



A State by State

Guide to Interstate DBE Certification

Prepared by DBE Direct, LLC



Introduction



For many years companies seeking DBE certification had to apply to each agency from which they sought work. In 1999, the regulations governing the DBE program were modified making it mandatory for each state to establish a “Unified Certification Program” or “UCP”. The UCPs are made up of all state agencies (referred to as recipients) that receive United States Department of Transportation (“USDOT”) funds. These UCPs are intended to be “One-Stop Shopping” certification programs that eliminate the need for a DBE or ACDBE firm to obtain certifications from multiple agencies within the State. A business certified as a DBE or ACDBE through the UCP is automatically accepted by all USDOT recipients in that state.

While the establishment of UCPs eliminated the need for DBE firms to obtain multiple certifications within a state it did nothing to ease the burden of DBE companies that wished to obtain certification in multiple states. Until recently, firms seeking certification outside of their home states were required to reapply in each additional state where they sought certification. In January 2011, the Department of Transportation announced new changes to the Disadvantaged Business Enterprise (and Airport Concessions Disadvantaged Business) Program that would make it easier for DBE firms to get certified in other states. Those new rules became effective on January 1, 2012. Under the new rule UCPs have the 3 options on dealing with interstate certification. UCPs can either 1) accept certification’s from other states, 2) require applicants to reapply or 3) reevaluate the application that the firm submitted to its home state.

This Guide was created to give a state by state synopsis of which Interstate Certification method each state is currently utilizing. We compiled the Guide by contacting each state UCP individually. The information is current as of the date of this document. It’s always best to contact the state UCP directly before you submit your application.

If you have questions about Interstate Certifications, call me at (305)745-7705 to schedule a free 15-minute consultation.

A handwritten signature in black ink, appearing to read 'JPC', with a long horizontal flourish extending to the right.

Jeff P. H. Cazeau, Esq.
Government Contracts Attorney
DBE Direct, LLC
(305)745-7705

www.dbecertificationguide.com

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Disclaimer

This Guide is designed to be a source of helpful information for anyone who is considering about applying for the DBE or ACDBE certifications. There are no representations or warranties with respect to the accuracy or completeness of the contents of this book and specifically disclaim all warranties, including without limitation warranties of fitness for a particular purpose.

Neither the publisher nor the author is in the business of providing legal advice or guidance to people with whom there is no signed fee agreement in place. No guarantee is made that you are eligible for the DBE or ACDBE programs or that you will be certified if you follow the information in this guide.

It is always better to consult with a trained professional to discuss your specific situation.

Please see next page for more information

Interstate DBE Certification

In January 2011, the Department of Transportation announced new changes to the Disadvantaged Business Enterprise (and Airport Concessions Disadvantaged Business) Program that would make it easier for DBE firms to obtain certification in other states. These new rules became effective on January 1, 2012.

If you are a certified DBE in your home state (“State A”) and seek certification in another state (“State B”) you must provide State B with a copy of your certification notice from State A. According to the new regulation, your certification notice from State A should be sufficient to allow State B to certify your firm.

However, we have already observed that certain states are requiring more information from applicants. This is because the new rule also provides a second method for interstate certification which is considerably more burdensome for applicants. Specifically, the new rule states that “in any situation in which State B chooses not to accept State A’s certification” applicants must provide the following required information (“Required Information”):

- (1) You must provide to State B a complete copy of the application form, all supporting documents, and any other information you have submitted to State A or any other state related to your firm's certification. This includes affidavits of no change and any notices of changes that you have submitted to State A, as well as any correspondence you have had with State A's Unified Certification Program or any other recipient concerning your application or status as a DBE firm.
- (2) You must also provide to State B any notices or correspondence from states other than State A relating to your status as an applicant or certified DBE in those states. For example, if you have been denied certification or decertified in State C, or subject to a decertification action there, you must inform State B of this fact and provide all documentation concerning this action to State B.
- (3) If you have filed a certification appeal with DOT, you must inform State B of the fact and provide your letter of appeal and DOT's response to State B.
- (4) You must submit an affidavit sworn to by the firm's owners before a person who is authorized by State law to administer oaths or an unsworn declaration executed under penalty of perjury of the laws of the United States.

