



Mashantucket Pequot
Tribal Nation

MASHANTUCKET EMPLOYMENT RIGHTS OFFICE

**Application for Direct Certification of a
Tribal Member-Owned Business**

For Certification by the MERO as an MPTN Tribal Member-Owned Business

For MERO Use Only

To be certified, as of the date of the application, the business submitting the application must

- 1) be at least fifty-one percent (51%) owned by one (1) or more duly enrolled members of the Mashantucket (Western) Pequot Tribal Nation (MPTN) who are in good standing with the Tribe;
- 2) be in continuous operation for more than one (1) year;
- 3) have one (1) or more active, current customer(s) not affiliated with the MPTN or its enterprises, and
- 4) not be subject to conditions, executor agreements, voting trusts, shareholder agreements, or other similar arrangements that would allow the primary benefits of certified TMB status to accrue to any non-TMB entities or individuals who are not MPTN members.

The representative of the business completing this application must be an owner of the business who is a member of MPTN who will serve as the MERO’s primary contact with the business and who will be expected to timely respond to any follow-up inquires.

It is the responsibility of the business to provide proof of the information submitted. Please note that the certification process does not evaluate the company’s profitability or financial viability. Each owner must sign a Certification (see page 9) and *Authorization for Release of Information* (Form KPP-3235).

Documents requested throughout the application, as well as the documentation requested on pages 7-8, must be neatly compiled and submitted with the completed application. Failure to submit full information and documentation in an organized package may result in return of the application, processing delays or denial of certification.

If the business has a current certification from a certifying body recognized by the MERO, Form KPP-3420 (*Application for Verified Certification*) may be used instead of this form.

Answer all questions as completely as possible. When answers require more space, use additional sheets, properly identifying the question referenced by the appropriate number.

If a particular question does not apply to the business, enter N/A (not applicable) in the space provided.

Entries must be typed or neatly entered in blue or black ink.

Date of Application (Must be the same as the date of submission to the MERO or within 30 calendar days prior):

1. General Business Information

1a. Legal Business Name

1b. Business Street Address

1c. Business Mailing Address [if different]

1d. Business Website Address

1e. Business E-mail Address

1f. Business Telephone Number

7. If the business operates under a fictitious/DBA business name or has ever operated under another name, provide the information requested below. Attach copies of any assumed/fictitious name certificates.

7a. Fictitious/DBA business name or prior name of the business entity
7b. Address DBA registered to
7c. List all other names the business has used within the past three (3) years for any purpose

8. If a professional license or permit is required to provide the business’s product or service, provide the information requested below. Attach copies of any licenses or permits.

Name of License/Permit Holder	Type of License/Permit	License/Permit Number	Issuing Authority

9. Enter information in the chart for each principal of the business within the 12 months preceding the date of this application, including each owner, proprietor, partner, officer, member, director, stockholder and shareholder. Attach additional sheets as necessary.

Name/Title	MPTN Tribal Member?*	Years of Ownership	Current Ownership Role	Current Ownership %★	Current Voting %

*If yes, enter enrollment number

★Entries must total 100%

10. List the contributions of each principal named in response to Question 9. Attach additional sheets as necessary, including any other asset contributions and identifying the principal who made each.

Name	Financial contribution	Real Estate (address & type), equipment or other assets (identify each)	Years of expertise
	\$		
	\$		
	\$		
	\$		

11. If any principal identified in Question 9 holds any interest or management position in any other business, provide the information requested below. Add additional sheets as necessary.

11a. Owner Name	
11b. Name of other business	
11c. Position with other business	11d. Percent interest in other business

12. Identify those individuals (owners, non-owners and key employees) who are responsible for the day-to-day operations and policy decision making, including those with prime responsibilities for the functions indicated.

Operation	Name	Title
Financial decisions		
Signing major documents		
Major purchases		
Contract decisions		
Marketing and sales		
Estimating		
Personnel management		
Payroll		
Supervision of field operations		

13. Loans that are currently outstanding or were outstanding at any time within 12 months preceding the date of the application. Check all that apply. Attach copies of all loans.

