



Applicant Firms for the NMDOT Disadvantaged Business Enterprise (DBE) Program
Or
Applicant Firms for the New Mexico Unified Certification Program (NMUCP)

The Office of Equal Opportunity Programs (OEOP) administers the DBE and NMUCP Programs on behalf of the NMDOT and the State of New Mexico. The enclosed application and forms are used to determine whether your firm meets the DBE eligibility standards for social and economic disadvantaged group membership, business size, control and personal net worth as provided in Section 49 Code of Federal Regulations Part 26 as amended.

The owner(s) of a firm seeking certification as a DBE must not exceed a personal net worth of \$1.32 million. In addition, firms seeking certification must not exceed \$22.41 million average annual gross receipts for the three (3) preceding fiscal years as defined by 49 CFR 26.65.

Even if a firm meets these requirements, a firm is not an eligible DBE in any Federal fiscal year if the firm has had average annual gross receipts as defined below and by SBA Regulation 13 CFR 121.402:

- Specialty Trade Contractors not to exceed \$14 million average annual gross receipts for the three (3) preceding fiscal years;
- Testing Laboratories not to exceed \$12 million average annual gross receipts for the three (3) preceding fiscal years;
- Professional, Scientific and Technical Consulting Services not to exceed \$7 million average annual gross receipts for the three (3) preceding fiscal years;
- Architectural, Surveying and Engineering Services not to exceed \$4.5 million average annual gross receipts for the three (3) preceding fiscal years.

An applicant seeking DBE certification must submit the enclosed application with all necessary documentation, including a notarized affidavit. The applicant must also meet all the requirements detailed in the Instructions, Roadmap for Applicants and Supporting Documents Checklist sections. The application includes the Affidavit of Certification that must be signed and notarized for each owner upon which disadvantaged status is relied. The information requested is for Department purposes only and will be kept confidential to the extent allowed by law.

A MATERIAL OR FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OF CERTIFICATION, REVOCATION OF A PRIOR APPROVAL, INITIATION OF SUSPENSION OR DEBARMENT PROCEEDINGS, AND MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO ANY AND ALL CIVIL AND CRIMINAL PENALTIES AVAILABLE PURSUANT TO APPLICABLE FEDERAL AND STATE LAWS.

Upon receipt of the completed certification application, Form A-1009 (Revised 08/05), OEOP staff will review and evaluate the information submitted to determine whether the firm is eligible to participate as a DBE. Upon completion of this review, OEOP staff will conduct an on-site review of all firms whose home office is based in New Mexico to review the day-to-day operations of the firm. OEOP staff will analyze both the submitted documentation and the on-site review information to determine whether to approve or deny the certification application.

If the application is approved, OEOP will issue the firm a certificate and letter certifying DBE eligibility. If the application is denied, OEOP will issue a letter stating the reasons for denial and information about the appeal process. **Please forward certification applications to the following address:**

New Mexico Department of Transportation
OEOP Bureau-DBE/NMUCP Programs
1596 Pacheco Street, Suite 107
Santa Fe, New Mexico 87505

If you need further assistance or have questions regarding completion of the application, please call the OEOP staff at (505) 827-1774 or Toll free at 1-800-544-0936.

Susana Martinez
Governor

Alvin C. Dominguez, P.E.
Cabinet Secretary

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