

MBE/WBE Certification

“Maintaining the Integrity of the Program”

Program Comparison

Old MBE/WBE Program	New DBE Program
MBEs and WBEs self-certify their status.	MBEs and WBEs must be certified by EPA, SBA, DOT, or by state, local, Tribal, or private entities whose certification criteria match EPA's. *States are not required to develop or implement a new certification program.
Self-certified MBEs and WBEs can be counted toward a recipient's MBE/WBE accomplishments when reporting on EPA Form 5700-52A	MBEs and WBEs must be certified in order to be counted toward a recipient's MBE/WBE accomplishments.

What Are DBEs, MBEs and WBEs?

- **Disadvantaged Business Enterprises (DBEs) are**
 - entities owned and/or controlled by a socially and economically disadvantaged individuals as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note) (10% statute), and Public Law 102-389 (42 U.S.C. 4370d) (8% statute), respectively;
 - a Small Business Enterprise (SBE);
 - a Small Business in a Rural Area (SBRA);
 - a Labor Surplus Area Firm (LSAF); or
 - a Historically Underutilized Business (HUB) Zone Small Business Concern, or a concern under a successor program.
- **Minority Business Enterprises (MBEs)** are entities that are at least 51% owned and/or controlled by a socially and economically disadvantaged individual as described by Title X of the Clean Air Act Amendments of 1990 (42 U.S.C. 7601 note), and Public Law 102-389 (42 U.S.C. 4370d), respectively.
- **Women's Business Enterprises (WBEs)** are entities that are at least 51% owned and/or controlled by women (under the 10% and 8% statutes).

Who is responsible for certifying MBE and WBE firms?

EPA OSBP Headquarters will be responsible for implementing and processing the certification of MBE/WBE firms. Regional DBE coordinators will assist by providing forms to interested firms and fielding general questions. The states have no responsibility to implement or maintain a certification program for EPA.

Does EPA accept other certifications?

Yes. Under the new DBE Program entities can no longer self-certify. EPA will accept certifications from:

- The Small Business Administration(SBA) (**both SBA 8(a) program certifications and SBA Small Disadvantaged Business (SDB) Program self-certifications**);

- The Department of Transportation's state implemented DBE Certification Program (with U.S. citizenship);
- Tribal, State and local governments, as long as their standards for certification meet or exceed our own; and
- Independent private organization certifications as long as their standards for certification meet or exceed our own.

If an entity holds one of these certifications, it is considered acceptable for establishing MBE or WBE status under EPA's DBE Program, and application for EPA certification is not needed.

What are the EPA MBE/WBE certification requirements?

- In order to be certified by EPA, an entity must first attempt to be certified by SBA or DOT, or a Tribal, State, or local government, or by an independent private organization, and be unsuccessful in that attempt.
- To qualify as a MBE or WBE under EPA's programs an entity must establish that it is at least 51% owned and/or controlled by socially and economically disadvantaged individuals who are of good character and are citizens of the United States.
- An individual claiming economic disadvantaged status must have an initial and continued personal net worth of less than \$750,000.

What does the certification process entail?

- Applications are filed with EPA OSBP. Applications can be obtained from EPA OSBP, from regional DBE Coordinators, and from EPA OSBP's website, www.epa.gov/OSBP. The application includes the following:
 - An attestation to the accuracy and truthfulness of the information on the application form by sworn affidavit, or an unsworn declaration executed under penalty of perjury of the laws of the United States.
 - The application must include evidence demonstrating that the entity is owned and/or controlled by one or more individuals claiming disadvantaged status, along with certifications or narratives regarding the disadvantaged status of such individuals.
 - The application must include documentation of a denial of certification by a Federal agency, State government, local government, Indian Tribal government, or independent private organization, if applicable.
- Once applications are filed, EPA OSBP will advise each applicant within 15 days, whether the application is complete and suitable for evaluation and, if not, what additional information or action is required.
- EPA OSBP will make its certification decision within 30 days of receipt of a complete and suitable application package.

How does Certification affect a firm's participation in the overall DBE program?

- In order for a firm to be counted towards a recipient's Minority Business Enterprise and Women Business Enterprise utilization, a firm must be certified.

- Non-certified MBEs and WBEs may be used by recipients for their procurement needs. However, those firms cannot be counted toward their MBE/ WBE accomplishments.
- DBE Program outreach efforts apply to all DBEs, not just MBEs and WBEs.