- | | |
|---|---|
| <input type="checkbox"/> Principal(s) to owner
<input type="checkbox"/> Financial institution(s) to owner
<input type="checkbox"/> Owner has not received any loans | <input type="checkbox"/> Owner to Principal(s)
<input type="checkbox"/> Other, including private lenders or affiliates (specify) _____ |
|---|---|

14. Current number of employees of the business (include working owners):

Full Time	Part Time	Other. If other, indicate classification(s)
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15. Has the business shared any of the following with other businesses or individuals within the 12 months preceding the date of this application? Check all that apply. Please provide details of all sharing arrangements on a separate sheet.

- | | |
|---|--|
| <input type="checkbox"/> Employees
<input type="checkbox"/> Equipment
<input type="checkbox"/> Inventory
<input type="checkbox"/> Accounting Services
<input type="checkbox"/> Office/Plant
<input type="checkbox"/> Other (specify) _____ | <input type="checkbox"/> Financing
<input type="checkbox"/> Vehicles
<input type="checkbox"/> Insurance Coverage
<input type="checkbox"/> Legal Services
<input type="checkbox"/> Storage Facilities |
|---|--|

16. Please answer the following questions. For purposes of these questions “enterprise” means a business other than the applicant. If the answer is yes, on a separate sheet explain fully, including details such as names, addresses, telephone numbers, and relationships of the businesses. Attach copies of agreements, and all other applicable documents.

- a. **Does the business or any person listed in the answer to question 9 above have or intend to enter into any type of agreement with any other enterprise or person which relates to or affects the ongoing administration, management or operations of the business?** Such agreements include, but are not limited to, management and/or joint venture agreements and any arrangement or contract involving the provision of such compensated services as administrative service, marketing, and production.
 Yes. No.
- b. **Is any principal or key employee, including owners, management officials or other principal or key employees of the business, associated with any other enterprise?**
 Yes. No.
- c. **Does the business have a parent company, any subsidiaries or any other affiliate(s)?**
 Yes. No.
- d. **Does the business operate under a franchise, license or other contractual agreement with another enterprise?**
 Yes. No.
- e. **Has the business agreed to combine with or merge with another enterprise in the future or sell its stock or assets?**
 Yes. No.

17. Provide customer/client references for three (3) of the business’s largest projects or accounts within the 12 months prior to the date of the application. At least one (1) reference must be for a project or account that is not affiliated with the Mashantucket Pequot Tribe or its enterprises.

17a.1. CUSTOMER/CLIENT			
17a.2. Full Address	17a.3. Buyer		
	17a.4. Product/Service		
	17a.5. Phone No.	17a.6. Dollar Volume \$	

17b.1. CUSTOMER/CLIENT			
17b.2. Full Address	17b.3. Buyer		
	17b.4. Product/Service		
	17b.5. Phone No.	17b.6. Dollar Volume \$	

17c.1. CUSTOMER/CLIENT			
17c.2. Full Address	17c.3. Buyer		
	17c.4. Product/Service		
	17c.5. Phone No.	17c.6. Dollar Volume \$	

18. Provide two (2) current bank references.

18a.1. Name of Bank Officer	18a.2. Title
18a.3 Name of Institution	18a.4. Phone No.
18a.5 Full Address	18a.6. Type of Account
	18a.7. Credit Line \$
18b.1. Name of Bank Officer	18b.2. Title
18b.3. Name of Institution	18b.4. Phone No.
18b.5. Full Address:	18b.6. Type of Account
	18b.7. Credit Line \$

19. Has the business previously applied for certification of ownership and control with any federal, state, county, or local government agency, private organizations, or industry standard? This includes State, Local Minority Certifications, Minority Farming Certifications, Minority Law Firm Certifications, Woman Owned Certifications, Disability Certifications, Veteran Certifications, State or Federal Government Certifications, Industry Special Certifications, Safety or Security Accreditations or Certifications.

