 at 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 M/WBEs.

NINTH, the Code of Ethics certification attached hereto shall be considered 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 Trans-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))

- 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 current or former Port Authority Employee (s))

*Included within the scope of this certification are the individuals identified by the applicant as "Officers, Owners or Partners".

ELEVENTH, the criteria for certification by the Port Authority as a Small Business Enterprise are outlined in the documentation entitled "Small Business Enterprise Program (SBE) Administered by The Port Authority of New York and New Jersey" which accompanies this application. If the applicant believes that he/she is eligible for SBE certification, he/she may request that this application also be treated as an SBE certification application by signing below. If signature is provided, all acknowledgments and provisions of this M/WBE certification shall also apply.

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/her own knowledge.

Signature

Date

(B) (For Corporations and Limited Liability Companies)

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

_____ of _____,
Title of Corporate Officer Name of Corporation

the entity making the foregoing application, that he/she has read the application and knows its contents, that the statements and representations made in the application are true to his/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 of Business Diversity and Civil Rights – 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 revised April 11, 1996 (a copy of which is available upon request to the Office of Business Diversity and Civil Rights), 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 an 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 application 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 that 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.

– End of The Port Authority of NY & NJ MWBE Certification Addendum –

NOTE: Please make sure to read all requirements and provide requested information.