Essentially, the new rule requires applicants to provide State B with their entire DBE Application and correspondence from State A as well as any correspondence from any other state in which the firm is certified. Once an applicant submits all of this information, State B has 60 days to decide whether to certify the firm or determine that “good cause” exists not to grant certification. The new regulation provides the following reasons for determining that good cause exists:

- (i) Evidence that State A's certification was obtained by fraud;
- (ii) New information, not available to State A at the time of its certification, showing that the firm does not meet all eligibility criteria;
- (iii) State A's certification was factually erroneous or was inconsistent with the requirements of this part;
- (iv) The State law of State B requires a result different from that of the State law of State A.
- (v) The information provided by the applicant firm did not meet the requirements of regulation (i.e. the Required Information discussed above).

If State B determines that good cause exists not to certify you, they must notify you in writing and provide specific reasons why you could not be certified in State B. You may respond to the denial letter by requesting an in-person meeting with a decision maker at State B. The meeting must take place within 30 days of your request. If after the meeting you are still denied certification, you may appeal the denial decision to the Department of Transportation.

Although the new interstate certification regulations are a welcome move towards a more national program, it is very likely, at least in the near future, that the implementation of the new regulation will be problematic. As mentioned above, although the new regulation allows certifying agencies to accept certifications from firms' home states, most agencies will probably not choose that method. Rather they will require firms to provide all of the Required Information as provided in the regulation. This may unduly burden applicants.

In addition, many agencies already have considerable difficulty in meeting the 90-day requirement for certifying new applicants. Under the new regulation, agencies have only 60 days to review interstate applications and 30 days to schedule an in-person meeting if an applicant who has been denied requests such a meeting. Depending on the volume of applications, the process may become very cumbersome in some states and lead to improperly denied applications and delay. The most disconcerting aspect of the new regulation is that firms denied interstate certification must be entered into the Department of Transportation Office of Civil Rights' ("DOCR") Ineligibility Determination Online Database. Entry into this database could serve as the basis for decertification procedures in a firm's home state or be the basis for a future bid protest.

At DBE Direct, we have considerable experience in dealing with interstate DBE certifications. Although the new regulations are a welcome step towards a national DBE certification, we believe that in the near future there will be difficulties as state UCP's try to navigate the new rule. Do not let your firm become negatively impacted by agencies that don't understand the new regulations. Call us to assist you in obtaining your interstate DBE certification at (305) 745-7705.

A STATE BY STATE GUIDE TO INTERSTATE CERTIFICATION

Alabama

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Alabama must submit the original application from their home state. Additionally, supply updated tax information for each socially and economically disadvantaged owner as well as the business, or an affidavit of certification indicating that there are no changes.

For more information, contact the Alabama Unified Certification Program.

http://cpmsapps2.dot.state.al.us/alucp/Documents/DBE_ACDBE_Uniform_Certification_Application.pdf

- Out-of-state Certification:
<https://www.dot.state.al.us/cboweb/OutOfStateCertification.html>
- Please note, * An Interstate Affidavit must be submitted *
- Alabama Department of Transportation
Personnel and Compliance Bureau
DBE Unit
2720 Gunter Park Drive
West Montgomery, AL 36109

Alaska

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Alaska must complete and submit the DBE application and the Interstate Certification Affidavit, including any supporting documentation.

For more information, contact the Alaska Unified Certification Program.

<http://www.dot.state.ak.us/cvlrts/aucp.shtml>
http://www.dot.state.ak.us/cvlrts/forms/Interstate_Certification_Process.pdf

- Please note, * An Interstate Affidavit must be submitted *
- Contact Sarah Starzec (907) 269-0845
- Department of Transportation
Civil Rights Office
P.O. Box 196900
Anchorage AK 99519-6900

Please see next page for more information

Arizona

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Arizona must complete the online application and upload supporting documentation to each file on website. They will also need to scan and upload an updated certification affidavit, and a personal financial statement. Arizona will obtain the on-site visit report from the home state.

For more information, contact the Arizona Unified Certification Program.

