

Required Supporting Documents for SWaM Certification

A **Small Business** is an independently owned business with 250 or fewer employees, or less than \$10 million in gross revenues averaged over the last three years. A **Woman- or Minority-owned Business** is a business that is at least 51% owned and controlled by a woman or minority. A business may be eligible for both Small and Women/Minority-owned certification. Check the table below for the required documentation for each certification type. DMBE reserves the right to request additional supporting documentation.

Please Note: under Section 2.2-3705.6(20) of the *Code of Virginia*, trade secrets as defined in the *Uniform Trade Secrets Act* (Section 59.1-336 et seq., *Code of Virginia*) or financial records of a business, including balance sheets and financial statements, as part of an application for certification as a small, women- or minority-owned business are exempt from disclosure under the *Virginia Freedom of Information Act* (Section 2.2-3700 et seq.) The business is required to (a) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (b) identify the data or other materials for which protection is sought, and (c) state the reasons why protection is necessary.

VIRGINIA BUSINESSES	SMALL BUSINESS	SMALL, WOMAN-OWNED BUSINESS	SMALL, MINORITY-OWNED BUSINESS	(NON-SMALL) WOMAN-OR MINORITY-OWNED BUSINESS
<u>Proof of Business Owner's Identification</u> (Must be submitted with the signed application)	√	√	√	√
<u>1. Proof of Number of Employees or Gross Receipts:</u> Employer's Annual or Final Summary of Virginia Income Tax Withheld (Form VA-6) or copies of your last two Payroll Ledgers. If you have no employees, provide a copy of your most recent personal or corporate income tax return filed. If your business has not been in existence for one year, please provide a copy of your Virginia Department of Taxation Registration (Form R-1).	√	√	√	NA
<u>2. Proof of Ownership, Capital Contribution or Investment:</u> ownership interest or contribution in the business demonstrated by copies of cancelled checks, deposit slips, or gift transfer documents; for corporations, copies of your completed stock certificate(s), stock ledger, and proof of stock purchase; if there has been no financial/tangible contributions or investments to the business,	NA	√	√	√

provide a written, detailed explanation of your ownership, contribution or investment in the company.				
3. <u>Organizational Documents</u> * (See below)	NA	√	√	√

NON-VIRGINIA BUSINESSES	SMALL BUSINESS	SMALL, WOMAN-OWNED BUSINESS	SMALL, MINORITY-OWNED BUSINESS	(NON-SMALL) WOMAN- OR MINORITY-OWNED BUSINESS
<u>Proof of Business Owner's Identification</u> (Must be submitted with the signed application)	√	√	√	√
4. <u>Required by All Non-Virginia Businesses</u>	# 1 above	# 1, 2, and 3 above	# 1, 2, and 3 above	# 2 and 3 above
5. <u>Copy of Letter of Home-State Certification</u> (if applicable)	√	√	√	√

***Organizational Documents for:**

- Sole Proprietorships: Assumed Name Filing **or** Certificate of Fictitious Name (if filed)
- Corporations (stock or non-stock): Articles of Incorporation **and** Bylaws
- Limited Liability Companies: Articles of Organization, Certificate of Organization, **and** Operating Agreement (if available)
- Limited Partnerships: Operating Agreement, Partnership Agreement, **or** Buy-Out Rights Agreement (if available) **and** Statement of Partnership Authority or Certificate of Limited Partnership
- Partnerships: Operating Agreement, Partnership Agreement, **or** Buy-Out Rights Agreement (if available) **and** Statement of Partnership Authority
- Limited Liability Partnerships: Partnership Agreement, Operating Agreement **or** Buy-Out Rights Agreement (if available) **and** Certificate of Organization or Registration
- Joint-Venture: Joint Venture Agreement **and** Buy-Out Rights Agreement (if available)

All of the required documentation* must be submitted with the certification application and proof of the business owner's identification to:

Virginia Department of Minority Business Enterprise
1111 East Main Street, Suite 300
Richmond, Virginia 23219

*Pursuant to the Virginia Administrative Code (7 VAC 10-20-10) the Department of Minority Business Enterprise reserves the right to request additional documentation or information to provide clarification or substantiation of certain criteria or to resolve any ambiguities or inconsistencies in an application.