

NJESP Sample Application

Investor Section
NJ Entrepreneur Support Program

Before completing the application for the Entrepreneurial Guarantee Program please note that this is a **two-part application** initiated by the Investor seeking the guarantee **AND** finalized by the NJ company in which the investor is/has provided funding.

Please note, Application submissions are required to be 1:1 between one unique (per SSN# or FEIN#) investor and Entrepreneurial business, per guarantee agreement. If related entities (but with different FEIN's or agreements) made a combined investment in to the Entrepreneurial business, they will be required to submit multiple applications.

Please be sure you meet all eligibility criteria before applying which include:

Investor Applicant requirements

- The Investor applicant must provide/has provided funding and closed/executed the underlying agreement after the date of March 10, 2023
- The Investor applicant is not a founder/employee of the company
- The Qualified Investment (Note / Bridge Loan) for which the guarantee is being sought has at least a one-year maturity with no current payments and no collateral

The Entrepreneurial Business Requirements

- Has a minimum of 50% of employees in NJ as of date of application as confirmed by NJWR-30, Federal Form 941, PEO letter, or other similar documentation
- Has fewer than 225 total employees at the time of application
- Has its corporate headquarters in New Jersey (including at least one C suite member with a principal office in New Jersey)
- Falls under one of the NJEDA's defined list of "targeted industries"
- Is registered to do business in NJ and can certify that the company is in good tax standing with the State
- Is in good standing with the Department of Labor and Workforce Development

If you do not meet **all the eligibility requirements** outlined above, *do not proceed* with the following application for the Entrepreneur Guarantee Program

Continue

NJ Entrepreneur Support Program

Log In

User Name:

Password:

Not applying for NJ Entrepreneur Support Program, [Click here](#) to go to general NJEDA online application

Logout

Application Manager

Start a New Application

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START A NEW APPLICATION

Before starting this application, please contact the emerging entrepreneurial business to gauge if the business has already reached the per company cap of \$400K under this program. The outstanding balance per company can directly impact the approval of your application or the guarantee amount that can be approved.

Please enter a brief description of your project (up to 50 characters).
The description is for your reference only. It will not be submitted with the application.


Would you like to import your contact information and organization data from another application?

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Investor: Test Application
Product: NJ Entrepreneur Support Program

Application ID #226281

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Investor Contact Information

Application Date:	7/18/2023
Salutation:	<input type="text" value=""/>
First Name:	<input type="text" value="Test"/>
Middle Initial:	<input type="text" value=""/>
Last Name:	<input type="text" value="Application"/>
Suffix:	<input type="text" value=""/>
Title:	<input type="text" value=""/>
Name of Investor Contact's Company (if applicable):	<input type="text" value=""/>
Mailing Address:	<input type="text" value="123 St"/>
Address Line 2:	<input type="text" value=""/>
City/Town:	<input type="text" value="Trenton"/>
State:	<input type="text" value="New Jersey"/>
ZIP Code:	<input type="text" value="08608"/>
Telephone Number:	<input type="text" value="(123) 456-7890"/>
Phone Ext.:	<input type="text" value=""/>
E-mail:	<input type="text" value="test@test.com"/>

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Investor Information

Investor name (official, legal name without abbreviations):

Is the Investor's address and contact information the same as the Contact's information?

Ownership Structure:

NAICS Number:

Investor EIN number - If Investor is an Entity with EIN number:

(To find this number, look to the federal determination provided when the applicant entity was formed, or visit the following link to determine based upon current business functions, <https://www.census.gov/naics>.)

Is the Investor a third-party (Not the Founder or employee of the Entrepreneur Business?)

Is the applicant, or any person who controls the applicant or owns or controls more than 1% of the stock of the applicant, an officer or employee of any agency, authority or other instrumentality of the State of New Jersey?

Has the applicant applied for or been issued a license, including a conditional license, from the New Jersey Cannabis Regulatory Commission (NJ-CRC) to operate as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service; or does the applicant employ or intend to employ, or is the applicant itself, a certified personal use cannabis handler to perform work for or on behalf of a cannabis establishment, distributor, or delivery service?

If the applicant is a property owner, developer, or operator of a project: is the property being used or intended for use, in whole or in part, (1) by or to benefit a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service, (2) to employ a certified personal use cannabis handler to perform work for or on behalf of a cannabis establishment, distributor, or delivery service, (3) by a person or entity that has applied or intends to apply to the New Jersey Cannabis Regulatory Commission (NJ-CRC) for a license to operate as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service or has applied for certification to be, or intends to employ, a certified personal use cannabis handler to perform work for or on behalf of a cannabis establishment, distributor, or delivery service?

Selecting "no" reveals additional fields to enter new contact information

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Has an EDA Officer been assigned to you?

YES ▾

Please select the EDA Officer that has been assigned to you:

Clark Smith ▾

Continue

Selecting
“yes”
reveals
the next
field

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Investor Information

Is the investor an existing investor that has provided funds to the entrepreneurial business on/prior to 3/10/2023 or a new investor to the entrepreneurial business?

Has the investor already closed/executed the Qualified Investment for which guarantee is being sought?

Selecting "yes" reveals the following questions

Investor: Test Application Application ID #203838
Product: NJ Entrepreneur Support Program

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Investor Information

Qualified Investment Information for which guarantee is being sought

Date of Note / Bridge Loan:

Note / Bridge Loan Amount:

Note / Bridge Loan maturity date:

Amount of Guarantee Requested. The Guarantee Amount can be up to 80% of Note / Bridge Loan Amount or the remaining Guarantee Amount available to the company:

Is the Note / Bridge Loan unsecured?

Is the Note / Bridge Loan convertible into equity?

Any note/loan for guarantee may not have closed prior to March 10, 2023

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Investor Information

Is the investor an existing investor that has provided funds to the entrepreneurial business on/prior to 3/10/2023 or a new investor to the entrepreneurial business?

New ▾

Has the investor already closed/executed the Qualified Investment for which guarantee is being sought?

NO ▾

Continue

Selecting "no" reveals the following questions

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Investor Information

Proposed Qualified Investment Information for which guarantee is being sought

Proposed Note / Bridge Loan Amount?

