



8(a) BUSINESS DEVELOPMENT PROGRAM APPLICATION

YOUR SIGNATURE ON THIS FORM INDICATES THAT YOU FULLY UNDERSTAND ALL QUESTIONS AND CERTIFIES THAT ALL RESPONSES AND DOCUMENTS ARE TRUTHFUL AND ACCURATE.

INFORMATION ABOUT THE 8(a) BUSINESS DEVELOPMENT PROGRAM APPLICATION

Authority to Collect Information: The U.S. Small Business Administration (SBA) is authorized by sections 8(a) and 7(j) of the Small Business Act and codified at 13 CFR Part 124 to determine eligibility for the 8(a) Business Development (BD) Program. SBA uses the information submitted on this SBA Form 1010 to determine the applicant's eligibility for this program. All applicants seeking 8(a) certification must complete this Form 1010 and submit it to the SBA.

If SBA certifies the firm, the firm remains certified for no more than nine years from the date of SBA's approval letter. During this nine year term, the 8(a) Participant must maintain its program eligibility and must inform SBA of any changes that would adversely affect its program eligibility. Once a firm completes its nine year term of participation in the 8(a) BD program, the SBA deems the firm as exited from the program.

Limitation on 8(a) BD Program Eligibility: A business can be approved to participate in the 8(a) BD program only one time. Similarly, the socially and economically disadvantaged individuals upon whom eligibility is based can be approved in the 8(a) BD Program only one time. Once the participation ends, neither the firm nor the individuals can be admitted into the program again.

Incomplete Applications: If you submit a complete application, SBA will process it. If you submit an application that is not complete, SBA may return the application along with a list of missing or incomplete documentation. You may then resubmit your application.

Use of Representatives: If you use a third party (person or organization) to complete or to help you complete this application and the third party is not an employee of the applicant business, you must also fill out the Representatives and Fees section that is a part of this Form 1010.

Before You Apply: Please remember to create a business profile in both the Central Contractor Registration (CCR) and the Dynamic Small Business Search (DSBS). In order to setup your CCR profile, the firm will need to have both its Taxpayer Identification Number (TIN) and its Dunn & Bradstreet (D&B) DUNS number available. SBA does not assign the TIN; you must contact the Internal Revenue Service (IRS) to obtain the TIN. SBA does not assign the D&B DUNS number; you must contract Dunn & Bradstreet by calling 1-866-705-5711 or visiting <http://fedgov.dnb.com/webform>. For sole proprietorships, the IRS allows many individuals use their social security number as the firm's TIN. For incorporated businesses, most firms use the firm's Employee Identification Number (EIN) that the IRS assigns to the business.

Disclosure of Information: SBA will keep confidential the application you submit and the supporting documentation you provide with this application, to the extent required by law. SBA's collection of information in the application process is necessary to determine eligibility for participation pursuant to statutory and regulatory requirements. SBA maintains any sensitive information it collects in compliance with the Privacy Act.

Application Information:

Online Application - <http://www.sba.gov/aboutsba/sbaprograms/8abd/index.html>

Frequently Asked Questions (FAQs) - <http://www.sba.gov/aboutsba/sbaprograms/8abd/faqs/index.html>

*** Once an eligible firm receives its 8(a) certification the firm automatically becomes a certified Small Disadvantaged Business (SDB). Please go <http://www.sba.gov/sdb/> to learn more about the SDB Program.

IMPORTANT DEFINITIONS

Affiliate or Affiliation may be present when there is common management, ownership, or control between the applicant business concern and another business concern or when there are contractual relationships, prior relationships, familial ties, common investments or economic dependence on another business concern. For more information on affiliation and SBA's Size Regulations please visit http://www.access.gpo.gov/nara/cfr/waisidx_08/13cfr121_08.html or <http://www.sba.gov/tools/resourcelibrary/lawsandregulations/index.html>.

AIT means American Indian Tribe and is any Indian tribe, or community of Indians, including any ANC, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, or is recognized as such by the State in which the tribe, band, nation, group or community resides. All applicant firms owned by an AIT must complete the SBA Form 1010-AIT, but not those firms owned by ANCs.