<https://adot.dbesystem.com/?TN=adot>

[https://www.azdot.gov/business/business-engagement-and-compliance/business-registration-and-certification/disadvantaged-business-enterprises-\(dbe\)-certification](https://www.azdot.gov/business/business-engagement-and-compliance/business-registration-and-certification/disadvantaged-business-enterprises-(dbe)-certification)

- Arizona Department of Transportation
Business Engagement and Compliance Office
1135 N. 22nd Ave. 2nd Floor
Phoenix, AZ 85009

Arkansas

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Arkansas must submit a copy of the file and supporting documentation they submitted to their home state. It is suggested that firms review the required documents list for any additional documents. Also, do not include bank statements.

For more information, contact the Arkansas Unified Certification Program.

<http://www.arkansashighways.com/dbe/dbe.aspx>

- Please note, * An Interstate Affidavit must be submitted *
- Office of Highway Department
10324 Interstate 30, P. O. Box 2261
Little Rock, AR 72203-2261
Natasha Halbert, DBE Program Specialist

Please see next page for more information

California

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in California must submit a copy of the file and supporting documentation they submitted to their home state, as well as copy of the DBE certification approval from their home state.

For more information, contact the California Unified Certification Program.

<http://www.dot.ca.gov/hq/bep/ucp.htm>

<https://cucp.dot.ca.gov/cucp/eligibility/eligibilityStart>

https://www.transportation.gov/sites/dot.gov/files/docs/New%20DBE%20Certification%20Application%2011-18-2014_0.pdf

- Please note, * An Interstate Affidavit must be submitted *
- Office of Business & Economic Opportunity
Attn: Certification Unit
1823 14th Street,
Sacramento, CA 95811
(916) 324-1700

For Other CA Agencies

http://www.caltrans.ca.gov/hq/bep/business_forms.htm

http://www.dot.ca.gov/hq/bep/documents/Roster_of_Certifying_Agencies.pdf

Colorado

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Colorado must fill out the online application, and send it in with the supporting documentation.

For more information, contact the Colorado Unified Certification Program.

<https://www.codot.gov/business/civilrights/smallbusiness/dbe/certification>

- Out-of-Sate Certification:

<https://www.codot.gov/business/civilrights/smallbusiness/dbe/interstate>

- Colorado Department of Transportation
Office of Certification
4201 E. Arkansas Ave, Room 200
Denver, CO 80222

Connecticut

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Connecticut must submit a copy of the file and supporting documentation they submitted to their home state, including updated financial statements and taxes.

For more information, contact the Connecticut Unified Certification Program.

<http://www.ct.gov/dot/cwp/view.asp?a=2288&q=307380>

- Please note, * An Interstate Affidavit must be submitted *
- Ms. Shari Pratt
Connecticut Department of Transportation
Office of Contract Compliance
2800 Berlin Turnpike
Newington, CT 06131

Delaware

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Delaware must complete and submit the out of state form, a current on-site visit report will be requested from their home state.

For more information, contact the Delaware Unified Certification Program.

<https://deldot.gov/Business/dbe/index.shtml?dc=application>

- Please note, * An Interstate Affidavit must be submitted *
- Postal Mail Address
Delaware Department of Transportation
Attention: DBE Program
PO Box 778
Dover, DE 19903
- Express Mail Address
Delaware Department of Transportation
Attention: DBE Program
800 Bay Road
Dover, DE 19901

Please see next page for more information

Florida

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Florida must complete and submit the state application, along with the supporting documentation, and include the Interstate Certification Application.

For more information, contact the Florida Unified Certification Program.

<http://www.fdot.gov/equalopportunity/dbecertification.shtm>

- Please note, * An Interstate Affidavit must be submitted *
- Florida Department of Transportation
605 Suwannee Street, MS 65
Tallahassee, FL 32399

Georgia

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Georgia must submit a state application including the supporting documentation.

For more information, contact the Georgia Unified Certification Program.

<http://www.dot.ga.gov/PS/Business/DBE#tab-1> 3

- Please note, * An Interstate Affidavit must be submitted *
- Georgia Department of Transportation
Equal Opportunity Division
ONE GEORGIA CENTER
600 West Peachtree Street, N.W., 7th Floor
Atlanta, GA 30308

Please see next page for more information

Hawaii

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in Hawaii must submit a copy of the file and supporting documentation they submitted to their home state. Hawaii will contact home state for the on-site visit report.

For more information, contact the Hawaii Unified Certification Program.