150000

Amount of Guarantee Requested. The Guarantee Amount can be up to 80% of Note / Bridge Loan Amount or the remaining Guarantee Amount available to the company:

120000


Any note/loan for guarantee may not have closed prior to March 10, 2023

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NJ ENTREPRENEUR SUPPORT PROGRAM

Funding provided by NJ Entrepreneur Support Program cannot be provided to the following businesses:

Gambling or gaming activities; the conduct or purveyance of "adult" (i.e., pornographic, lewd, prurient, obscene or otherwise similarly disreputable) activities, services, products or materials (including nude or semi-nude performances or the sale of sexual aids or devices); any auction or bankruptcy or fire or "lost-our-lease" or "going-out-of-business" or similar sale; sales by transient merchants, Christmas tree sales or other outdoor storage; any activity constituting a nuisance; or any illegal purposes.

I have read this statement and acknowledge that the Investor entity does not engage in any of the above-mentioned activities.

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Additional Background Information

Investor applicants are required to answer the following background questions pertaining to the commission of certain actions that can lead to debarment or disqualification from program eligibility.

For purposes of answering these questions, the term "applicant" refers to the business entity seeking financial assistance.

In the past 10 years, has applicant or its owner(s):

1. Been convicted and/or found guilty and/or pled guilty and/or found liable and/or paid a fine or otherwise paid to settle any allegations made by the government in any court to any violation of law, other than minor traffic offenses.

2. Been denied a license or permit required to engage in its business or profession or has any such license or permit or been suspended or revoked by any government?

3. Been suspended, debarred, disqualified, denied a classification rating or prequalification or otherwise been declared not responsible to bid or submit a form of prequalification on or to perform work on any public contractor subcontract?

4. Violated the terms of a public agreement or transaction so seriously as to affect the integrity of an agency program?

5. Had an injunction, order or lien entered against it in favor of any governmental agency including but not limited to judgments or liens based on taxes assessed or fines and penalties imposed by any government agency?

6. Is the applicant presently indicted for or otherwise criminally or civilly charged by a government business with the commission of a violation of law?

If you have answered yes to any of the above questions, please provide an attachment with complete details including when, where, and why.

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New Jersey Economic Development Authority Legal Questionnaire

Persons (entities or individuals) applying for NJEDA programs are subject to the Authority'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 ("Legal Questionnaire") pertaining to causes that may lead to debarment, disqualification, or suspension from eligibility under the Regulations and Executive Orders 34 (Byrne 1976) and 189 (Kean 1988) after consideration of all relevant mitigating factors. Governmental entities are not required to submit this Legal Questionnaire and may leave it empty.

*Note that this form has recently been modified.
Please review in its entirety prior to providing any responses or certifications.*

DEFINITIONS

Notwithstanding any terms defined elsewhere or otherwise herein, the following definitions shall govern in responding to this Legal Questionnaire:

"Affiliates" means any entities or persons having an overt or covert relationship such that any one of them directly or indirectly controls or has the power to control another. For the purposes of application for, or ongoing compliance with, Authority-administered programs, this includes:

- any entities or persons having an ownership interest in Applicant of 30% or greater;
- any entities in which Applicant holds an ownership interest of 30% or greater; and
- any entities that are named in the application and/or agreement, or that will receive a direct benefit from the financing, incentive, or other agreement with the Authority.

Note that any entities or persons fitting these definitions will need to be listed in Part C on the next page.

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

RELEVANT TIMEFRAMES

Responses should be given based on the following "look-back" periods:

- For civil matters, those that were either pending or concluded within 5 years of the reporting date;
- For criminal matters, those that were either pending or concluded within 10 years of the reporting date;
- For environmental regulatory matters, those that were either pending or concluded within 10 years of the reporting date; and
- For all other regulatory matters, those that were either pending or concluded within 5 years of the reporting date.

Note that in cases where Applicant has previously submitted and certified a legal questionnaire to the Authority, the Applicant may refer to its prior legal questionnaire and report only those matters that are new or have changed in status since the date of last reporting.

Part A. Past Proceedings

Has Applicant, or any officers or directors of Applicant, or any Affiliates of Applicant, been found or conceded or admitted to being guilty, liable or responsible in any Legal Proceeding, or conceded or admitted to facts in any Legal Proceedings that demonstrate responsibility for any of the following violations or conduct? (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.

NO 2. Violation of the Federal Organized Crime Control Act of 1970, or commission of embezzlement, theft, fraud, 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.

NO 3. Violation of the Federal or State antitrust statutes, or of the Federal Anti-Kickback Act (18U.S.C. 874).

NO 4. Violation of any law governing the conduct of elections of the Federal Government, State of New Jersey or of its political subdivision.

NO 5. Violation of the "Law Against Discrimination" (P.L. 1945, c169, [N.J.S.A. 10:5-1 et seq.](#), as supplemented by P.L. 1975, c127), 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, c114, [N.J.S.A. 10:1-10, et seq.](#)).

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.

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.

NO 8. Debarment by any department, agency, or instrumentality of the State or Federal government.

NO 9. Violation of the Conflict of Interest Law, [N.J.S.A. 52:13D-12 et seq.](#), including any of the following prohibitions on vendor activities representing a conflict of interest, or failure to report a solicitation as set forth below:

- 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 Authority officer or employee or special Authority 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 Authority officer or employee or special Authority officer or employee from any person shall be reported in writing by the person to the Attorney General and the NJEDA Ethics Liaison Officer.
- 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 Authority officer or employee or special Authority 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 Authority, 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 NJEDA Ethics Liaison Officer and the State Ethics Commission, which may grant a waiver of this restriction upon application of the Authority officer or employee or special Authority 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 Authority officer or employee or special Authority 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 Authority 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.

NO 10. Violation of any State or Federal law that may bear upon a lack of responsibility or moral integrity, or that may provide other compelling reasons for disqualification. Your responses to the foregoing question should include, but not be limited to, the violation of the following laws, without regard to whether there was any monetary award, damages, verdict, assessment or penalty, 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.
- ii. Laws prohibiting or banning any form of forced, slave, or compulsory labor.
- iii. The New Jersey Conscientious Employee Protection Act, N. J. Stat. Ann. § 34:19-1 et seq., or other "Whistleblower Laws" that protect employees from retaliation for disclosing, or threatening to disclose, to a supervisor or to a public body an activity, policy or practice of the employer, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law.