ANC means Alaska Native Corporation and is any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601, et seq.). All applicant business concerns owned by an ANC must complete the SBA Form 1010-ANC.

CDC means a Community Development Corporation. All applicant business concerns owned by a CDC must complete this form and have the CDC complete the Form 1010-CDC.

CCR means Central Contractor Registration. CCR is the primary vendor database for the Federal Government and maintained by the Department of Defense (DOD). The CCR collects, validates, stores and disseminates data in support of agency acquisition missions. To be awarded contracts by federal government agencies, both current and potential government vendors must register in CCR. Before you submit this Form 1010 application for certification in the 8(a) BD Program, you must create a business profile in the CCR.

DSBS means Dynamic Small Business Search database and is a Federal Government database for small businesses to register and increase their opportunities to provide goods and services to the Federal Government. It is part of the Central Contractor Registration (CCR) database. After you create a small business profile for the firm, the system automatically generates a SBA Customer ID number – or DSBS number; you will need this number to complete this Form. Before you submit this Form 1010 application for certification in the 8(a) BD Program, you must create a small business profile in DSBS. The SBA Customer ID number/DSBS number is mandatory.

DUNS number means the nine digit identification number assigned by D&B. It is not assigned by the federal government. The DUNS number assignment is free for all businesses required to register in CCR using a DUNS. Learn more by visiting <http://fedgov.dnb.com/webform>. Before you submit this Form 1010 application for certification in the 8(a) BD Program, you must obtain a DUNS number. The DUNS number is mandatory.

Immediate Family Member means father, mother, husband, wife, son, daughter, brother, sister, grandfather, grandmother, grandson, granddaughter, father-in-law, and mother-in-law.

Key Employee is an employee who, because of his/her position in the concern, has critical influence in or substantive control over the operations or management of the concern.

NAICS means the North American Industry Classification System. The firm's NAICS code is a six-digit number that describes the service(s) and/or product(s) the firm can perform or provide. Learn more by visiting the U.S. Census Bureau's NAICS Internet site at <http://www.census.gov/epcd/www/naics.html>.

NHO means Native Hawaiian Organization and is any community service organization serving Native Hawaiians in the State of Hawaii which is a not-for-profit organization chartered by the State of Hawaii and is controlled by Native Hawaiians, and whose business activities will principally benefit such Native Hawaiians.

Primary NAICS Code represents the business concern's largest source of revenues for the most recently completed fiscal year. More information about NAICS codes and size standards is available at the Small Business Size Standards website <http://www.sba.gov/services/contractingopportunities/sizestandardstopping/index.html>.

Principal is an owner of more than 10% of the applicant firm or a director, management member, partner, officer or key employee.

Size is determined by SBA and all 8(a) certified firms must be a small business. Size is determined by either averaging the firm's revenues, over three years or by the number of employees. See 13 CFR § 121 for the size regulations.

**SECTION I
BUSINESS PROFILE**

OMB Control No: 3245-0331

Exp. Date 03/31/2014

Name of Applicant Business Concern (Trade or D.B.A.): _____

Main Telephone: (____) _____ Fax: (____) _____ Mobile: (____) _____

Address: _____

City: _____ County: _____ State: _____ Zip: _____

E-mail: _____ @ _____

Business concern's Primary Point of Contact: _____

Mailing Address (if different from above): _____

City: _____ County: _____ State: _____ Zip: _____

Type of Business:

- | | | |
|--|---|---|
| <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Retail Dealer | <input type="checkbox"/> Non-Professional service |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Professional Service | <input type="checkbox"/> Wholesaler |
| <input type="checkbox"/> Concession | <input type="checkbox"/> Franchise | <input type="checkbox"/> Broker |

Date business concern established: Employer Identification Number (EIN)

Primary NAICS Code: Dun & Bradstreet Number: DSBS #:

Corporate Structure (check all applicable):

- | | |
|--|--|
| <input type="checkbox"/> For-Profit Business | <input type="checkbox"/> Non-Profit Business |
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Company |

Average number of employees (with its affiliates) during the past 12 months? _____

Percentage of revenues earned in the primary NAICS Code during the past 12 months? _____%

Has the business concern previously been the subject of a formal SBA size determination? yes no

If yes, identify the SBA office, the determination date, and provide a copy of the determination.

