

Additional OMBE Requirements

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

An eligible applicant minority or woman-owned business must:

- Be at least 51% owned and controlled by qualified minorities or women
- Be 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)
- Be independent of any other business entity or entities
- Be a for-profit business (non-profits are ineligible 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(s) holds the highest ranking position in the company
- Be owned by an American citizen
- Provide firm evidence that the minority or woman-owned company holds any licenses or certifications required by the type of business in which they are engaged.

Ownership & Control

The minority or women owners 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(s) 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 woman owner(s) to make decisions that determine the future of the business.

Operational Control

Minority and/or women owners 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.

Out-of-State Certification

An out-of-state or foreign corporation applying for M/WBE certification in Alabama must first obtain such certification in its "home state", if available. In this instance, "home state" is intended to mean the state in which the company's headquarters is located. The "home-state's" certifying agency must, in turn, allow Alabama companies to apply for certification status within the "home-state" (see reciprocity). The foreign corporation must apply for a Certificate of Authority to do business in the State of Alabama from the [Alabama Secretary of State](#). 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](#) for informational purposes—only. The list is not intended as a recommendation or endorsement of the agents listed, or any other Registered Agents.

Reciprocity

The Alabama OMBE will accept applications for certification from a business located in another state if that state accepts certification applications 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

In order to become certified in an additional type of work, the business enterprise must have been certified; 1) for at least six months in its current type of work; 2) or certified by the OMBE for at least one year; 3) verify that it has the expertise to perform the additional type of work; and 4) verify that the minority or woman owner controls the additional work area.