<http://hidot.hawaii.gov/administration/ocr/dbe/dbe-application/>

- Please note, * An Interstate Affidavit must be submitted *
- State of Hawaii
Department of transportation
Office of Civil Rights
869 Punchbowl Street, Room 112
Honolulu, HI 96813

Idaho

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Idaho must submit a copy of the file and supporting documentation they submitted to their home state, including an updated net worth and financial statement if DBE certification was submitted over 6 months ago. The interstate application can also be found in the link below:

For more information, contact the Idaho Unified Certification Program.

<https://itd.dbesystem.com/>

- Idaho Transportation Department
3311 W. State Street P.O. Box 7129
Boise, ID 83707-1129
(208) 334-8000

Please see next page for more information

Illinois

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Illinois must submit a copy of the file and supporting documentation they submitted to their home state.

For more information, contact the Illinois Unified Certification Program.

<http://www.idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/index>

- Please note, * An Interstate Affidavit must be submitted *
- Illinois Department of transportation bureau of small business enterprises
2300 South Birksen Parkway
Springfield, IL 62764 Room 319

Indiana

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Indiana must complete an application for consideration.

For more information, contact the Indiana Unified Certification Program.

<https://itap.indot.in.gov/>
<http://www.in.gov/indot/2674.htm>

- Please note, * An Interstate Affidavit must be submitted *
- Mail-Indiana Department of Transportation
Economic Opportunity Division, DBE Certification
100 N. Senate Ave., IGCN 750
Indianapolis, IN 46204

Iowa

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Iowa must submit a copy of the file and supporting documentation they submitted to their home state, including a copy of the DBE certification approval from their home state. Please also include any other information sent to and from the home state.

For more information, contact the Iowa Unified Certification Program.

http://www.iowadot.gov/civilrights/dbe_program.html

- Please note, * An Interstate Affidavit must be submitted *
- Office of Civil Rights Iowa Dot
800 Lincoln way
Amef, IA 50010

Kansas

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Kansas, must submit the application including all supporting documentation, including a copy of the DBE certification approval letter from their home state. Kansas will contact home state for the on-site visit report.

For more information, contact the Kansas Unified Certification Program.

<http://www.ksdot.org/divadmin/civilrights/>

- Please note, * An Interstate Affidavit must be submitted *
- Doria Watson
Kansas Department of Transportation
700 SW Harrison Street 3rd Floor
Topeka, KS 66603-3754

Kentucky

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Kentucky must submit a copy of the file and supporting documentation they submitted to their home state, including a copy of the DBE certification approval from their home state.

For more information, contact the Kentucky Unified Certification Program.

<https://transportation.ky.gov/civil-rights-and-small-business-development/Pages/default.aspx>

- Division of Construction Procurement
Kentucky Transportation Cabinet
200 Mero Street
Frankfort, KY 40622
- Any questions please contact (502)564-3601 Megal Killman or Melvin Bonds

Please see next page for more information

Louisiana

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Louisiana must submit the DBE application and all supporting documentation. Louisiana will allow a firm to submit a copy of the file and the supporting documentation they submitted to their home state, including the most recent annual affidavit that was submitted to the home state. Louisiana will contact home state for the on-site visit report.

For more information, contact the Louisiana Unified Certification Program.

http://wwwsp.dotd.la.gov/Inside_LaDOTD/Divisions/Administration/Compliance/Pages/DBE_Certification.aspx

- Please note, * An Interstate Affidavit must be submitted *
- Compliance Programs Section 37
attention: Remy Graves
1202 Capital Access Road
Baton Rouge, LA 70802

Maine

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking verification in the state of Maine must submit an Interstate Certification Request form for consideration of certification in Maine. As well as a copy of Firm's DBE Certification, current Personal Net Worth statement, and notarized Interstate Affidavit of Disclosure. Certification will be determined by the Maine Department of Transportation and the Department reserves the right to ask for further documentation before it renders its decision to certify in the Maine DBE Program.

For more information, contact the Maine Unified Certification Program.

<http://maine.gov/mdot/civilrights/dbe/>

- Please note, * An Interstate Affidavit must be submitted *
- Maine Department of Transportation
Sherry Y. Tompkins
Civil Rights Office
#16 State House Station
Augusta, ME 04333-0016

Please see next page for more information

Maryland

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking verification in the state of Maryland must go onto the webpage provided below. Click on blue tabs reading Application Forms, then click on the link reading DBE Interstate Certification located in the third paragraph. Download the DBE Certification Form and follow the instructions provided.

