

## **DISCLOSURE**

I expressly agree and understand that any information submitted to or obtained by the New Jersey Economic Development Authority (“NJEDA”) or the New Jersey Division of Taxation in connection with this application may be shared among the NJEDA, the New Jersey Division of Taxation, and the New Jersey Department of Labor and Workforce Development.

## **CERTIFICATION**

I have provided the information contained in and in connection with this application accurately to the best of my knowledge. The applicant collaborative workspace agrees that it meets the following requirements at the current time and in the future.

- Located in New Jersey
- Has a minimum of 5 unique paying tenants/members over the last 2 years (tenants/members must have an arms-length relationship with the collaborative workspaces owners and operators); collaborative workspaces formed less than 90 days prior to the approval request may qualify for the program on a case-by-case basis, if they have at least 3 signed prospective lease/membership agreements
- Has a cost of operating the facility (e.g., rent or mortgage or internal corporate charge-back) and has attached evidence of such
- Offers at least one variety of work space: private office space, hot-desks or dedicated desks
- Will host at least 8 innovation ecosystem building events a year (12 months from application) (examples of events include: meet-ups, speaker series, office hours for lawyers/accountants/consultants/investors and may include third party events at the facility). Also, agrees to submitting an annual report (available on [www.njeda.com/njignite.com](http://www.njeda.com/njignite.com))
- Will charge rent/fees to tenants/members and confirm that the rent/fee charged to the tenant/member and being funded by the NJEDA is the same or comparable to the rates charged to other community tenants/members.
- Will provide free rent/fees to the NJEDA-funded tenant/member company as defined in the program parameters outlined at ([www.njeda.com/njignite](http://www.njeda.com/njignite)).
- Meets qualifications for a “New” facility:
  - Must be less than 90 days old from application date
  - Cannot be an expansion of an existing facility (i.e., adding additional square feet in the current building)

Please provide the following documentation as attachments:

- NJ Business registration (<https://www.nj.gov/treasury/revenue/gettingregistered.shtml>)
- Certificate of incorporation or another organizing document
- NJ Tax clearance
  - Website to obtain clearance ([https://www16.state.nj.us/NJ\\_PREMIER\\_EBIZ/jsp/home.jsp](https://www16.state.nj.us/NJ_PREMIER_EBIZ/jsp/home.jsp))
    - To obtain a tax clearance the company already needs to be registered to do business in NJ
- Tenant/member list (see NJ Ignite website for form)
- Rent, mortgage or corporate charge back for one or more months

## **LEGAL**

Businesses applying for eligibility for NJEDA programs are subject to the NJEDA's Disqualification/Debarment Regulations (the "Regulations"), which are set forth in N.J.A.C. 19:30-2.1, et seq. Applicants are required to answer the following background questions pertaining to the commission of certain actions that can lead to debarment or disqualification from eligibility under the Regulations.

If any response to these questions is yes, provide a detailed explanation as an attachment. An SEC Form 10-K is not a sufficient explanation. The required attachment must provide: (1) the case and court in which such matters were tried or are pending; (2) the charges or claims adjudicated or alleged; and (3) a brief explanation of the circumstances giving rise to such matters. If applicable, attach copies of the final judgments, consent orders or administrative findings, as the case may be, that were entered or made.

NJEDA reserves the right to disapprove any application for circumstances it finds unsatisfactory related to the conditions listed below.

NJEDA reserves the right to require additional clarifying or explanatory information from the applicant regarding

the answers given. If at any time prior to NJEDA Board action on this application or at any time between the date of such action and the execution of NJ Ignite agreement(s), the applicant should become aware of any facts that materially alter or change these answers, or render any of them incomplete, the applicant shall have a duty to immediately report such facts to NJEDA in writing.

The following definitions apply solely to these questions:

"Affiliate" means a person having an overt or covert relationship such that any one of them directly or indirectly controls or has the power to control another.

"Legal Proceedings" means any State, Federal or foreign civil, criminal or administrative proceeding in a court or administrative tribunal in the United States, any territories thereof or foreign jurisdiction.

Has the applicant business, any officers or directors of the applicant, or an Affiliate (collectively, the "Controlled Group") been found guilty, liable or responsible in any Legal Proceeding for any of the following violations or conduct, or, after reasonable inquiry, are any of the following offenses or violations alleged or asserted in any Legal Proceeding against any member of the Controlled Group? (Any civil or criminal decisions or verdicts that have been vacated or expunged need not be reported).

1. Commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract, or subcontract there under, or in the performance of such contract or subcontract.  
Yes No
2. Violation of the Federal Organized Crime Control Act of 1970, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, perjury, false swearing, receiving stolen property, obstruction of justice, or any other offense indicating a lack of business integrity or honesty.  
Yes No
3. Violation of the Federal or State antitrust statutes, or of the Federal Anti-Kickback Act (18 U.S.C. 874).  
Yes No
4. Violation of any law governing the conduct of elections of the Federal Government, State of New Jersey or of its political subdivision.  
Yes No
5. Violation of the "Law Against Discrimination" (P.L. 1945, c.169, N.J.S.A. 10:5-1 et seq., as supplemented by P.L. 1975, c.127), or of the act banning discrimination in public works employment (N.J.S.A. 10:2-1 et seq.) or of the act prohibiting discrimination by industries engaged in defense work in the employment of persons therein (P.L. 1942, c.114, N.J.S.A. 10:10, et seq.).  
Yes No
6. To the best of your knowledge after reasonable inquiry, violation of any laws governing hours of labor, minimum wage standards, prevailing wage standards, discrimination in wages, or child labor.  
Yes No
7. To the best of your knowledge after reasonable inquiry, violation of any law governing the conduct of occupations or professions of regulated industries.  
Yes No
8. Debarment by any department, agency, or instrumentality of the State or Federal government.

Yes No

9. Violation of any of the following prohibitions on vendor activities representing a conflict of interest, or failure to report a solicitation as set forth below:

Yes No

- i. No person shall pay, offer or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any NJEDA officer or employee or special NJEDA officer or employee, as defined by N.J.S.A. 52:13D-13(b) and (e), with which such person transacts or offers or proposes to transact business, or to any member of the immediate family as defined by N.J.S.A. 52:13D-13(i), of any such officer or employee, or partnership, firm or corporation with which they are employed, or associated, or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13(g).
- ii. The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by any NJEDA officer or employee or special NJEDA officer or employee from any person shall be reported in writing by the person to the Attorney General and the Executive Commission on Ethical Standards.
- iii. No person may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such person to, any NJEDA officer or employee or special NJEDA officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to the NJEDA, or with any person, firm or entity with which he or she is employed or associated or in which he or she has an interest within the meaning of N.J.S.A. 52:13D-13(g). Any relationships subject to this subsection shall be reported in writing to the Executive Commission on Ethical Standards, which may grant a waiver of this restriction upon application of the NJEDA officer or employee or special NJEDA officer or employee upon a finding that the present or proposed relationship does not present the potential, actuality or appearance of a conflict of interest.
- iv. No person shall influence, or attempt to influence or cause to be influenced, any NJEDA officer or employee or special NJEDA officer or employee in his or her capacity in any manner which might tend to impair the objectivity or independence of judgment of the officer or employee.
- v. No person shall cause or influence, or attempt to cause or influence, any NJEDA officer or employee or special Authority officer or employee to use, or attempt to use, his or her official position to secure unwarranted privileges or advantages for the person or any other person.

10. Violation of any State, Federal or foreign law that may bear upon a lack of responsibility or moral integrity, or that may provide other compelling reasons for disqualification. Your responses to this question should include, but not be limited to, the violation of the following laws, without regard to whether any monetary award, damages, verdict, assessment or penalty has been made against any member of the Controlled Group, except that any violation of any environmental law in category (v) below need not be reported where the monetary award damages, etc., amounted to less than \$1 million.

- i. Laws banning or prohibiting discrimination or harassment in the workplace on the basis of gender, race, age, religion or handicapped status.
- ii. Laws prohibiting or banning any form of forced, slave, or compulsory labor.
- iii. Laws protecting workers who have reported the wrongdoing of their employers to governmental authorities, commonly referred to as "Whistleblower Laws".
- iv. Securities or tax laws resulting in a finding of fraud or fraudulent conduct.
- v. Environmental laws.

- vi. Laws banning the possession or sale of, or trafficking in, firearms or drugs.
- vii. Laws banning anti-competitive dumping of goods.
- viii. Anti-terrorist laws.
- ix. Criminal laws involving commission of any felony or indictable offense under State, Federal or foreign law.
- x. Laws banning human rights abuses.
- xi. Laws banning the trade of goods or services to enemies of the United States.
- xii. The New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-1, et seq.

Yes                      No

11. To the best of your knowledge, after reasonable inquiry, is any member of the Controlled Group a party to pending Legal Proceedings wherein any of the offenses or violations described in questions 1-10 above are alleged or asserted against such entity or person.

Yes                      No

12. It is specifically understood and agreed that this Agreement is cross-defaulted with any existing assistance and any future assistance provided by the Authority and/or the State to the Grantee and/or any of its Affiliates, including, but not limited to, entities that have common principals. For purposes of this cross-default, a principal of an entity shall be any executive officer, director, or general partner of the entity; any person or other entity directly or indirectly controlling the entity; or a person or other entity directly or indirectly owning or controlling ten percent (10%) or more of the entity's ownership interest.

Yes                      No

Applicant agrees to carry general liability insurance and other such insurance against loss, damage and liability as is customary within its industry, to be held with insurance companies licensed to do business in the State that extends to include the purposes and intent of the grant associated with this application.

Yes                      No

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**As the applicant workspace manager, I certify that the information submitted in this application is accurate and complete to the best of my knowledge and belief after due inquiry. I further certify that I have received the instructions to this application for NJ Ignite.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

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Company Name

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