

SWaM Certification List of Supporting Documents

Small, Woman- and Minority-Owned (SWaM) Business Certification

Code of Virginia § 18.2-213.1:

A person shall be guilty of a Class 1 misdemeanor if, in the course of business, he willfully makes a false statement knowing it to be untrue, whether by affidavit, report or other representation, to an official or employee of a public body for the purpose of influencing the certification or denial of certification of any business entity as a small, women-owned, or minority-owned business, or disadvantaged business;

ALL APPLICANTS:

1. Proof of U.S. citizenship or Permanent Residency for the business owner(s) **holding at least 51% ownership interest** in the form of:

a. DMV License

AND

b. EITHER: U.S. Passport or Birth Certificate, Permanent Resident Card, or Certificate of Naturalization

2. A complete copy of the Federal business tax return from the most recent year and 1st page of previous two years **of the firm applying for certification and its affiliate(s)** (EACH YEAR SCANNED SEPARATELY)

Sole proprietorships and single-member LLCs that file Schedule C must send a complete copy of the Federal personal tax return from the most recent year and the first page of the Form 1040 and Schedule C for the previous two years (EACH YEAR SCANNED SEPARATELY)

3. First page of the Form 941 (Employer's Quarterly Federal Tax Return) for the most recent four quarters **of the firm applying for certification and its affiliate(s)**. (EACH QTR SCANNED SEPARATELY) If the firm has no employees, submit a letter signed and dated by the owner stating you have no employees/don't file a 941.

4. Documented proof of contributions used to acquire ownership showing that the owner paid for the value of his/her interest in the business or in some way invested personal funds into the business. *Acceptable proof includes both sides of cancelled checks or receipts for costs associated with starting/acquiring your business (ie, fees for State Corporation registration, legal fees, insurance, equipment/supplies, business licenses, training)*. If unavailable and the firm is more than five (5) years old, a signed statement describing the personal investment may be acceptable.

5. Resume of all owner(s) or officer(s). Resumes must be detailed, in chronological order and include places of ownership/employment with corresponding dates.

6. Copies of professional licenses and permits, including all licenses and permits held by the business, its owner(s), and officer(s) of the business in the areas of work in which the business is seeking certification.

Additional Required Documents for Corporations

1. Certificate of Incorporation
2. Articles of Incorporation and any amendments
3. Corporate bylaws and any amendments
4. Minutes from most recent stockholder meetings
5. Minutes from most recent board of directors meetings
6. Both sides of stock certificates
7. Stock ledger

Additional Required Documents for LLC

1. Certificate of Organization/Existence/Formation
2. Articles of Organization and any amendments
3. Operating Agreement and any amendments

PLEASE NOTE: To obtain a copy of your *Articles of Organization*. If filed on-line, login into your account on scc.virginia.gov, view transaction history and download a copy. If mailed in go to scc.virginia.gov/clk, **BUSINESS ENTITIES**, click on **View Images**, Click on **VIEW DOCUMENT IMAGES** (center of the page) and follow the steps.

Additional Required Documents for Sole Proprietorship

1. Current business license
2. Certificate of Assumed/Fictitious Name

Additional Required Documents for Franchises

1. Franchise Agreement

Additional Required Documents for Partnerships

1. Partnership Agreement

Additional Required Documents for New Businesses

1. Proof of EIN (e.g., letter from the IRS assigning/confirming EIN)

Service Disabled Veteran Designation

Veterans wishing to apply for service disabled veteran status must first seek eligibility certification from the **Virginia Department of Veteran Services**... <https://www.dvs.virginia.gov/benefits/virginia-swam-program-sdvosb-designation>

NOTE: *If you check the box for Disabled Veteran Owned, you will be prompted to upload the approval letter from DVS (Not the letter from the Department of Veteran Affairs)*

*****Businesses with assumed or fictitious name(s) (“DBA” or “Trading As”) that wish to have the fictitious name(s) listed on the directory MUST submit a copy of their business’s Certificate of Fictitious Name.*****

NOTE:

SBSD reserves the right to request additional supporting documentation or information to provide clarification or substantiation of certain criteria or to resolve any ambiguities or inconsistencies in an application. Documents such as tribal paper, personal checks proving owner’s investment in the company, owner’s Resume, copies of stock certificates and/or stock ledger may be requested.

Businesses from the following states are not eligible to participate in the Virginia SWaM Program because of Certification restrictions in their home states: Arkansas, California, Connecticut, Florida, Iowa, Louisiana, Minnesota, Mississippi, New Mexico, Ohio, Texas, and Washington, D.C. States such as Arizona and New York have regional restricted certification programs, businesses from these regions are not eligible to participate in the Virginia SWaM Program.

CONFIDENTIALITY:

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.