For more information, contact the Maryland Unified Certification Program.

<https://mbe.mdot.maryland.gov/apply/>

- Interstate Certification:

<http://www.mdot.maryland.gov/Office%20of%20Minority%20Business%20Enterprise/Certifications%20and%20Forms/DBE%20Interstate.html>

- Maryland Department of Transportation
Office of Minority Business Enterprise
7201 Corporate Center Drive
Hanover, MD 21076

Massachusetts

Procedure for Out of State Companies Seeking DBE Certification:

Firm seeking certification in the state of Massachusetts must submit the application including all supporting documentation, and a copy of the DBE certification approval from their home state.

For more information, contact the Massachusetts Unified Certification Program.

<https://www.mass.gov/how-to/apply-for-interstate-disadvantaged-business-enterprise-dbe-certification>

- Please note, * An Interstate Affidavit must be submitted *
- Mail-Indiana Department of Transportation
Economic Opportunity Division, DBE Certification
100 N. Senate Ave., IGCN 750
Indianapolis, IN 46204
- Nedra White-Director
MassUCP/DBE Certification Office
State Transportation Building
10 Park Plaza, Suite 2600-B
Boston, MA 02116

Please see next page for more information

Michigan

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Michigan must submit a state application along with the supporting documents.

For more information, contact the Michigan Unified Certification Program.

<https://mdotjboss.state.mi.us/UCP/FormsServlet>

- Please note, * An Interstate Affidavit must be submitted *
- Michigan Department of Transportation
Office of Business Development
425 West Ottawa Street
PO Box 30050
Lansing, MI 48909
- Fax number (517) 335-0945, you can fax over the documents if you would like as well.

Minnesota

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Minnesota must submit a state application and the supporting documentation, including the Affidavit of Interstate Certification. Minnesota will contact home state for the on-site visit report.

For more information, contact the Minnesota Unified Certification Program.

<http://dbe-app.net/> (ONLINE)

<https://mnucp.org/Document-Library/New-2017-DBE-ACDBE-CERTIFICATION-APPLICATION-FORM.aspx> (PAPER)

- Dian Clark
395 John Ireland Blvd
Saint Paul, MN 55155
Mail Stop Number 170

Please see next page for more information

Mississippi

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Mississippi must submit the state application including all of the supporting documentation.

For more information, contact the Mississippi Unified Certification Program.

<http://sp.mdot.ms.gov/Civil%20Rights/Pages/DBE.aspx>

- Please note, * An Interstate Affidavit must be submitted *
- Mississippi Department of Transportation
Office of Civil Rights – DBE Liason
P.O. Box 1850
Jackson, MS 39215-1850

Missouri

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Missouri must fill out an application from website, and send a copy of on-site visit report from home state.

For more information, contact the Missouri Unified Certification Program.

http://www.modot.org/business/contractor_resources/External_Civil_Rights/DBE_program.htm

- Please note, * An Interstate Affidavit must be submitted *
- External Civil Rights Division
1617 Missouri Blvd.
P.O. Box 270
Jefferson City, MO 65102

Please see next page for more information

Montana

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Montana must submit a copy of the file and supporting documentation they submitted to their home state.

For more information contact the Montana Unified Certification Program.

<http://www.mdt.mt.gov/business/contracting/civil/dbe-interested.shtml>

- Please note, * An Interstate Affidavit must be submitted *
- Montana Department of Transportation
DBE Program
P.O. Box 201001
2701 Prospect
Helena, MT 59620-1001

Nebraska

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Nebraska must submit the state application including all supporting documentation.

For more information contact the Nebraska Unified Certification Program.

<http://dot.nebraska.gov/business-center/civil-rights/>

- Please note, * An Interstate Affidavit must be submitted *
- State of Nebraska department of Roads
DBE Office
P.O. Box 94759
Lincoln, NE 68509-4759

Nevada

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Nevada must submit the state application and Personal Financial Statement. Firms do not need to submit supporting documentation. Nevada will contact your home state for the on-site visit report.

