PORT AUTHORITY OF NEW YORK AND NEW JERSEY
Background Qualification Questionnaire **CONFIDENTIAL**

General Identification

1. Employer Identification Number (EIN or Tax ID#) _____

   Business Entity Name (the "Company") _____

   D/B/A ("Doing Business As"), if any_____

   Street Address_____

   City/State/Zip_____

   Phone No. _____ Fax No. _____

2. a. What project is the Company bidding, proposing, or intending to work on?

   _____
   (Provide Port Authority contract number if known.)

   b. Prime Contractor (the "Prime")_____
   (The firm that the Company will be contracting with.)

   c. Description of Work_____

   d. What is the estimated range of the contract value or value of work?
   ☐ $0 to $99,999 ☐ $100,000 to $999,999 ☐ $1,000,000 to $9,999,999 ☐ $10,000,000 or above

Business Organization and History

3. Type of Entity: ☐ Corporation ☐ Partnership ☐ Sole Proprietorship ☐ Joint Venture*
   ☐ Limited Liability Company ☐ Other (Specify) _____

   * If the Company is a Joint Venture, provide a list of all partner firms and/or parties to the Joint Venture below. All partners and/or parties listed are also required to individually complete a separate BQQ.

Partner / Party Name	EIN or Tax ID#	% of Ownership

4. a. Date the Company was formed or incorporated _____

   b. State in which the Company was formed or incorporated _____

5. Was the Company purchased as an existing business by its present owner(s)?
   ☐ No ☐ Yes (if 'yes,' provide information below)

   Previous Owner(s) Name(s): _____ Date purchased _____

6. a. Has the Company changed address(es) in the past five (5) years?
   ☐ No ☐ Yes

   b. Has the Company operated under any other name(s), including trade names, in the past five years?
   ☐ No ☐ Yes

   c. Does the Company have offices, plants or warehouses at other addresses?
   ☐ No ☐ Yes

If 'yes' to any portion of Question 6, provide details below:

Specify (6a-c)	Name	Address	From (Date)	To (Date)

7. Does the Company Own, Rent, or Lease its office facilities?
☐ Own ☐ Rent / Lease (if 'Rent / Lease,' provide details below)

Owner Name	Address	Phone No.

8. Does the Company share any office space, staff, or equipment (including telephone exchanges) with any other business or organization?
☐ No ☐ Yes (if 'yes,' provide details below)

EIN or Tax ID#	Firm Name	Address	Space	Staff	Equip
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐

9. At present or during the past five (5) years:

a. Has the Company been a subsidiary of any other firm?
☐ No ☐ Yes

b. Has any other firm owned 5% or more of the Company?
☐ No ☐ Yes

c. Has the Company consisted of a partnership in which one or more partners are other firms?
☐ No ☐ Yes

d. Has the Company been a joint venture partner with any other firms?
☐ No ☐ Yes

If 'yes' to any portion of Question 9, provide details below.

	FIRM #1	FIRM #2
Specify (9a-d)		
EIN or Tax ID#		
Firm Name		
Address		
Relationship To The Company (Co. Owner, Partner, Etc.)		
% of the Company Owned		
From – To (Date)	–	–
Representative Name / Title		

10. At present or during the past five (5) years:

a. Has the Company had any subsidiaries?
☐ No ☐ Yes

b. Has the Company owned 5% or more of any other firm?
☐ No ☐ Yes

If 'yes' to any portion of Question 10, provide details below.

Specify (10a,b)	EIN or Tax Id#	Firm Name and Address	% Owned By The Company	Dates of Ownership From/To

11. Is the Company a union company or non-union company?
☐ Union ☐ Non-Union

If 'Union,' provide details below.

Union Local #	Union Name or Trade	Exp. Date

12. Does the Company currently participate in, or have any applications pending for, any business or job opportunity certification programs with The Port Authority of New York and New Jersey or any other government agency? (i.e. MBE, WBE, SBE, DBE, LBE, etc.)
☐ No ☐ Yes (if 'yes,' provide details below)

Certification Type	Certifying Agency	Certification #	Exp. Date

Key People

13. For the present and for the past five (5) years, identify all **KEY PEOPLE**, whether or not they are currently with the Company. Complete all blank areas. Copy this page if more space is required.

KEY PEOPLE include:

- Principals, directors, officers;
- Shareholders* of 5% or more of the Company's issued and outstanding stock;
- Any manager or individual who participates in overall policy-making or financial decisions for the Company;
- Project managers and project executives for the project for which this Questionnaire is being submitted;
- Any person in a position to control and direct the Company's overall operations; and,
- Authorized signatories to bank accounts and any debt instruments, whether or not otherwise considered KEY PEOPLE.

*Shareholders are owners of stock or other securities that can be converted to stock that, if converted, would constitute 5% of the Company's issued and outstanding stock. Other securities include stock options, secured or unsecured bonds, warrants and rights.

