

City of New Orleans State & Local Disadvantaged Business Enterprise (SLDBE) Program

Certification Application Instructions

A. Introduction

The City of New Orleans implements a **State and Local Disadvantaged Business Enterprise Program** (hereinafter referred to as the 'SLDBE Program' or 'the Program') as a race and gender neutral program to provide for the participation of businesses owned by socially and economically disadvantaged persons to participate in contracting opportunities with the City of New Orleans.

In 2003, the City of New Orleans joined with the New Orleans Aviation Board (NOAB) and the Sewerage & Water Board of New Orleans (SWB) in a cooperative agreement in the SLDBE Program. If your firm is currently certified through the NOAB SLDBE Program or the S&WB SLDBE Program or if you have submitted a SLDBE Program application to either agency, you do not have to complete the City's SLDBE Program application.

B. Who Qualifies for the SLDBE Program

A business may qualify for the SLDBE Program if it is determined that the business' ability to compete in the business world has been restricted due to industry practices, limited access to capital, and/or restricted credit opportunities that are beyond their control.

A business also qualifies if it is owned, operated and controlled by

1. One or more socially and economically disadvantaged person(s) and
2. That person or those persons own, operate, and control at least 51% of the company.

The SLDBE Program is a race and gender neutral program that does not presume social and economic disadvantages. The applicant must probe both social and economic disadvantages in order to qualify for the program.

An eligible SLDBE firm must be an independent business in which the ownership and control by a socially and economically disadvantaged person is real, substantial and continuing. The SLDBE owners must share in the risks and profits commensurate with their ownership interests. The SLDBE owners must also possess the power to direct or cause the direction of day-to-day management and major decisions of the firm. There can be no restrictions in the bylaws, operating agreement or other document which prevents the SLDBE owner(s) from making a business decision without the corporation or vote of the non-SLDBE owner(s). If non-SLDBE members of the firm are disproportionately responsible for the operation of the firm, the firm cannot be considered an SLDBE.

C. Certification Procedures

The City of New Orleans will only certify those businesses which are at least 51% owned, operated, and controlled by persons who are socially and economically disadvantaged. Each firm wishing to be certified as a SLDBE must complete and submit the SLDBE application, supporting documents (as identified on the Application Checklist), pass an on-site visit and be approved by the SLDBE Panel.

The City of New Orleans' Office of Supplier Diversity will take the following steps in gathering and/or verifying information needed for evaluation of an application for certification:

1. Perform an on-site visit at the office of the firm and to any job site(s) on which the firm is working at the time of application.
2. Obtain the resume and work history of the principal owner(s) of the firm, and personally interview the principal(s).
3. Analyze the ownership of stock in the firm if it is a corporation.
4. Analyze the partnership agreement, articles or incorporation/organization, and/or joint venture agreement.
5. Analyze the bonding and financial capacity of the firm.
6. Determine the work history of the firm, including contracts it has received and work it has completed.
7. Obtain or complete a list of equipment owned or available to the firm and the licenses of the firm and its key personnel to perform the work it seeks to do as part of the SLDBE Program.
8. Obtain a statement from the firm of the type of work it intends to perform as part of the SLDBE Program.

- The SLDBE Certification Panel

After the City's Office of Supplier Diversity has conducted an on-site visit and obtained all required documents, the Office will submit the application and supporting documents to the Certification Panel for consideration as a SLDBE certified firm. The Certification Panel is an independent panel appointed to sit in groups of at least three (3) individuals who are qualified with doctorate degrees in economics, sociology, social work, or related fields.

The decision as to whether a firm can be certified as a SLDBE firm will be made solely by the Certification Panel. The Certification Panel shall set its own rules for the conduct of its meetings, the dates and times thereof and agenda for each meeting.

The Certification Panel shall notify the Office of Supplier Diversity of its decisions. Upon receipt of the findings and decisions of the Certification Panel, the Office of Supplier Diversity shall give written notification to the applicant of the Certification Panel's decision and set out any further steps the applicant has to take, if necessary. If certification is denied, the written notification shall notify applicant of the appeal procedure.

- Decertification Procedures

Whenever the City of New Orleans has reason to believe that a currently certified firm is no longer eligible, the firm will be afforded due process prior to revoking its eligibility. The steps to be used are:

- A. A letter will be sent to the firm, stating that the SLDBE Program is contemplating decertification. A brief description of the reasons for the proposed action will be included.
- B. The firm will be given an opportunity to respond in writing to present information and arguments.
- C. The decision will be based on the entire record.