- Yes. Please complete the questions below. *Attach additional sheets as necessary.*
- No.

19a. Name of Agency/Organization
19b. Type of Certification or Accreditation sought
19c. Status of Determination on the application

20. Please answer the following questions. If the answer is yes, on a separate sheet explain fully, including the parties, forum name and address, and disposition.

- a. Is the business or any of its owners involved in any present or pending lawsuit?
 - Yes. No.
- b. Within the past three (3) years, has the business had a license or permit revoked?
 - Yes. No.
- c. Has the business ever been indicted or convicted of any criminal or civil judgment, or found in violation of any federal trade regulations or anti-trust or security laws?
 - Yes. No.

DOCUMENTATION

IMPORANT NOTICE

- The required documents accompanying the application must be neatly organized and labeled, such as in a tabbed binder with a table of contents. A well-organized presentation will expedite the processing of the application.
- Please provide an explanation for any documentation the business cannot provide. Failure to submit full information and documentation in a neat package may result in return of the application, processing delays or denial of certification.
- The MERO reserves the right to request additional information or authorizations, or clarification of submitted information at any time during the certification application process.
- **All application materials become the property of the MERO, and will not be returned.**

The documentation required for certification includes, but is not limited to, the documents listed below. Enter in the **Included?** column a check (✓) if you have provided the copies, **N/A** if the request is not applicable to the business, (e.g. requested documents do not exist), or **UN** if the documents cannot be supplied. Please submit one copy of each appropriate document with the completed application.

BUSINESS IS REQUIRED TO SUBMIT (in addition to documentation requested in the application questions):

	Item	Included?
1	For each owner who is a member of the Tribe, a copy of a Letter of Membership in Good Standing from the Mashantucket (Western) Pequot Tribal Clerk.	
2	For each owner, a current, unexpired document with photo that establishes identity, such as Passport, or Driver’s License.	
3	For each owner, director, partner, officer and key employee, a resume. (education, employment past and present)	
4	For each owner and key employee, a current employment contract.	
5	Financial statements for the current and immediately prior fiscal years, or for the time the business has operated. (balance sheets, profit and loss statements, and cash flow statements) and financial statements of any affiliate of the business in existence at any time within 12 months before the date of this application.	
6	U.S. Internal Revenue Service (IRS) letter providing the business’s taxpayer identification number.	
7	Federal tax returns for the three (3) previous fiscal years, including all schedules, forms and support statements, as required by and filed with the IRS.	
8	Documents showing how the business was acquired and how the acquisition was capitalized.	
9	Business Plan, including business goals and roles for key personnel if the business has been under the current ownership for less than two (2) years.	
10	Authority to conduct business in a state in the U.S. and/or Certificate of Good Standing issued by a Secretary of State, and any other filings with the Secretary of State	
11	The business’s governing documents, including any amendments. (e.g., articles of incorporation, bylaws, shareholder agreement, partnership agreement, operating agreement, etc.)	
12	Minutes of the first organizational meeting, and any meeting minutes, written consents or other business actions that record changes in ownership, control and/or management, including any ownership, stock share or membership transfer ledger.	
13	If the company is a corporation, copies of all stock certificates, front and back, ever issued including those that are canceled, transferred and surrendered, and any stock assignments separate from the certificates relating to canceled shares which are not endorsed on the back; and the stock register for the business or stock ledgers showing a listing of share issuances.	
14	If the business is a partnership, any letter or memorandum of understanding (to include buyout rights and profit sharing) and any Dissolution of Partnership Agreement or Deed of Dissolution.	
15	Signature cards authenticated by financial institutions; and current bank statements for all deposit accounts, and loan statements.	
16	Copies of purchase or buy/sell agreements with corresponding proof of payments.	