- iv. Securities or tax laws resulting in a finding of fraud or fraudulent conduct.
- v. Environmental laws, where the monetary award, penalties, damages, etc. amounted to more than \$1 million.
- vi. Laws banning anti-competitive dumping of goods.
- vii. Anti-terrorist laws.
- viii. Criminal laws involving commission of any felony or indictable offense under State or Federal law.
- ix. Laws banning human rights abuses.
- x. Laws banning the trade of goods or services to enemies of the United States.

Part B. Pending Proceedings

11. To the best of your knowledge, after reasonable inquiry, are Applicant, or any officers or directors of Applicant, or any Affiliates, 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? With respect to laws banning or prohibiting discrimination or harassment in the workplace, please provide only information pertaining to any class action lawsuits.

If the answer to any of the foregoing questions is affirmative, you must provide the following information as an attachment to the application: (i) the case name and court/administrative agency (including jurisdiction and venue) in which such matters were tried or are pending; (ii) the charges or claims adjudicated or alleged; and (iii) a brief explanation of the circumstances giving rise to such matters. Also, for affirmative answers to question 1-10, please attach copies of document(s) reflecting the final resolution (e.g., final judgments, verdicts, plea bargains, consent orders, administrative findings, or settlement agreements).

Note that an Applicant may refer to or attach specific provisions of a 10-K/Q or other filings with the U.S. Securities and Exchange Commission (SEC); however, the Applicant should be aware that different laws apply to disclosures to the Authority. This means that the Authority does not have the same types of materiality thresholds as the SEC. The Applicant is expected to supplement its SEC filings to ensure that all relevant matters are disclosed to the Authority, including any matters that were below the SEC's materiality threshold and any matters that may have occurred after its most recent filing.

Please Note: Eligibility is determined based on the information presented in the completed Application. If, at any time while engaged with the Authority the Applicant should become aware of any facts that materially alter or change its answers, or that render any of them incomplete or inaccurate, the Applicant has a duty to promptly report such facts to the Authority in writing. The Authority reserves the right to require additional clarifying or explanatory information from the Applicant regarding the answers given, to ask additional questions not contained in this Legal Questionnaire, and to perform its own due diligence investigations and searches.

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Payment

Applicant: Test Application

Company:

Project: Test

Product: NJ Entrepreneur Support Program

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Part C: Applicable Affiliates

"Affiliates" means any entities or persons having an overt or covert relationship such that any one of them directly or indirectly controls or has the power to control another. For the purposes of application for, or ongoing compliance with, Authority-administered programs, this includes:

- any entities or persons having an ownership interest in Applicant of 30% or greater;
- any entities in which Applicant holds an ownership interest of 30% or greater; and
- any entities that are named in the application and/or agreement, or that will receive a direct benefit from the financing, incentive, or other agreement with the Authority.

Please provide a list of all entities or persons considered to be "Affiliates" of Applicant based upon the above definitions.

I have no affiliates to report.

Name of Affiliate (Entity or Person):

Federal Employer Identification Number (FIN) (if applicable):

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Checking this box hides the next two fields

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Certification of Legal Questionnaire and Authorization to Release Information

This certification shall be signed as follows:

- for a corporation, by a principal executive officer, at least the level of vice president;
- for a partnership, by a general partner;
- for a sole proprietorship, by the proprietor;
- for a governmental entity, the contact person (business administrator, manager, mayor, etc.);
- for other than above, the person with legal responsibility for the application.

I hereby represent and certify that I have reviewed the information contained in this Legal Questionnaire, and that the foregoing information is true and complete under penalty of perjury. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. I further agree to inform the New Jersey Economic Development Authority of any changes in the foregoing information which may occur prior to execution of any agreement with the Authority, and so long as any such agreement is in effect. Failure to disclose relevant matters may render the Applicant ineligible for the financial benefits sought and may subject the Applicant to disqualification, debarment, suspension, or referral to the office of the state's Attorney General.

The undersigned, on behalf of the Applicant, understands and acknowledges that information and documents provided to the New Jersey Economic Development Authority: (1) are subject to public disclosure during deliberations of the Authority at public meetings regarding the application and as set forth in the minutes of the Authority's public meetings; and (2) are subject to public disclosure under certain laws, including, but not limited to, the Open Public Records Act, N.J.S.A. 47A:1-1 et seq., and the common law right-to-know.

Name:

Title:

Applicant Name:

I am Authorized Signer and I accept the terms and conditions.

7/18/2023 3:53:47 PM

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CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS

Program Name: **NJ Entrepreneur Support Program**
 Applicant Name: Test Application
 Applicant DBA:

Pursuant to N.J.S.A. 52:32-60.1, et seq. ([P.L. 2022, c.3](#)) any person or entity (hereinafter 'Applicant') that seeks to be approved for or continue to receive an economic development subsidy from the New Jersey Economic Development Authority must complete the certification below indicating whether or not the Applicant is engaged in prohibited activities in Russia or Belarus. If the New Jersey Economic Development Authority finds that an Applicant has made a certification in violation of the law, it shall take any action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

Certification

I, the undersigned, have read and reviewed the Department of the Treasury's List: (<https://www.nj.gov/treasury/administration/pdf/RussiaBelarusEntityList.pdf>) of entities engaged in prohibited activities in Russia or Belarus, and having done so certify (must check one appropriate box and complete the Authorized Signature section below):

- A.** That the Applicant is not identified on the Department of the Treasury's list of entities engaged in prohibited activities in Russia or Belarus and is not engaged in prohibited activities in Russia or Belarus. **OR**
- B.** That I am unable to certify as to "A" above because the Applicant is identified on the Department of the Treasury's list of entities engaged in prohibited activities in Russia and/or Belarus. **OR**
- C.** That I am unable to certify as to "A" above because the Applicant, though not identified on the Department of the Treasury's list of entities engaged in prohibited activities in Russia or Belarus, is engaged in prohibited activities in Russia or Belarus. A detailed, accurate and precise description of the Applicant's activity in Russia and/or Belarus is set forth below.