These procedures are included in the SLDBE Program to ensure fairness, provide due process to SLDBE firms whose state has been challenged, and to prevent unnecessary litigation. When the City of New Orleans completes a decertification, it shall, in writing, advise the firm that an appeal may be filed within ten (10) days of the decision with the Certification Panel. An appeal must be in writing, dated and signed. The appeal should be sent to:

City of New Orleans
Office of Supplier Diversity
Equal Business Opportunity Programs
SLDBE Certification
1340 Poydras, 11th Floor
New Orleans, LA 70112

- Appeals of Certification Denials

Any firm which believes that it has been wrongly denied certification as a SLDBE firm or as a Joint Venture, which includes a SLDBE firm certified under the program, may file an appeal with the Certification Panel for a review of the denial and present information and written to the Certification Panel.

The appeal shall be written, dated, signed and filed no later than ten (10) days after the date of the letter of notification from the Office of Supplier Diversity. Said appeals should be addressed to:

City of New Orleans
Office of Supplier Diversity
Equal Business Opportunity Programs
SLDBE Certification
1340 Poydras, 11th Floor
New Orleans, LA 70112

Third parties who have reason to believe a firm has been wrongly granted certification may so advise the Certification Panel in writing. The Certification Panel may deny the firm or joint venture in question eligibility to participate as a SLDBE on any City of New Orleans contract let pending investigation of the allegation.

The firm to which certification was denied will have the opportunity to respond in writing and to present information, documents, and written and/or oral arguments to the Certification Panel.

After reviewing the materials and documents presented along with written and/or oral arguments, the Certification Panel shall render a decision.

D. Completing the SLDBE Certification Application

1. Answer all questions on Schedule A- Business Questionnaire completely.
2. Answer all questions on Schedule B- Owner's Questionnaire completely. Each owner claiming social and economic disadvantage must complete a separate Schedule B.
3. Each owner's spouse must answer all questions on Schedule C- Owner's Spouse Questionnaire. Each owner claiming social and economic disadvantage must have his/her spouse complete a separate Schedule C. If you are unmarried, you do not have to complete Schedule C.
4. Each owner claiming social and economic disadvantage must complete a Personal Financial Statement.
5. Complete, sign and have notarized Schedule D- Affidavit.
6. Supply all relevant items on the Application Checklist. If an item on the checklist does not apply to your firm, indicate so.
7. Submit the SLDBE Certification Application and supporting documentation to:

City of New Orleans
Office of Supplier Diversity
Equal Business Opportunity Programs
SLDBE Certification
1340 Poydras, 11th Floor
New Orleans, LA 70112

E. Supplemental Information/Instructions

All required forms are available for download at www.nola.gov and www.CertAssist.net.

This SLDBE certification application is a PDF fill-in form. You must have Adobe Acrobat Reader to download the forms. You can download Adobe Acrobat for free at www.Adobe.com.

If you need additional space to answer any of the questions in the application, you may do so on a separate page.

If you need assistance completing the application or have questions about the SLDBE certification application, you may contact the City of New Orleans' Office of Supplier Diversity at (504) 658-4200.

This application was revised in January 2011 and replaces all previous versions.

**STATE & LOCAL
DISADVANTAGED BUSINESS ENTERPRISE
CERTIFICATION APPLICATION**

COMPLETING THE APPLICATION

THIS IS A PDF FILLABLE FORM. YOU MAY COMPLETE THE APPLICATION ON YOUR COMPUTER BY TYPING IN YOUR ANSWERS FOR EACH SECTION.

YOU MUST HAVE ADOBE READER, ADOBE PROFESSIONAL, OR A PDF SOFTWARE PROGRAM THAT ALLOWS YOU TO COMPLETE (FILL IN) THE APPLICATION ON YOUR COMPUTER. YOU CAN DOWNLOAD A FREE COPY OF ADOBE READER AT WWW.ADOBE.COM.

IT IS HIGHLY RECOMMENDED THAT YOU COMPLETE THE SLDBE APPLICATION USING ADOBE READER, ADOBE PROFESSIONAL, OR A PDF SOFTWARE PROGRAM THAT ALLOWS YOU TO COMPLETE (FILL IN) THE APPLICATION ON YOUR COMPUTER SO THAT YOU CAN SAVE AND/OR EDIT YOUR APPLICATION AND SO THAT THERE IS NO DELAY IN COMPLETING A REVIEW OF YOUR APPLICATION DUE TO ISSUES OF NEATNESS WITH HANDWRITTEN APPLICATIONS.