Ownership of business concern (check all that apply):

- AIT ANC CDC NHO Individual(s) Other Firm(s)

Please see Section II of this Form where SBA requests detailed explanation, including supporting documentation for all owners of the business concern - both for individuals and for organizations that have an ownership interest in the business.

***Business concerns owned by an AIT, ANC, NHO, or CDC must also submit
Form 1010-AIT, Form 1010-ANC, Form 1010-NHO or Form 1010-CDC, as applicable.***

SECTION II

BUSINESS MANAGEMENT AND ADMINISTRATION

*Provide the following information on all individuals who are owners, directors, management members, partners and officers
(Add additional pages if necessary)*

Name	Position in Business concern	Percentage of Ownership Interest in Business Concern ¹	Hours Per Week Devoted to the Management of Business Concern	Claiming Socially Disadvantaged for this Firm (Y/N)	Claiming Economically Disadvantaged for this Firm (Y/N)

Note: For each “YES” response to the following questions 1-20, you must attach a detailed explanation, including supporting documentation. For each explanation you provide, note the question number.

1. Is the business concern delinquent in filing any applicable business tax returns? Yes No

2. Does the business concern have any past due taxes or any other delinquent Federal, state or local financial obligations outstanding or liens filed against it? If yes, provide information about any tax liens or unsatisfied judgments, evidence of repayment arrangements and proof of compliance with repayment arrangements. Yes No

3. Does the business concern have any existing management, joint venture, indemnity, consulting, distributorship, licensing, trust or franchise agreements? If yes, include copies of these agreements. Yes No

4. Have there been any changes in ownership of the business concern in the past two years? If yes, identify prior owners by name, percentage of ownership, and dates of ownership. Yes No

5. Does the business concern have an ownership interest in, or an affiliation (see definition of “affiliation”) with any other business concern? If yes, for each affiliate and/or subsidiary provide the seven categories of information listed in Question 6. Yes No

6. Does any other business concern or other organization have an ownership interest in the business concern? If yes, provide for each business concern or organization the following information: (1) the name and address; (2) the type of business or organization; (3) the names of every owner, director, and officer; (4) if the owner is a business concern, the Primary NAICS code; (5) the nature of the entity’s relationship with the applicant business concern; (6) the percentage of ownership of the applicant business concern; and (7) a statement as to whether the other business concern is a current or former 8(a) BD program participant. Yes No

7. Does the business concern buy from, sell to, or use the services or facilities of any other business concern, or otherwise conduct business with any other business concern, in which a principal of the applicant business concern has a financial or any other interest? If yes, provide the name of the other business concern, the name of that concern’s president or CEO, the name(s) of the principal(s) of that concern, and type of interest. Yes No

¹ If the “Percentage of Ownership Interests” identified do not total 100% because a certain percentage of the applicant concern is owned by another business concern or other organization, identify those owners in your response to Question Number 6.