	PERSON #1	PERSON #2	PERSON #3
NAME AND HOME ADDRESS+			
Date of Birth			
SS # (Last 4 Digits Only)	XXX-XX-	XXX-XX-	XXX-XX-
Current Title			
From – To (Date)	–	–	–
% of Ownership			
	PERSON #4	PERSON #5	PERSON #6
NAME AND HOME ADDRESS+			
Date of Birth			
SS # (Last 4 Digits Only)	XXX-XX-	XXX-XX-	XXX-XX-
Current Title			
From – To (Date)	–	–	–
% of Ownership			
	PERSON #7	PERSON #8	PERSON #9
NAME AND HOME ADDRESS+			
Date of Birth			
SS # (Last 4 Digits Only)	XXX-XX-	XXX-XX-	XXX-XX-
Current Title			
From – To (Date)	–	–	–
% of Ownership			

+Provide current proper legal name and specify any name change, including maiden or married names or aliases.

14. At present or during the past five (5) years have any of the KEY PEOPLE of the Company served as a KEY PERSON or owned 5% or more of any other firm (including firms that are inactive or have been dissolved)?
☐ No ☐ Yes (if 'yes,' provide details below)

	FIRM #1	FIRM #2	FIRM #3
Firm Name			
EIN or Tax ID			
Address			
KEY PERSON			
Position Held			
% Owned			
From – To (Date)	–	–	–
Remainder Owned By			

15. Are any KEY PEOPLE of the Company:

a. present or past employees of the Port Authority or the Prime (see Question 2b)?
☐ No ☐ Yes

b. related by kinship or marriage to any present or past employee of the Port Authority or the Prime?
☐ No ☐ Yes

If 'yes' to any portion of Question 15, provide names of such individual(s) and indicate relationship to the current / former employee. _____

Compliance Information

The Company must attach an explanation for each response of 'yes' to any Question in this section.

All firms listed in Questions 9, 10 and 14 will be referred to in the following questions as: **"AFFILIATE FIRMS"**

16. Has the Company or any of its AFFILIATE FIRMS ever been the subject of any of the following actions by any government agency: (Note: Matters under appeal must be disclosed.)

Government agencies include city, state, federal public agencies, quasi-public agencies, authorities and corporations, public development corporations, public benefit corporations and local development corporations.

a. been suspended, debarred, disqualified, declared non-responsible, or had its prequalification revoked?
☐ No ☐ Yes

b. been prevented, or barred, or agreed to a voluntary exclusion, from bidding/contracting for any integrity related reason?
☐ No ☐ Yes

c. been barred from bidding or denied a contract as a result of refusal of KEY PEOPLE to testify before a grand jury or administrative board?
☐ No ☐ Yes

d. been denied a contract despite being the low bidder for any integrity related reason?
☐ No ☐ Yes

e. had a contract terminated for "cause"?
☐ No ☐ Yes

17. In the past ten (10) years has the Company or any of its current or past KEY PEOPLE or AFFILIATE FIRMS:

    a. engaged the services of an Integrity Monitor, independent private sector inspector general, or integrity compliance consultant in connection with the performance of any public contract?
    ☐ No ☐ Yes (Been Required) ☐ Yes (Voluntarily)

    b. been required to submit a Certification or agree to special terms or conditions beyond the ordinary scope of a contract, in connection with the award of, or in order to complete on, any public contract?
    ☐ No ☐ Yes

18. In the past five (5) years, has the Company had a lien imposed in excess of $10,000 based upon taxes owed or fines or penalties assessed by any federal, state or local governmental agency that have not been paid as of the date of the execution of this Questionnaire?
    ☐ No ☐ Yes

19. In the past five (5) years, has the Company or any of its KEY PEOPLE had any business related or professional licenses, certificates or certifications revoked or suspended?
    ☐ No ☐ Yes

20. Has the Company or any of its KEY PEOPLE had any sanctions imposed or entered into a consent decree as a result of a judicial or administrative proceeding with respect to any professional license held or with respect to any violation of any federal, state or local government agency.
    ☐ No ☐ Yes

21. Has the Company or any of its current or past KEY PEOPLE or AFFILIATE FIRMS <u>ever</u>:

    a. been under investigation involving any alleged violation of criminal law relating to business activities?
    ☐ No ☐ Yes

    <u>INVESTIGATION</u> includes an appearance before a grand jury by representatives of a business entity, any oral or written inquiry or review of the entity's documents by a government agency, including, but not limited to, subpoenas, search warrants, questioning of employees concerning the general operations or specific activities of such business entity, whether or not such entity is notified, is in-fact, or otherwise believed to be, the subject or target of any such investigation.