If applicable, provide Additional Certification of Federal License

I, the undersigned, certify that Applicant is currently engaged in activity in Russia and/or Belarus, but is doing so consistent with federal law and/or regulation and/or license. Provide a detailed description of how the Applicant's activity in Russia and/or Belarus is consistent with federal law, or is within the requirements of the federal license.

Authorized Signature

I understand that if the above statements are willfully false, I may be subject to penalty.

Test Application
 E-Signature of Applicant Authorized Representative

Test Application Principal Investor
 Print Name & Title of Applicant Authorized Representative

0000000000

Applicant FEIN or Taxpayer ID

Definitions

"Economic development subsidy" means the provision of an amount of funds to a recipient with a value of greater than \$25,000 for the purpose of stimulating economic development in New Jersey, including, but not limited to, any investment, bond, grant, loan, loan guarantee, matching fund, tax credit, or other tax expenditure.

"Engaged in prohibited activities in Russia or Belarus" means: (1) companies in which the Government of Russia or Belarus has any direct equity share; (2) having any business operations commencing after the effective date of this act that involve contracts with or the provision of goods or services to the Government of Russia or Belarus; (3) being headquartered in Russia or having its principal place of business in Russia or Belarus, or (4) supporting, assisting or facilitating the Government of Russia or Belarus in their campaigns to invade the sovereign country of Ukraine, either through in-kind support or for profit.

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Investor Required Attachments

The following information must be provided, if applicable:

- Convertible Note / Promissory Note / Loan Agreement / Term Sheet for the Qualified Investment (for which the guarantee is being sought). Please note, the Note / Loan must have at least a one-year maturity, be unsecured, and must not have any current payments for at least one year.
 - Required at application if the note / loan was executed prior to the application submission date
 - If note is not executed, a draft of the note / loan or term sheet is satisfactory; however, the executed agreements will be required post approval but prior to the execution of the Guarantee agreement
- Evidence of cash transfer for the Qualified Investment for which the guarantee is sought. Documentation can include Cancelled Checks, Wire Transfer, Bank Statement, etc. from both parties- investor and company)
 - Required at application if the note / loan was executed prior to the application submission date:
 - Required post approval but prior to execution of the guarantee agreement if there is a draft agreement or term sheet at time of application.
- **Investor Certification (EDA form document)**
- Current Tax Clearance certificate (if investor is an entity such as a C Corp, LLC with multiple members, irrevocable trusts, etc)

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Investor Required Attachments

The following files are attached to the application:

- testdoc.docx - [\[Remove\]](#)

Attachments may be submitted in the following formats:

- Microsoft Word (.doc, .docx)
- Microsoft Excel (.xls, .xlsx)
- WordPerfect (.wpd)
- Text (.txt)
- Adobe PDF (.pdf)

Select file(s) to attach:

Please note, all required documents should be submitted with this application.



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Certification of Application

I, THE UNDERSIGNED, BEING DULY SWORN UPON MY OATH SAY:

1. I affirm, represent, and warrant that the information contained in this application and in all attachments submitted herewith is to the best of my knowledge true and complete.
2. I understand that if such information is willfully false, I am subject to criminal prosecution under N.J.S.A. 2C:28-2 and civil action by the EDA and the Division of Taxation which may at its option terminate its financial assistance.
3. I authorize the New Jersey Department of Law and Public Safety to verify any answer(s) contained herein through a search of its records, or records to which it has access, and to release the results of said research to the EDA.
4. I authorize the EDA to provide information submitted to it by or on behalf of the applicant to the Division of Taxation or other State agency which might need to be involved in the approval of the requested Guarantee.

I am an Authorized Signer and I accept the terms and conditions.

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Contact Information for Entrepreneurial Business Representative

First Name:

Last Name:

Email Address:

Confirm Email Address:

Please be sure to fill out this portion of the application with the correct entrepreneurial business information, as this will allow your application to be routed to the entrepreneurial business.

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Dear Test App:

Thank you for completing the Investor section of the application for the NJ Entrepreneur Support Program. An email was sent to the entrepreneurial business to complete the entrepreneurial business section of the application related to the business specific information. The business was given a temporary username and password to log-in to the application at https://application.njeda.com/njesp_login.aspx.

Please note that it is your responsibility to ensure that the entrepreneurial business completes its required section. Please contact the business to ensure that they received the notification.

Once the entrepreneurial business completes its section, the application is automatically submitted to the EDA. An application is not considered complete until the business completes its section of the application via the online application system.

Thank you

Application Status: The Entrepreneurial Business has **started** their application.

Entrepreneurial Business Section
NJ Entrepreneur Support Program

Before completing the application for the Entrepreneurial Guarantee Program please note that this is a **two-part application** initiated by the Investor seeking the guarantee **AND** finalized by the NJ company in which the investor is/has provided funding.

Please note, Application submissions are required to be 1:1 between one unique (per SSN# or FEIN#) investor and Entrepreneurial business, per guarantee agreement. If related entities (but with different FEIN's or agreements) made a combined investment in to the Entrepreneurial business, they will be required to submit multiple applications.

Please be sure you meet all eligibility criteria before applying which include:

Investor Applicant requirements

- The Investor applicant must provide/has provided funding and closed/executed the underlying agreement after the date of March 10, 2023
- The Investor applicant is not a founder/employee of the company
- The Qualified Investment (Note / Bridge Loan) for which the guarantee is being sought has at least a one-year maturity with no current payments and no collateral

The Entrepreneurial Business Requirements

- Has a minimum of 50% of employees in NJ as of date of application as confirmed by NJWR-30, Federal Form 941, PEO letter, or other similar documentation
- Has fewer than 225 total employees at the time of application
- Has its corporate headquarters in New Jersey (including at least one C suite member with a principal office in New Jersey)
- Falls under one of the NJEDA's defined list of "targeted industries"
- Is registered to do business in NJ and can certify that the company is in good tax standing with the State
- Is in good standing with the Department of Labor and Workforce Development

If you do not meet **all the eligibility requirements** outlined above, **do not proceed** with the following application for the Entrepreneur Guarantee Program

[Continue](#)

Log In

User Name: *

Password: *

Not applying for NJ Entrepreneur Support Program, [Click here](#) to go to general NJEDA online application



NJ Entrepreneur Support Program

Prior to starting the Technology Business portion of the NJ Entrepreneur Support Program application, please change your temporary password to something that you can remember. In addition, please enter your email address which will be used for password retrieval.