8. Has the business concern previously been approved for the 8(a) BD Program or SDB certification? If yes, provide the dates of participation in the 8(a) BD program or as an SDB, reason for ending participation (e.g., graduation, termination), and SBA servicing office of record. Yes No
9. Does (or do) any outside entity(ies) or individual(s) provide financial or bonding support, licenses or required professional certification, office space or equipment to the applicant business concern? If yes, provide the name(s) of the entity(ies) or individual(s), the nature of assistance (in the case of licenses and professional certifications, include the type of license and/or certification) and copies of any existing agreements governing that relationship. Yes No
10. Does anyone other than an economically and socially disadvantaged individual (see definitions) hold the highest position in the business concern (President/CEO, Managing Member, Managing Partner, Sole Proprietor)? Yes No
11. Does any employee, owner, director, officer, partner, or management member who is not economically and socially disadvantaged receive compensation in any form from the applicant business concern that exceeds the compensation of the highest ranking disadvantaged individual of the business concern? If yes, provide an explanation of how this arrangement is in the best interest of the firm. Yes No
12. Did a third party (person or entity) not employed by the applicant business concern complete or help the business concern complete this form (e.g., attorney, accountant, appraiser, agent, or other representative)? If yes, you must also fill out the Representatives and Fees section that is a part of this Form 1010. Yes No
13. Is the applicant business concern a party to any pending civil lawsuit? If yes, summarize its interest in the suit, a summary of the claims, the current status, and provide a copy of the complaint filed in the suit. Yes No
14. Has the business concern previously received an SBA loan, or has the business concern ever been an owner, stockholder or guarantor for another business concern which has received an SBA loan? If yes, provide the loan recipient's name, date approved, and current status of the loan. Yes No
15. Has the business concern filed for bankruptcy or insolvency in the past 7 years? If yes, provide details and a copy of the bankruptcy court's final order. Yes No
16. Does the business concern own any assets of a previously certified 8(a) BD Program participant? If yes, provide the business name of the previous 8(a) BD Program participant, name and title of individual(s) claiming disadvantage for previous participant, address of previous participant business concern, dates of participation, and SBA servicing office of record. Yes No
17. Does the business concern have a negative net worth or working capital position? Yes No
18. Does the individual holding the business concern's highest position devote less than full-time to the operation of the applicant business concern? Yes No
19. Has the business concern earned revenues in its primary NAICS code for less than the immediate past two years? Yes No
20. Has the business concern been in business for less than two years? If yes, you will need to seek SBA's approval for a waiver of the requirement of "in business for two years prior to application". Guidance on the two-year waiver is available online at <http://web.sba.gov/FAQS/>. Yes No

SECTION III
Supporting Documentation

ALL applicants for the 8(a) BD Program must provide the documents requested below. Please check the appropriate box identifying whether the document is provided, does not exist, or does not apply. For those documents not provided, please provide an explanation identifying the document and reason it is not provided.

Each Person owning more than 10% of the business concern and each Director, Management Member, Partner, and Officer of the business concern must complete the Individual Information Form (Form 1010-IND) and submit all documents required by that form.			
<u>YES</u>	<u>NO</u>	<u>N/A</u>	<u>DOCUMENTS REQUIRED</u>
			A list of current and past Federal and non-Federal contracts within the last two years. Include award date, agency name, a description of work, and dollar value.
			Balance sheets and profit and loss statements for the preceding three (3) fiscal year-end periods.
			Balance sheet and profit and loss statement that is no older than 90 days from the application date.
			Copies of the last three years of applicant business concern's Federal tax returns including schedules and attachments. Each return must be signed and dated.
			An executed IRS Form 4506-T, Request for Transcript of Tax Return for business concern's taxes, as well as an executed form for each business concern identified in response to Question Numbers 5 and 6 in Section II.
			Copy of the current Certificate of Good Standing (for Corporations and LLCs, if applicable) from state where business concern is incorporated. If business concern conducts business in a state other than where it is incorporated, a copy of the filing as a Foreign Corporation or LLC and a current Certificate of Good Standing from that state are required as well.
			SBA Form 1623, Certification Regarding Debarment, Suspension, and other Responsibility Matters.
			Copies of the financial statements and Federal tax returns, including all schedules, for each of the three preceding fiscal year-end periods for any business concern identified in response to Question Numbers 5 and 6 in Section II.
			Copies of all stock certificates (front and back), stock ledger or stock register, transmutation agreements (for community property states), and voting agreements.
			Copies of Fictitious Business Name Filing.
			Copies of business bank account signature cards.
			Copies of the business and special licenses under which the business concern operates.
			Copies of business concern loan agreements, including lines of credit and shareholder loan(s).
			A brief description and history of the business (including any changes in ownership/management/legal structure or business activity in the past 5 years).

