Out-of-State Certification

Applications for certification will not be accepted from states that do not allow like certification to Alabama-based certified minority- and women-owned businesses. The Office of Minority Business Enterprise (OMBE) will only consider applications from out-of-state companies based in states that recognize Alabama certifications.

States that allow Alabama companies to apply for certification are listed below. Businesses headquartered within these states are eligible for minority- and women-owned business enterprise (M/WBE) certification through Alabama’s Office of Minority Business Enterprise.

Indiana / Kansas / Maryland / Tennessee / Virginia

**Only** the states listed above are eligible to apply to Alabama’s M/WBE certification program at this time. However, the Office of Minority Business Enterprise welcomes the opportunity to establish reciprocity with additional states.

Other Certification Programs

The Office of Minority Business Enterprise does not accept certifications from DBE programs, national programs, or regional programs.

Out-of-State Requirements

1. Out-of-state businesses must be home-based in a state that recognizes Alabama certifications. (See “Reciprocity”)
2. Out-of-state businesses must meet Alabama OMBE certification requirements.
3. Out-of-state businesses must be currently certified by their equivalent state government agency. Proof of state certification must be included in their certification application package. City, county commission and council certifications do not meet this requirement.
4. A copy of the official on-site review conducted by the out-of-state state certifying agency must be provided to the OMBE. The on-site review must have been conducted within three years of the date of application to the OMBE.

Additionally, an out-of-state or foreign corporation must apply for a Certificate of Authority to do business in the State of Alabama through the [Alabama Secretary of State](http://www.sos.alabama.gov/). The foreign corporation must also acquire the necessary business and professional licenses required to do business in Alabama. The Secretary of State requires foreign corporations doing business in Alabama to have a registered agent located in Alabama. As a courtesy, the Secretary of State provides a list of [Registered Agents](http://www.sos.alabama.gov/downloads/business/registeredAgentsList.pdf) for informational purposes—only. The list is not intended as a recommendation or endorsement of the agents listed, or any other Registered Agents.

On-site Visit

A successful applicant will be required to assist the OMBE in conducting an on-site review of the business facility.

On-site reports for out-of-state firms seeking *recertification* are not required. However, the OMBE reserves the right to request a current on-site report at its discretion.

Reciprocity (See “Out-of-State Requirements”)

The Alabama OMBE will accept applications for certification from a certified business located in another state if that state accepts applications for certification from Alabama-based businesses. If such a reciprocal arrangement exists between the two states, the foreign business entity may proceed while adhering to OMBE “Out-of-State Certification” requirements.

NAICS Codes Amendments

1. Business must have been certified for at least six months in its current type of work; or
2. Certified by the OMBE for at least one year.
3. Must verify that it has the expertise to perform the additional type of work.
4. Verify that the minority or women owner controls the additional work area.

Additional Requirements

In order to determine eligibility for certification, some basic requirements must be met. However, meeting these requirements do not guarantee approval for program participation. Program requirements are intended only as a general overview and guide.

An eligible minority or women-owned business must:

* Be at least 51% owned and controlled by qualified minorities or women.
* Have been in business for at least 1 year or have a two-year business plan

reviewed and approved by an Alabama Small Business Development Center

(ASBDC) or Women’s Business Center.

* Be independent of any other business entity or entities.
* Be a for-profit business (non-profits are not eligible for certification).
* Be able to provide the goods and services for which certification is being

sought.

* Provide firm evidence that the minority or woman owner holds the highest-

ranking position in the company.

* Be owned by an American citizen
* Provide firm evidence that the minority- or women-owned company holds any

licenses or certifications required by the type of business in which the company

is engaged.

Ownership & Control

The minority or women owner must demonstrate majority capital stock ownership as well as voting stock control. Majority ownership must exemplify adequate consideration in addition to meeting other requirements.

*A certified business must notify the Office of Minority Business Enterprise (OMBE) of any changes in ownership, control or management within 30 days.*

Management Control

A business must demonstrate that the minority or women owner possesses the authority to make day-to-day and long-term decisions relative to management, policy, and operations. The business must not be under any formal or informal restrictions (such as bylaws, contractual agreements, constraints) that limit the authority of the minority and/or women owner to make decisions that determine the future of the business.

Operational Control

The minority or women owner must demonstrate that they have the experience, expertise, and knowledge to operate their particular type of business. Generally, daily activities limited to office management, administration, or bookkeeping (unless related to the principal business activity of the company) are not sufficient to demonstrate control.

*A minority or female business owner must verify that the business holds any licenses or certifications required by the type of business in which they are engaged.*