    b. had records in its or his/her control, custody or ownership subpoenaed or seized by a search warrant by any law enforcement or government agency?
    ☐ No ☐ Yes

    c. been questioned by any officer or agent of a law enforcement or investigative agency regarding any practices or conduct relating to the Company's business?
    ☐ No ☐ Yes

    d. been advised of being the target, subject, or person of interest of an investigation involving any violation of criminal law?
    ☐ No ☐ Yes

    e. been notified of being the subject of court ordered electronic surveillance?
    ☐ No ☐ Yes

    f. been arrested or indicted or otherwise named as an unindicted co-conspirator in any indictment or other accusatory instrument?
    ☐ No ☐ Yes

    g. been convicted, after trial or by plea, of any felony under state or federal law?
    ☐ No ☐ Yes

h. been convicted of any misdemeanor involving business-related crimes?
☐ No ☐ Yes

i. entered a plea of nolo contendere to any felony and/or business-related misdemeanor?
☐ No ☐ Yes

j. entered into a consent decree, deferred prosecution agreement, or non-prosecution agreement?
☐ No ☐ Yes

k. been granted immunity from prosecution for any business-related conduct constituting a crime under state or federal law?
☐ No ☐ Yes

l. exercised the Fifth Amendment right against self-incrimination in testimony regarding a business related crime?
☐ No ☐ Yes

m. been the subject of a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency?
☐ No ☐ Yes

n. been accused as a defendant in any lawsuit, or subject to an administrative action or proceeding, alleging any business or integrity related misconduct, including, but not limited to, a false claims act violation, willful failure to pay prevailing wages or benefits, or ERISA or other labor law violation?
☐ No ☐ Yes

22. Do any KEY PEOPLE have any felony or misdemeanor charges pending against them?
☐ No ☐ Yes

23. Has the Company or any of its current or past KEY PEOPLE or AFFILIATE FIRMS ever engaged in any of the following practices:

a. filed with a government agency or submitted to a government employee a written instrument which the Company or any of its KEY PEOPLE or affiliate firms knew contained a false statement or false information?
☐ No ☐ Yes

b. falsified business records?
☐ No ☐ Yes

c. given, or offered to give, money, gifts or anything of value or any other benefit to a labor official or public servant with intent to influence that labor official or public servant with respect to any of his or her official acts, duties or decisions as a labor official or public servant?
☐ No ☐ Yes

d. given, or offered to give, money or other benefit to an official or employee of a private business with intent to induce that official or employee to engage in unethical or illegal business practices?
☐ No ☐ Yes

24. Has the Company ever changed its EIN or Tax ID following any of the events described in Questions 16 through 23?
☐ No ☐ Yes

25. This document was prepared by (This person must be a KEY PERSON listed in response to Question 13):

_____ (Name) _____ (Title)

_____ (Signature) _____ (Date)

Certification

A materially false statement willfully or fraudulently made in connection with this Certification, and/or failure to conduct appropriate due diligence in verifying the information that is the subject matter of this Certification may prevent the Company and/or the undersigned from being found to be responsible bidders/proposers in connection with future agreements. In addition, a materially false statement willfully or fraudulently made in connection with this Certification may subject the Company and/or the undersigned to criminal charges, including charges for violation of New York State Penal Law Sections 175.35 (Offering a False Statement for Filing) and 210.40 (Sworn False Statement), New Jersey Code of Criminal Justice Title 2C:28-3 (Unsworn Falsification to Authorities), and/or Title 18 U.S.C. Sections 1001 (False or Fraudulent Statement) and 1341 (Mail Fraud).

Certifications must be notarized when signed.

I _____, being duly sworn, state that I am _____, an officer of
(Print Name) (Title)
the Company, and that I have read and understood the questions contained in the attached questionnaire.

I certify that to the best of my knowledge the information given in response to each question, whether prepared by me, or by the Key Person identified in Question 25, is full, complete and truthful as of this date hereof. I agree and warrant that truthfully answering the questions is an event entirely within my control.

I recognize that all the information submitted in connection with this Questionnaire is for the express purpose of inducing the Port Authority to enter into a contract with, or to approve the award of a contract or subcontract to, or otherwise approve some other relationship with, the Company.

I acknowledge that the Port Authority, may by means it deems appropriate, determine the accuracy, truth and completeness of the answers to the questions in the questionnaire. I authorize the Port Authority or its designee to contact any person or entity for purposes of verifying the information supplied by the Company.

_____
(Print Name)

_____
(Signature)

Sworn to before me
this _____ day of _____20____

_____
Notary Public

ATTACHMENT ___ of ___

Response to Question _____:

_____
_____
_____
_____
_____

Response to Question _____:

_____
_____
_____
_____
_____

Response to Question _____:

_____
_____
_____
_____
_____

Response to Question _____:

_____
_____
_____
_____
_____

Response to Question _____:

_____
_____
_____
_____
_____

Response to Question _____:

_____
_____
_____
_____
_____

Please copy this page if more space is required.