Temporary Password:

New Password:

Confirm New Password:

Submit

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Application Manager

	Application #	Investor	Selected Products	Last Modified Date	Status
Edit	226281	Test Application	NJ Entrepreneur Support Program	7/18/2023 3:21:15 PM	IN PROGRESS

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Product: NJ Entrepreneur Support Program
Entrepreneurial Business: Test

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Entrepreneurial Business Contact Information

Salutation:	<input type="text" value=""/>
First Name:	<input type="text" value="Test"/>
Middle Initial:	<input type="text" value=""/>
Last Name:	<input type="text" value="Business"/>
Suffix:	<input type="text" value=""/>
Title:	<input type="text" value="CEO"/>
Company:	<input type="text" value="Test Startup"/>
Mailing Address:	<input type="text" value="456 St"/>
Address Line 2:	<input type="text" value=""/>
City/Town:	<input type="text" value="Trenton"/>
State:	<input type="text" value="New Jersey"/>
ZIP Code:	<input type="text" value="08608"/>
Telephone Number:	<input type="text" value="(212) 222-2222"/>
Phone Ext.:	<input type="text" value=""/>
E-mail:	<input type="text" value="test@testbusiness.com"/>

[Continue](#)

Product: NJ Entrepreneur Support Program
Entrepreneurial Business: Test Startup

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Entrepreneurial Business Organization Information

Applicant Business Name: (official, legal name without abbreviations)

Is the Technology Business' address and contact information the same as the Contact's information?

Federal Employer's I.D. No. (FEIN):

Web Site Address:

NAICS Number:

(To find this number, look to the federal determination provided when the applicant entity was formed, or visit the following link to determine based upon current business functions, <https://www.census.gov/naics>.)

Nature of Business:

Ownership Structure:

Does the company have a New Jersey headquarters which is the principal office for at least one company C suite level executive?

Targeted Industry:

What is the trailing twelve-month revenue of the entrepreneurial business?

If the Promissory Note being guaranteed is convertible to equity, does the entrepreneurial business agree to providing the NJEDA with a warrant for 20% of the guarantee (assuming that the note is guaranteed, and it is converted to equity)?

The 10-year warrant will be on the NJEDA standard warrant form and match the pricing terms of the investor's conversion.

Is the applicant, or any person who controls the applicant or owns or controls more than 1% of the stock of the applicant, an officer or employee of any agency, authority or other instrumentality of the State of New Jersey?

Has the applicant applied for or been issued a license, including a conditional license, from the New Jersey Cannabis Regulatory Commission (NJ-CRC) to operate as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service; or does the applicant employ or intend to employ, or is the applicant itself, a certified personal use cannabis handler to perform work for or on behalf of a cannabis establishment, distributor, or delivery service?

Selecting "no" reveals additional fields to enter new contact information

If the applicant is a property owner, developer, or operator of a project: Is the property being used or intended for use, in whole or in part, (1) by or to benefit a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service, (2) to employ a certified personal use cannabis handler to perform work for or on behalf of a cannabis establishment, distributor, or delivery service, (3) by a person or entity that has applied or intends to apply to the New Jersey Cannabis Regulatory Commission (NJ-CRC) for a license to operate as a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, cannabis distributor, cannabis retailer, or cannabis delivery service or has applied for certification to be, or intends to employ, a certified personal use cannabis handler to perform work for or on behalf of a cannabis establishment, distributor, or delivery service?

NO ▾

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Entrepreneurial Business Employee Information

The employee count should be as of the date of the application

	Column A Employees Filling a Position in New Jersey ^{1,2}	Column B Employees Based Outside of New Jersey	Column C Total of Columns A & B
Entrepreneurial Business	<input type="text" value="0"/> <small>Please note that the company must employ at least one full-time employee in order to be considered an eligible entrepreneurial company.</small>	<input type="text" value="0"/>	<input type="text" value="0"/>
Entities other than the investor with control over the entrepreneurial business (even if inactive)	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
Entities in the same controlled group as the entrepreneurial business (even if inactive)	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
Subsidiaries not included above (even if inactive)	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>
TOTALS:	<input type="text" value="0"/> ³	<input type="text" value="0"/>	<input type="text" value="0"/> ⁴
			<input type="button" value="Continue"/>

¹ Filling a position in New Jersey - means a full-time employee whose primary office is in New Jersey and who spends at least 80 percent of his or her time in New Jersey, or who spends any other period of time generally accepted by custom or practice as full-time employment in New Jersey, as determined by the Authority.

² Full-time employee* means a person employed by a New Jersey entrepreneurial business on a permanent or indefinite basis for consideration for at least 35 hours a week, or who renders any other standard of service generally accepted by custom or practice, as determined by the Authority, as full-time employment and whose wages are subject to withholding as provided in the New Jersey Gross Income Tax Act, N.J.S.A. 54A:1-1 et seq.; or who is a partner of a New Jersey entrepreneurial business who works for the partnership for at least 35 hours a week, or who renders any other standard of service generally accepted by custom or practice as full-time employment, and whose distributive share of income, gain, loss, or deduction, or whose guaranteed payments, or any combination thereof, is subject to the payment of estimated taxes, as provided in the New Jersey Gross Income Tax Act, N.J.S.A. 54A:1-1 et seq. or an employee who is a resident of another state who works in New Jersey but whose income or distributive share of income, gain, loss or deduction, or guaranteed payments or any combination thereof is not subject to the New Jersey Gross Income Tax Act, N.J.S.A. 54A:1-1 et seq., by virtue of a reciprocity agreement between New Jersey and the state in which the employee resides; or who is employed under a formal written agreement with an institution of higher education whereby the institution's students are employed by the New Jersey entrepreneurial business on a permanent basis within a single position and in compliance with all other requirements of "full-time employee." "Full-time employee" shall not include any person who works as an independent contractor or on a consulting basis for the New Jersey entrepreneurial business; or any person who works as an intern, as a temporary employee, or in a temporary position.