For more information, contact the Nevada Unified Certification Program.

<http://nevadadbe.com/dbe-program>

<https://www.nevadadot.com/doing-business/external-civil-rights/dbe-program>

- Contract Compliance
1263 South Stuart Street
Carson City, NV 89712

New Hampshire

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of New Hampshire must print, fill out, and mail the following forms and requested information to NHDOT for processing. Please include, DBE Certification Form, Interstate Affidavit Disclosure, and Personal Net Worth Statement.

For more information, contact the New Hampshire Unified Certification Program.

http://www.nh.gov/dot/org/administration/ofc/dbe_overview.htm

- Please note, * An Interstate Affidavit must be submitted *
- New Hampshire Department of Transportation
DBE Office
P.O. Box 483 7 Hazen Drive
Concord, NH 03302-0483

New Jersey

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of New Jersey must submit a copy of the file and supporting documentation they submitted to their home state.

For more information, contact the New Jersey Unified Certification Program.

<http://www.state.nj.us/transportation/business/civilrights/dbe.shtm>

- Please note, * An Interstate Affidavit must be submitted *
- Department of Transportation
DBE Office
P.O. Box 600
Trenton, NJ 08625-0600

New Mexico

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of New Mexico must submit a state application including the supporting documentation.

For more information, contact the New Mexico Unified Certification Program.

<https://nmdot.dbesystem.com/>

- Office of Equal Opportunity Programs
Aspen Plaza
1596 Pacheo, Suite 107
Santa Fe, NM 87505

New York

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of New York must submit a copy of the file and supporting documentation they submitted to their home state, including a copy of the DBE certification approval from their home state.

For more information, contact the New York's Unified Certification Program.

<https://nysdot.newnycontracts.com/>

- Interstate Certification:
<https://www.dot.ny.gov/main/business-center/audit/dbe-certification>
- NYSDOT Main Office
50 Wolf Road
Albany, NY 12232

North Carolina

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of North Carolina must submit a state application and any required documents. Please include the Affidavit of Certification, Affidavit of Social and Economic Disadvantaged, and the Uniform Application.

For more information, contact the North Carolina Unified Certification Program.

<https://connect.ncdot.gov/business/SmallBusiness/Pages/Become%20a%20Certified%20DBE%20Business.aspx>

- Please note, * An Interstate Affidavit must be submitted *
- NCDOT DBE Certification
1511 MAIL SERVICE CENTER RALEIGH
NC 27699-1511

Please see next page for more information

North Dakota

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of North Dakota must submit the state application, along with the supporting documentation.

For more information, contact the North Dakota Unified Certification Program.

<http://www.dot.nd.gov/divisions/civilrights/dbeprogram.htm#dbe-certification>

- Please note, * An Interstate Affidavit must be submitted *
- Interstate Certification:
<https://www.dot.nd.gov/divisions/civilrights/docs/dbe/GUIDANCE%20FOR%20OUT-of-state%20DBE%20applicants.pdf>
- Denise G Spanjer
Civil Rights Division
ND Department of Transportation
608 Eat Boulevard Avenue
Bismarck, ND 58505-0700

Ohio

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Ohio must submit the state application, along with supporting documentation.

For more information, contact the Ohio Unified Certification Program.

<http://www.dot.state.oh.us/Divisions/ODI/SDBE/Pages/UCP.aspx>

- Please note, * An Interstate Affidavit must be submitted *
- The Ohio Department of Transportation
1980 West Broad Street
Columbus, OH 43223

Please see next page for more information

Oklahoma

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Oklahoma must submit state application, along with copies of the file and supporting documentation they submitted to their home state

For more information, contact the Oklahoma Unified Certification Program.

<http://www.okladot.state.ok.us/dbeinfo/appforms.htm>

- Please note, * An Interstate Affidavit must be submitted *
- Regulatory Services
Oklahoma Department of Transportation
200 N.E. 21st. St., Rm. 1-C-5
Oklahoma City, OK 73105

Oregon

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking DBE certification in the state of Oregon must submit the state application, along with supporting documentation.

For more information, contact the Oregon Unified Certification Program.