	Item	Included?
17	Agreements effective at any time within 12 months preceding the date of this application and reflecting each: a. Purchase or sale of ownership interests in the business, including acquisitions of stock or other ownership interest, or purchases of franchises; b. Loan agreement, credit agreement or security agreement; c. Joint venture, partnership and/or executory agreements with any third-party; d. Restriction of ownership or the benefits received by MPTN member owners; e. Allocation of distributions of profits of the business or from sale or liquidation of the business on a basis other than on a basis of the percentages of ownership indicated in shareholder partnership, operating or other applicable agreement; and f. Other agreement, including management services, sharing arrangements, employment of key personnel, voting trust and/or equity participation.	
18	Lease or deed for the business location(s); if located in home, a letter so stating and confirming the address.	
19	Equipment and vehicle rental, leasing, loan or purchase agreements, and titles.	
20	Proof of insurance or bonding coverage, including identification of the carrier.	
21	Business contracts or work history for the past three (3) years or since the business was acquired (name/contact, type of work performed or contract received, date of contract, completion date).	
22	A list of each management fee, consulting fee, equipment rental, bonus, or other arrangement that will provide payment to one or more owners or key employees who are not MPTN members beyond their share of profits and/or salaries.	
23	Identification of the provisions of the business’s documents that provide for owners who are MPTN members to receive at least 51% of all business profits.	
24	Identification of the provisions of the business’s documents that provide for owners who are MPTN members to receive at least 51% of all business assets upon dissolution.	
25	MERO Form KPP-3235, Authorization for Release of Information for Application for Certification as Tribal Member-Owned Business completed by each owner	

[Remainder of page intentionally blank]

CERTIFICATION

The undersigned owner (hereinafter Owner), understands and agrees that the MERO reserves the right to request any additional information or authorizations that it may deem necessary to substantiate the information and representations made by the business seeking certification. The Owner agrees to fully cooperate with the MERO and timely respond to all questions and requests for information. The Owner acknowledges that if the MERO discovers that a material statement has been made to the MERO which was known to be false, the certification process will be terminated immediately. The Owner agrees that the application and all materials submitted with the application become the property of the MERO upon submission.

The Owner declares that the business in whose name this application is being submitted 1) is at least fifty-one percent (51%) owned by one or more duly enrolled members of the Mashantucket (Western) Pequot Tribal Nation (MPTN) who are in good standing with the Tribe; 2) has been in continuous operation for more than one (1) year prior to the date of the application; 3) has one (1) or more active and current customer(s) not affiliated with the MPTN or its enterprises, and 4) is not subject to conditions, executor agreements, voting trusts, shareholder agreements, or other similar arrangements that would allow the primary benefits of certified TMB status to accrue to any non-TMB entities or individuals who are not MPTN members. The Owner further agrees that once certified, the continued certification will be subject to the business maintaining these conditions and compliance with the guidelines and rules of the MERO as may be amended from time to time.

The undersigned Owner hereby agrees on behalf of themselves and the business, to hold the MPTN, the MERO and any personnel free and harmless from any and all claims, demands, and damages whatsoever arising out of this application and agrees to indemnify and hold the MPTN, the MERO and any personnel harmless for any and all liability in connection with the investigation of the information contained in this application, including supporting documentation.

The undersigned Owner hereby declares under penalty of perjury that they have read and understand the certification, and that they have reviewed the information provided in this Application for Direct Certification of a Tribal Member-Owned Business and supporting documentation, and the information is true and correct to the best of their knowledge and belief.

Signature of Business Owner

Date

Printed Name of Business Owner

Social Security No.

Business Name

Date of Birth

This page may be copied for each owner of the business.
Each owner must also submit completed form KPP-3235, *Authorization for Release of Information*.
The Owner’s signature must be an original, wet signature. Submit the **original application** and the supporting documents to the MERO. The MERO encourages the business to retain a copy of its application materials for its records.
The MERO will not make a copy for, or return the originals to, the business or an owner.
A material or false statement or omission made in connection with this application is sufficient cause for denial of certification or withdrawal of a prior approved certification.