³ Column A TOTAL must be at least 50% of Column C to qualify for this program.

⁴ Column C TOTAL cannot exceed 225 to qualify for this program.



Product: NJ Entrepreneur Support Program
Entrepreneurial Business: Test Startup

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NJ ENTREPRENEUR SUPPORT PROGRAM

Funding provided by NJ Entrepreneur Support Program cannot be provided to the following businesses:

Gambling or gaming activities; the conduct or purveyance of "adult" (i.e., pornographic, lewd, prurient, obscene or otherwise similarly disreputable) activities, services, products or materials (including nude or semi-nude performances or the sale of sexual aids or devices); any auction or bankruptcy or fire or "lost-our-lease" or "going-out-of-business" or similar sale; sales by transient merchants, Christmas tree sales or other outdoor storage; any activity constituting a nuisance; or any illegal purposes.

- I have read this statement and acknowledge that the entrepreneurial business applicant does not engage in any of the above-mentioned activities.**

[Continue](#)

Product: NJ Entrepreneur Support Program
Entrepreneurial Business: Test Startup

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Additional Background Information

Entrepreneur Business applicants are required to answer the following background questions pertaining to the commission of certain actions that can lead to debarment or disqualification from program eligibility.

For purposes of answering these questions, the term "applicant" refers to the business entity seeking financial assistance.

In the past 10 years, has applicant or its owner(s):

1. Been convicted and/or found guilty and/or pled guilty and/or found liable and/or paid a fine or otherwise paid to settle any allegations made by the government in any court to any violation of law, other than minor traffic offenses.

2. Been denied a license or permit required to engage in its business or profession or has any such license or permit or been suspended or revoked by any government?

3. Been suspended, debarred, disqualified, denied a classification rating or prequalification or otherwise been declared not responsible to bid or submit a form of prequalification on or to perform work on any public contractor subcontract?

4. Violated the terms of a public agreement or transaction so seriously as to affect the integrity of an agency program?


5. Had an injunction, order or lien entered against it in favor of any governmental agency including but not limited to judgments or liens based on taxes assessed or fines and penalties imposed by any government agency?

6. Is the applicant presently indicted for or otherwise criminally or civilly charged by a government business with the commission of a violation of law?

If you have answered yes to any of the above questions, please provide an attachment with complete details including when, where, and why.

Product: NJ Entrepreneur Support Program
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 HELP / Assistance

New Jersey Economic Development Authority Legal Questionnaire

Persons (entities or individuals) applying for NJEDA programs are subject to the Authority'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 ("Legal Questionnaire") pertaining to causes that may lead to debarment, disqualification, or suspension from eligibility under the Regulations and Executive Orders 34 (Byrne 1976) and 189 (Kean 1988) after consideration of all relevant mitigating factors. Governmental entities are not required to submit this Legal Questionnaire and may leave it empty.

*Note that this form has recently been modified.
Please review in its entirety prior to providing any responses or certifications.*

DEFINITIONS

Notwithstanding any terms defined elsewhere or otherwise herein, the following definitions shall govern in responding to this Legal Questionnaire:

"Affiliates" means any entities or persons having an overt or covert relationship such that any one of them directly or indirectly controls or has the power to control another. For the purposes of application for, or ongoing compliance with, Authority-administered programs, this includes:

- any entities or persons having an ownership interest in Applicant of 30% or greater;
- any entities in which Applicant holds an ownership interest of 30% or greater; and
- any entities that are named in the application and/or agreement, or that will receive a direct benefit from the financing, incentive, or other agreement with the Authority.

Note that any entities or persons fitting these definitions will need to be listed in Part C on the next page.

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

RELEVANT TIMEFRAMES

Responses should be given based on the following "look-back" periods:

- For civil matters, those that were either pending or concluded within 5 years of the reporting date;
- For criminal matters, those that were either pending or concluded within 10 years of the reporting date;
- For environmental regulatory matters, those that were either pending or concluded within 10 years of the reporting date; and
- For all other regulatory matters, those that were either pending or concluded within 5 years of the reporting date.

Note that in cases where Applicant has previously submitted and certified a legal questionnaire to the Authority, the Applicant may refer to its prior legal questionnaire and report only those matters that are new or have changed in status since the date of last reporting.

Part A. Past Proceedings

Has Applicant, or any officers or directors of Applicant, or any Affiliates of Applicant, been found or conceded or admitted to being guilty, liable or responsible in any Legal Proceeding, or conceded or admitted to facts in any Legal Proceedings that demonstrate responsibility for any of the following violations or conduct? (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.

NO 2. Violation of the Federal Organized Crime Control Act of 1970, or commission of embezzlement, theft, fraud, 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.

NO 3. Violation of the Federal or State antitrust statutes, or of the Federal Anti-Kickback Act (18U.S.C. 874).

NO 4. Violation of any law governing the conduct of elections of the Federal Government, State of New Jersey or of its political subdivision.

NO 5. Violation of the "Law Against Discrimination" (P.L. 1945, c169, N.J.S.A. 10:5-1 et seq., as supplemented by P.L. 1975, c127), 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, c114, N.J.S.A. 10:1-10, et seq.).

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.

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.

NO 8. Debarment by any department, agency, or instrumentality of the State or Federal government.

NO 9. Violation of the Conflict of Interest Law, N.J.S.A. 52:13D-12 et seq., including any of the following prohibitions on vendor activities representing a conflict of interest, or failure to report a solicitation as set forth below:

- 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 Authority officer or employee or special Authority 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(j), 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 Authority officer or employee or special Authority officer or employee from any person shall be reported in writing by the person to the Attorney General and the NJEDA Ethics Liaison Officer.
- 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 Authority officer or employee or special Authority 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 Authority, 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 NJEDA Ethics Liaison Officer and the State Ethics Commission, which may grant a waiver of this restriction upon application of the Authority officer or employee or special Authority officer or employee upon a finding that the present or proposed relationship does not present the potential, actual or appearance of a conflict of interest.
- iv. No person shall influence, or attempt to influence or cause to be influenced, any Authority officer or employee or special Authority 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 Authority 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.

