

CODE OF FEDERAL REGULATIONS

26.83(i)

If you are a DBE, you must inform the recipient or UCP in writing of any change in circumstances affecting your ability to meet size, disadvantaged status, ownership, or control requirements of this part or any material change in the information provided in your application form.

26.83(j)

If you are a DBE, you must provide the recipient, every year on the anniversary of the date of your certification, an affidavit sworn to by the firm's owners before a person who is authorized by State law to administer oaths or an unsworn declaration executed under penalty of perjury of the laws of the United States. This affidavit must affirm that there have been no changes in the firm's circumstances affecting its ability to meet size, disadvantaged status, ownership, or control requirements of this part or any material changes in the information provided in its application form, except for changes about which you have notified the recipient under paragraph (i) of this section.

26.109(c)

Cooperation. All participants in the Department's DBE program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and contractors using DBE firms to meet contract goals) are required to cooperate fully and promptly with DOT and recipient compliance reviews, certification reviews, investigations, and other requests for information. Failure to do so shall be a ground for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to complainant or appellant, dismissal of complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment).

SWORN ANNUAL UPDATE AFFIDAVIT

I, _____, President/Owner of _____,

Certification or (FID) Identification No. _____, with the DBE Certification expiration date of _____, do hereby testify and affirm that there have been no changes in my company's circumstances affecting its ability to meet size, disadvantaged status, ownership, or control requirements of this part or any material changes in the information provided in my company's application form, except for changes about which I have notified NJ Transit under paragraphs (i) and (j) of this section (26.83).

The above named company continues to meet SBA business size criteria and the overall gross receipts cap of this part, documenting this affirmation with supporting documentation of my company's size and gross receipts. If I fail to provide this affidavit in a timely manner, I will be deemed to have failed to cooperate under **Code of Federal Regulations 26.109(c)**.

A signed copy of my Personal and Company's current Federal Income Tax Returns, the current Federal Tax Return(s) of any and all Affiliates, as well as my Personal Financial Statement will accompany this sworn affidavit.

Within the past year, the above named company has not been denied certification, decertified or debarred or suspended or otherwise had bidding privileges denied or restricted by any State or Federal entity.

If any changes unexpectedly develop after submittal of this affidavit, including change of address, telephone and fax numbers, I will notify NJ TRANSIT's Office of Business Diversity immediately and provide the supporting documentations.

(Signature of President/Owner)

Notary Seal

Sworn to before me this _____ day of _____, (Year) _____

Notary Public _____