



## **RTD's Small Business Enterprise (SBE) Certification Program** **Annual Update Info Sheet**

RTD administers the RTD SBE Program and certifies firms to participate on its locally funded projects with SBE goals. RTD supports community in business and strives to protect and provide value to the small, minority, and disadvantaged business community. Becoming and remaining RTD SBE-certified provides small businesses with no-cost inclusion on the RTD SBE directory that increases visibility for contract opportunities and participation that will count toward RTD projects with SBE goals. Firms will also receive personal invitations to business marketing and outreach events and will have higher visibility with other agencies such as Denver Public Schools and Denver Water. RTD SBEs also enjoy secure contract protection clauses on RTD contracts including prompt payment, retainage release, and no reduction, replacement, or termination without cause.

All firms seeking to continue participation in RTD's SBE Program must complete the RTD's SBE Annual Update every year on or before their certification anniversary date to remain on RTD's SBE directory. Failure to submit an annual update will result in loss of SBE certification.

### **SBE Certification Eligibility Criteria**

RTD's SBE Program is open to any business, regardless of the race or gender of its owner(s), if it meets the following guidelines:

1. The average annual gross receipts for the business for the past 3 years may not exceed \$28.48 million. This includes any affiliate businesses owned in whole or in part by any owner of the business applying, regardless of their ownership interest; and
2. The business must be at least 51% owned by one or more individuals whose personal net worth is less than \$1.32 million – not including the equity in their primary residence or their equity/investment in the business applying. Applicants cannot transfer ownership solely for the purpose of qualifying for the SBE program.

### **Annual Update Application**

If your business still qualifies, please complete the attached RTD SBE Annual Update Change/No Change Affidavit. Submit this along with a copy of the firm's most recent tax returns via email to [SBO@RTD-Denver.com](mailto:SBO@RTD-Denver.com). Alternative forms are not accepted. RTD reserves the right to request additional information/documentation and conduct a site visit as it deems necessary.

### **Annual Update Processing & Review**

RTD's Small Business Office will process annual updates on a first-come, first-serve basis. Documents must be received in full before the SBE annual update certification review can begin. If your annual update is incomplete,



you will be notified via email of the specific deficiencies. Missing information must be submitted within 14 days unless an alternate time is agreed to. The total annual update certification review timeline may take up to 45 days.

### **Annual Update Decision**

Once the certification review is complete, you will receive a letter of continued certification or intent to revoke certification based on ineligibility. If found in-eligible, you will receive a letter that explains RTD Small Business Office's findings and reasons for ineligibility, specifically referencing the evidence in the record that supports each reason for revocation. A firm whose certification has been revoked may reapply for SBE certification no sooner than twelve (12) months from the date of initial intent to revoke letter.

### **Non-Response & Incomplete Applications**

All firms seeking to continue participation in RTD's SBE Program and to receive notice of RTD contract opportunities, invitations to business marketing and outreach events, and be considered for projects of other agencies including Denver Public Schools and Denver Water, must complete the RTD's SBE Annual Update every year to remain on RTD's SBE directory. If a firm does not respond to the annual update request, or if they fail to send in all requested information by the firm's certification anniversary date, they will be notified of the deficiency by email. The notification will give fourteen (14) days for the firm to show cause as to why it should remain certified. Should the firm fail to respond after fourteen (14) days, unfortunately, the business will be notified that it has been removed from RTD's SBE directory. A firm whose certification has been removed for non-response may reapply for SBE certification no sooner than twelve (12) months from the date of initial removal letter.

### **Questions?**

If you have questions or concerns, please contact the Small Business Office by email at [SBO@RTD-Denver.com](mailto:SBO@RTD-Denver.com).

Please visit the Business Center at [www.rtd-denver.com](http://www.rtd-denver.com) for more information on RTD's SBE Program, including the full RTD SBE Policies and Procedures, information on doing business with RTD, and upcoming events and contracting opportunities.

## **RTD Small Business Enterprise (SBE) Annual Update Documents Checklist**

The RTD SBE Policies and Procedures require certified firms to complete an Annual Update every year on their Certification Anniversary Date. This is to ensure that all participating firms and qualifying owners have remained eligible for the RTD SBE Certification program and only firms that are SBE-qualified will receive SBE contract opportunities and count toward participation in RTD projects with SBE goals. RTD supports community in business and strives to protect and provide value to the small, minority, and disadvantaged business community.

### **All firms completing their Annual Update must provide the following:**

- A complete, signed, and notarized RTD SBE Annual Update Change/No Change Affidavit.
- The firm's most recent Federal income tax returns, including all supporting schedules and attachments, for the firm and all affiliates. If an extension has been filed for the most recent year, provide the extension and the previous year's tax return.

Please email all required documents to [SBO@RTD-Denver.com](mailto:SBO@RTD-Denver.com). **Keep in mind that not submitting your Annual Update documents will affect your certification status.**

The RTD SBE Annual Update Change/No Change Affidavit and RTD Personal Financial Statement are available for download at <https://www.rtd-denver.com/business-center/dbesbe/forms>.

The burden of proof to demonstrate continued eligibility for RTD's SBE program is on the applicant. If an applicant does not provide requested information within the allotted time provided by RTD, or if it submits incomplete information, RTD may presume that disclosure of the missing information would adversely affect the firm or would demonstrate lack of eligibility in the area to which the information relates. Failure to supply the required documents, or any subsequently requested documents, may unfortunately result in revocation of RTD SBE certification.

RTD reserves the right to conduct a site visit and request additional information/documentation as it deems necessary.

If you have any questions or need assistance, please contact RTD's Small Business Office at [SBO@RTD-Denver.com](mailto:SBO@RTD-Denver.com).



**RTD SMALL BUSINESS ENTERPRISE (SBE) CERTIFICATION CHANGE/NO CHANGE AFFIDAVIT**

**INSTRUCTIONS:** This affidavit must be completed by the eligible individual upon whom the firm’s status as an RTD SBE is granted. Please email the completed, signed, and notarized document with a complete copy of the most recent business income tax return via email to SBO@RTD-Denver.com. For assistance, please email us at the above address.

Name of Firm			
Physical Address	City	State	Zip
Mailing Address (if different)	City	State	Zip
Contact Name		Business Phone	
Email			

1. During the past year have changes occurred in the firm’s:
  - a. Legal structure (Sole Proprietorship, Partnership, Limited Liability Company, Corporation)?  Yes  No
  - b. Ownership – including changes in interests of existing owner(s) and/or the addition or removal of an owner(s)?  Yes  No
  - c. Partnership agreement, LLC operating agreement, or corporation bylaws?  Yes  No
  
2. Did any owner, director, officer, and/or manager establish a new business relationship with, or purchase ownership interest in, another firm?  Yes  No  
 (A business relationship may include, but is not limited to ownership, shared space or employees, utilities, equipment, financing, etc.)

(If the answer to any of the above questions is “yes” please provide supporting documents.)

The undersigned swears (or affirms) under penalty of perjury, that the information provided in this affidavit is correct and true. I further swear (or affirm) that my personal net worth is \$ \_\_\_\_\_.

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The undersigned also states that he or she has the authority to execute this affidavit and does so as their free act and deed.

\_\_\_\_\_ (printed name) \_\_\_\_\_ (title)

\_\_\_\_\_ (signature) \_\_\_\_\_ (date)

NOTARY

The foregoing affidavit was subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_.

SEAL

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Commission Expiration Date