NO 10. Violation of any State or Federal law that may bear upon a lack of responsibility or moral integrity, or that may provide other compelling reasons for disqualification. Your responses to the foregoing question should include, but not be limited to, the violation of the following laws, without regard to whether there was any monetary award, damages, verdict, assessment or penalty, 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.
- ii. Laws prohibiting or banning any form of forced, slave, or compulsory labor.
- iii. The New Jersey Conscientious Employee Protection Act, N. J. Stat. Ann. § 34:19-1 et seq., or other "Whistleblower Laws" that protect employees from retaliation for disclosing, or threatening to disclose, to a supervisor or to a public body an activity, policy or practice of the employer, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law.

- iv. Securities or tax laws resulting in a finding of fraud or fraudulent conduct.
- v. Environmental laws, where the monetary award, penalties, damages, etc. amounted to more than \$1 million.
- vi. Laws banning anti-competitive dumping of goods.
- vii. Anti-terrorist laws.
- viii. Criminal laws involving commission of any felony or indictable offense under State or Federal law.
- ix. Laws banning human rights abuses.
- x. Laws banning the trade of goods or services to enemies of the United States.

Part B. Pending Proceedings

11. To the best of your knowledge, after reasonable inquiry, are Applicant, or any officers or directors of Applicant, or any Affiliates, 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? With respect to laws banning or prohibiting discrimination or harassment in the workplace, please provide only information pertaining to any class action lawsuits.

If the answer to any of the foregoing questions is affirmative, you must provide the following information as an attachment to the application: (i) the case name and court/administrative agency (including jurisdiction and venue) in which such matters were tried or are pending; (ii) the charges or claims adjudicated or alleged; and (iii) a brief explanation of the circumstances giving rise to such matters. Also, for affirmative answers to question 1-10, please attach copies of document(s) reflecting the final resolution (e.g., final judgments, verdicts, plea bargains, consent orders, administrative findings, or settlement agreements).

Note that an Applicant may refer to or attach specific provisions of a 10-K/O or other filings with the U.S. Securities and Exchange Commission (SEC); however, the Applicant should be aware that different laws apply to disclosures to the Authority. This means that the Authority does not have the same types of materiality thresholds as the SEC. The Applicant is expected to supplement its SEC filings to ensure that all relevant matters are disclosed to the Authority, including any matters that were below the SEC's materiality threshold and any matters that may have occurred after its most recent filing.

Please Note: Eligibility is determined based on the information presented in the completed Application. If, at any time while engaged with the Authority the Applicant should become aware of any facts that materially alter or change its answers, or that render any of them incomplete or inaccurate, the Applicant has a duty to promptly report such facts to the Authority in writing. The Authority reserves the right to require additional clarifying or explanatory information from the Applicant regarding the answers given, to ask additional questions not contained in this Legal Questionnaire, and to perform its own due diligence investigations and searches.

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Applicant:
Company: Test Startup
Project:
Product: NJ Entrepreneur Support Program

Application ID #226281

 **HELP / Assistance**

Part C: Applicable Affiliates

"Affiliates" means any entities or persons having an overt or covert relationship such that any one of them directly or indirectly controls or has the power to control another. For the purposes of application for, or ongoing compliance with, Authority-administered programs, this includes:

- any entities or persons having an ownership interest in Applicant of 30% or greater;
- any entities in which Applicant holds an ownership interest of 30% or greater; and
- any entities that are named in the application and/or agreement, or that will receive a direct benefit from the financing, incentive, or other agreement with the Authority.

Please provide a list of all entities or persons considered to be "Affiliates" of Applicant based upon the above definitions.

I have no affiliates to report.

Name of Affiliate (Entity or Person):


Federal Employer Identification Number (FIN) (if applicable):

Continue

Checking this box hides the next two fields

Applicant:
Company: Test Startup
Project:
Product: NJ Entrepreneur Support Program

Application ID #226281

 [HELP / Assistance](#)

Certification of Legal Questionnaire and Authorization to Release Information

This certification shall be signed as follows:

- for a corporation, by a principal executive officer, at least the level of vice president;
- for a partnership, by a general partner;
- for a sole proprietorship, by the proprietor;
- for a governmental entity, the contact person (business administrator, manager, mayor, etc.);
- for other than above, the person with legal responsibility for the application.

I hereby represent and certify that I have reviewed the information contained in this Legal Questionnaire, and that the foregoing information is true and complete under penalty of perjury. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. I further agree to inform the New Jersey Economic Development Authority of any changes in the foregoing information which may occur prior to execution of any agreement with the Authority, and so long as any such agreement is in effect. Failure to disclose relevant matters may render the Applicant ineligible for the financial benefits sought and may subject the Applicant to disqualification, debarment, suspension, or referral to the office of the state's Attorney General.

The undersigned, on behalf of the Applicant, understands and acknowledges that information and documents provided to the New Jersey Economic Development Authority: (1) are subject to public disclosure during deliberations of the Authority at public meetings regarding the application and as set forth in the minutes of the Authority's public meetings; and (2) are subject to public disclosure under certain laws, including, but not limited to, the Open Public Records Act, N.J.S.A. 47A:1-1 et seq., and the common law right-to-know.

Name:
Title:
Applicant Name:

I am Authorized Signer and I accept the terms and conditions.