			Copy of the current lease agreement(s) and/or proof of ownership for all business facilities and equipment.
			Copies of buy/sell agreements, conditions precedent, conditions subsequent, executor agreements, voting trusts, shareholder agreements or other similar arrangements which may impact the unconditional ownership of the disadvantaged individuals.
			Current schedule of business insurance declaration pages (e.g., comprehensive, liability, worker's compensation, etc.).
			Copies of all management and joint venture agreements, indemnity agreements and consulting agreements, including agreements for assistance in completing this 8(a) BD application.
			A Statement of Bonding limit from the business concern's surety specifying single job limit and aggregate limit, if applicable.
			Copies of the applicant business concern's governing documents, as applicable (see below):
For <i>Corporations</i> : Articles of Incorporation, Bylaws (include amendments), and past two years of Stockholder and Board Member Meeting Minutes; resolution or other documentation designating officers, directors, and/or general managers as required by the business concern's governing documents; and documentation authorizing the business concern to seek 8(a) BD certification. <i>See note below for AIT-owned applicant firms.</i>			
For <i>Limited Liability Companies</i> : Articles of Organization, Operating Agreement (including all amendments), and past two years of Member Meeting Minutes; resolution or other documentation designating officers, directors, members representative, management committee members, and/or general managers as required by the business concern's governing documents; and documentation authorizing the business concern to seek 8(a) BD certification. <i>See note below for AIT-owned applicant firms.</i>			
For <i>Partnerships</i> : Partnership Agreement, and documentation authorizing the business concern to seek 8(a) BD certification. <i>See note below for AIT-owned applicant firms.</i>			
For <i>only AIT-OWNED applicant firms</i> : The Articles of Incorporation, Articles of Organization, or the Partnership Agreement must contain the following: express sovereign immunity waiver language, or a "sue and be sued" clause which designates U.S. Federal Courts to be among the courts of competent jurisdiction for all matters relating to SBA's programs.			

NOTICE OF CRIMINAL PENALTIES & ADMINISTRATIVE REMEDIES FOR FALSE STATEMENTS

Under Title 18 U.S.C. § 1001 and Title 15 U.S.C. § 645, any person who misrepresents a business concern's status as an 8(a) Program participant, or makes any other false statement in order to influence the certification process in any way, or to obtain a contract awarded under the preference programs established pursuant to sections 8(a), 8(d), 9 or 15 of the Small Business Act, or any other provision of Federal Law that reference Section 8(d) for a definition of program eligibility shall be: (1) Subject to fines and imprisonment of up to 5 years, or both, as stated in Title 18 U.S.C. § 1001; (2) Subject to fines of up to **\$500,000 and imprisonment** of up to 10 years, or both, as stated in Title 15 U.S.C. § 645; (3) Subject to civil and administrative remedies, including suspension and debarment; and (4) Ineligible for participation in programs conducted under the authority of the Small Business Act.

Read the following paragraphs carefully. Your signature below indicates acceptance and understanding of these conditions.

- A. Payment of any fee or gratuity to SBA employees is illegal and will subject the parties of such a transaction to prosecution.
- B. Applicant agrees to allow SBA access and the right to examine corporate records including, but not limited to, books, documents, papers and other material considered by SBA to be necessary.

- C. SBA, in its sole discretion, may at any time request clarification of information contained in this application or any other documents submitted as part of the application process, and may request additional information or documents as it deems appropriate to complete its review of the application.
- D. If the applicant business concern fails to provide any requested information or documents, SBA may presume that disclosure of the information would demonstrate that the business concern is not eligible for 8(a) BD Program certification.

CERTIFICATIONS: By signing this form, I certify that I have reviewed the response to every question on this form and all supporting documents required by this form, and that all responses and documents are true and complete to the best of my knowledge, and that I understand that SBA is relying on this information in making its determination of my company's eligibility for 8(a) BD Program certification.

Form must be signed by the President, CEO, Proprietor, Management Member, or General Partner for the applicant business.

Signature

Print Name

Date

PLEASE NOTE: The estimated burden for completing this form is 2.5 Hours per response. You are not required to respond to any collection of information unless it displays a currently valid OMB approval number. Comments on the burden should be sent to U.S. Small Business Administration, Chief, AIB, 409 3rd St., S.W., Washington D.C. 20416, and/or SBA Desk Officer, Office of Management and Budget, New Executive Office Building, Room 10202, Washington, D.C. 20503. PLEASE DO NOT SEND FORMS TO OMB.