

**NOTE: Please use upper/lower case**

## **CERTIFICATION AFFIDAVIT**

I (We), in connection with the application for certification of the business entity named below (the "Applicant"), have completed and submitted the NMSDC Central<sup>®</sup> form as requested by the **Carolinas-Virginia Minority Supplier Development Council** (the "Council") and hereby certify that the information provided in the NMSDC Central<sup>®</sup> form and all attachments, exhibits, schedules and any other supplemental information provided that has been or will be submitted (documents collectively referred to the "Application") are true and correct and accurate to the best of my (our) knowledge and belief. I (We) understand that this Certification Affidavit and the criteria set forth have been developed according to the guidelines established by the NATIONAL MINORITY SUPPLIER DEVELOPMENT COUNCIL. The certification, when granted, will be for a one (1) year period. I (We) further understand that completion and submission of this affidavit, together the Application, is not necessarily the sole criteria for determining certification of minority status by the Council.

I (We) acknowledge that if the Council discovers that a statement has been made herein or in the Application which the applicant knows to be false, the certification process will be terminated immediately. I (We) agree that all materials submitted with the Application shall become the property of the Council.

I (We) further agree that once certified, the continued certification by the Council will be according to the guidelines, rules and regulations of the Council and the NATIONAL MINORITY SUPPLIER DEVELOPMENT COUNCIL and may be amended from time to time. Termination of the Applicant's status may be based upon, but not necessarily limited to, any one of the following:

1. Cessation of business operation by the Applicant.
2. Discovery that any false information was knowingly supplied to the Council in the completion of this affidavit or the Application.
3. Discovery that this affidavit or the Application omits any material fact(s) which, in light of the circumstances, makes statements in this affidavit or the Application misleading.
4. Failure to provide timely notice or withholding of any notice to the Council of the transfer or loss of ownership and/or management and control of the Applicant by its minority group members.
5. Failure or refusal to allow the Council and/or its representative(s) access to the Applicant's place of business upon reasonable notice and demand for the purpose of a site visit.
6. Sale, exchange, or transfer of ownership of the Applicant, if such transfer results in the loss of control and ownership of the Applicant by the minority group members.

I (We) understand and agree that the Council reserves the right to request any further and additional information that it may deem necessary to substantiate the information and representations made by the Applicant for certification. I (We) declare that the company in whose name this application is being submitted is at least fifty-one percent (51%) owned by one or more minority individuals (as defined herein) and such individuals control, operate and manage the company.

The undersigned hereby agrees (agree) to hold Council, the NATIONAL MINORITY SUPPLIER DEVELOPMENT COUNCIL and their respective directors, officers, agents and representatives (collectively, the "Indemnified Parties") free and harmless, and indemnify them, from any and all claims, demands, damages and expense (including attorney's fees) whatsoever arising out of this Application or any subsequent grant of certification.

The undersigned hereby declares (declare) under penalty of perjury that all statements made in this application and any attachments hereto are true and correct. I understand that the Application Fee is non-refundable.

**Applicant Company Name**

**Signature of ALL Owners, Managers, Members, Proprietor, Partners and President of the Corporation**

**Date** \_\_\_\_\_

Please have this form **NOTARIZED** and attached at the bottom of the page.

**State of** \_\_\_\_\_

**County of** \_\_\_\_\_

On \_\_\_\_\_ 20\_\_\_\_, before me, **(name)** \_\_\_\_\_ the undersigned Notary Public, personally appeared **(name)** \_\_\_\_\_, personally known to me, or proved to me on the basis of satisfactory evidence, to be the person(s) whose name (s) is/are subscribed to the within instrument, and acknowledged to me that he/she they executed in the same in his/her their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) of the entity upon which the person(s) acted, executed the instrument. WITNESS my hand and official seal.

**Notary Public** \_\_\_\_\_ **(Seal)**

**Commission Expires** \_\_\_\_\_

NOTE: Federal law establishes penalties of up to a \$500,000 fine or imprisonment of up to ten years, or both, for misrepresenting the status of any concern or small business owned and controlled by socially and economically disadvantaged individuals in order to obtain for oneself or another certain Federal Contracts or Subcontracts.