7/18/2023 4:22:02 PM

[Continue](#)

Product: NJ Entrepreneur Support Program
Entrepreneurial Business: Test Startup

Application ID #226281

HELP / Assistance

CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS

Program Name: NJ Entrepreneur Support Program
Applicant Name: Test Startup
Applicant DBA: _____

Pursuant to N.J.S.A. 52:32-60.1, et seq. ([P.L. 2022, c.3](#)) any person or entity (hereinafter 'Applicant') that seeks to be approved for or continue to receive an economic development subsidy from the New Jersey Economic Development Authority must complete the certification below indicating whether or not the Applicant is engaged in prohibited activities in Russia or Belarus. If the New Jersey Economic Development Authority finds that an Applicant has made a certification in violation of the law, it shall take any action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

Certification

I, the undersigned, have read and reviewed the Department of the Treasury's List: (<https://www.nj.gov/treasury/administration/pdf/RussiaBelarusEntityList.pdf>) of entities engaged in prohibited activities in Russia or Belarus, and having done so certify (must check one appropriate box and complete the Authorized Signature section below):

- A.** That the Applicant is not identified on the Department of the Treasury's list of entities engaged in prohibited activities in Russia or Belarus and is not engaged in prohibited activities in Russia or Belarus. **OR**
- B.** That I am unable to certify as to "A" above because the Applicant is identified on the Department of the Treasury's list of entities engaged in prohibited activities in Russia and/or Belarus. **OR**
- C.** That I am unable to certify as to "A" above because the Applicant, though not identified on the Department of the Treasury's list of entities engaged in prohibited activities in Russia or Belarus, is engaged in prohibited activities in Russia or Belarus. A detailed, accurate and precise description of the Applicant's activity in Russia and/or Belarus is set forth below.

If applicable, provide Additional Certification of Federal License

I, the undersigned, certify that Applicant is currently engaged in activity in Russia and/or Belarus, but is doing so consistent with federal law and/or regulation and/or license. Provide a detailed description of how the Applicant's activity in Russia and/or Belarus is consistent with federal law, or is within the requirements of the federal license.

Authorized Signature

I understand that if the above statements are willfully false, I may be subject to penalty.

E-Signature of Applicant Authorized Representative

Test Business CEO

Print Name & Title of Applicant Authorized Representative

|||||
Applicant FEIN or Taxpayer ID

Definitions

"Economic development subsidy" means the provision of an amount of funds to a recipient with a value of greater than \$25,000 for the purpose of stimulating economic development in New Jersey, including, but not limited to, any investment, bond, grant, loan, loan guarantee, matching fund, tax credit, or other tax expenditure.

"Engaged in prohibited activities in Russia or Belarus" means: (1) companies in which the Government of Russia or Belarus has any direct equity share; (2) having any business operations commencing after the effective date of this act that involve contracts with or the provision of goods or services to the Government of Russia or Belarus; (3) being headquartered in Russia or having its principal place of business in Russia or Belarus, or (4) supporting, assisting or facilitating the Government of Russia or Belarus in their campaigns to invade the sovereign country of Ukraine, either through in-kind support or for profit.

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Entrepreneurial Business: Test Startup

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Entrepreneurial Business Required Attachments

The following information must be provided, if applicable:

- Narrative Description / Executive Summary of the Company. Please include product or service and market focus. Please attach this as a separate document in the description. This should not be a business plan or a company overview. Be sure to describe the business and the nature of the operations within New Jersey.
- Employment verification documents for the most recent quarter to application date. This can be the NJ WR30/W3 and Federal form 941 OR a PEO letter which must include total employees and NJ employees at application date.
- Current Capitalization Table (Fully Diluted Basis) as of application date and signed by CEO
- Lease, contract, or similar verification of business location.
- Convertible Note / Promissory Note / Loan Agreement / Term Sheet for the Qualified Investment (for which the guarantee is being sought). Please note, the Note / Loan must have at least a one-year maturity, be unsecured, and must not have any current payments for at least one year.
 - Required at application if the note / loan was executed prior to the application submission date
 - If note is not executed, a draft of the note / loan or term sheet is satisfactory; however, the executed agreements will be required post approval but prior to the execution of the Guarantee agreement
- Evidence of cash transfer for the Qualified Investment for which the guarantee is sought. Documentation can include Cancelled Checks, Wire Transfer, Bank Statement, etc. from both parties- Investor and company)
 - Required at application if the note / loan was executed prior to the application submission date:
 - Required post approval but prior to execution of the guarantee agreement if there is a draft agreement or term sheet at time of application
- Current Tax Clearance certificate. (Please see instructions below)
- [CEO Certification \(EDA form document\)](#)

How to Use Premier Business Services to Obtain Certification

If you aren't registered with Premier Business Services, visit the [Premier Business Services portal](#) and select *New Users Only* - Create an Account and follow instructions. [View detailed instructions.](#)

If you are already registered with Premier Business Services, log in. Go to the Tax & Revenue Center. From there, select Business Incentive Tax Clearance. If your account is compliant with its tax obligations and no liabilities exist, the Business Incentive Tax Clearance can be printed directly through the portal.

Please make sure the Tax Clearance Certificate is in the NJ Economic Development Authority's name when you print it.

Questions regarding your account may be directed to 609-292-9292 or via email at Premier Services Registration at Integrated-Registration.Admin@treas.nj.gov.


In case of any challenges with securing a clearance after successfully creating an account and logging in to the Premier Business Services Portal, please contact the Tax Clearance team Support E-mail and Phone below:
BusinessAssistanceTC.Taxation@treas.nj.gov
609-292-5503

[Print List of Required Attachments](#)

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Entrepreneurial Business Required Attachments

The following files are attached to the application:

- testdoc.docx - [\[Remove\]](#)

Attachments may be submitted in the following formats:

- Microsoft Word (.doc, .docx)
- Microsoft Excel (.xls, .xlsx)
- WordPerfect (.wpd)
- Text (.txt)
- Adobe PDF (.pdf)

Select file(s) to attach:

Please note, all required documents should be submitted with this application.



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Certification of Application

I, THE UNDERSIGNED, BEING DULY SWORN UPON MY OATH SAY:

1. I affirm, represent, and warrant that the information contained in this application and in all attachments submitted herewith is to the best of my knowledge true and complete.
2. I understand that if such information is willfully false, I am subject to criminal prosecution under N.J.S.A. 2C:28-2 and civil action by the EDA and the Division of Taxation which may at its option terminate its financial assistance.
3. I authorize the New Jersey Department of Law and Public Safety to verify any answer(s) contained herein through a search of its records, or records to which it has access, and to release the results of said research to the EDA.
4. I authorize the EDA to provide information submitted to it by or on behalf of the applicant to the Division of Taxation or other State agency which might need to be involved in the approval of the requested Guarantee.

I am an Authorized Signer and I accept the terms and conditions.

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Application Submission