<https://oregon4biz.diversitysoftware.com/FrontEnd/StartCertification.asp?XID=5133&TN=oregon4biz>

- ODOT Office of Civil Rights; MS 31
355 Capitol Street NE
Salem, OR 97301-3871

Please see next page for more information

Pennsylvania

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Pennsylvania must go onto the link below and fill out pages 11 and 12 of the Certification Application form. Submit the form to any of the address provided on page 1, along with an updated Personal Financial Statement, a signed and notarized Affidavit of Certification, and any recent taxes and Financial Statements.

For more information, contact the Pennsylvania Unified Certification Program.

<https://www.dotsbe.pa.gov/PAUCPWeb/paucp/downloadCertificationForms.do>

- Please note, * An Interstate Affidavit must be submitted *
- Pennsylvania Department of Transportation
Bureau of Equal Opportunity
DBE / Title VI Division
P.O. Box 3251
Harrisburg, PA 15222-2527

Puerto Rico

Procedure for Out of State Companies Seeking DBE Certification:

Firm seeking certification in the territory of Puerto Rico must submit a copy of the file and supporting documentation they submitted to their home state, including any updated personal and corporate financial statements, and a copy of the On-site. If there is a need for additional information it will be requested from the firm or to the DOT home state.

For more information, contact the Puerto Rico's Unified Certification Program.

<http://aerpuertosju.com/en/public-notice/encivilrights/ucp-2/>

- Please note, * An Interstate Affidavit must be submitted *
- Autoridad De Carreteras y Transportacion
Oficina Derechos Civiles
P.O. Box 42007
San Juan, PR 00940-2007

Please see next page for more information

Rhode Island

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Rhode Island must complete the Uniform Certification Application and provide supporting documentation.

For more information, contact the Rhode Island Unified Certification Program.

<http://odeo.ri.gov/offices/mbeco/dbe-program.php>

- Please note, * An Interstate Affidavit must be submitted *

Forward the completed forms to:

- Minority Business Enterprise Compliance Office
One Capitol Hill
2nd Floor
Providence, RI 02908

South Carolina

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of South Carolina must submit a copy of the file and the supporting documentation they submitted to their home state, including any updated information.

For more information, contact the South Carolina Unified Certification Program.

http://www.dot.state.sc.us/business/pdf/businessDevelop/SCDOT_DBE_Interstate_Certification_Process.pdf

- Please note, * An Interstate Affidavit must be submitted *
- HQ SCDOT
Suite 117
955 Park Street
Columbia, SC 29202

Please see next page for more information

South Dakota

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of South Carolina must submit the state application including any supporting documentation.

For more information, contact the South Carolina Unified Certification Program.

<http://www.sddot.com/business/contractors/dbe/forms/default.aspx>

- Please note, * An Interstate Affidavit must be submitted *
- Interstate Certification:
Required to send it application what was first submitted
- South Dakota Department of Transportation
DBE Program
700 E. Broadway Pierre, SD 57501

Tennessee

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Tennessee must submit a copy of the file and supporting documentation they submitted to their home state.

For more information contact the Tennessee Unified Certification Program.

<https://www.tn.gov/content/dam/tn/tdot/documents/TNUCP-InterstateCertificationProcess.pdf>

- Please note, * An Interstate Affidavit must be submitted *
- Tennessee Department of Transportation
505 Deaderick Street, Suite 1800
Nashville, TN 37243

Texas

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Texas must submit state application, along with copies of the file and supporting documentation they submitted to their home state, including any updated documents.

For more information, contact the Texas Unified Certification Program.

- <https://txdot.txdotcms.com/>
- U. S. Department of Transportation
Departmental Office of Civil Rights
External Policy and Program Development Division
1200 New Jersey Avenue SE, W78-338
Washington, DC 20590

Utah

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Utah must complete the state application, and send supporting documentation.

For more information, contact the Utah Unified Certification Program.

<https://www.udot.utah.gov/main/f?p=100:pg:0::::V,T:,2250>

- Please note, * An Interstate Affidavit must be submitted *
- Utah Unified Certification Program
Utah Department of Transportation
Civil Rights Section/UUCP
4501 South 2700 West 4th Floor
Box 141520
Salt Lake City, UT 84114-1520

Vermont

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Vermont must submit a copy of the file and supporting documentation they submitted to their home state, along with their personal net worth statement, current within 90 days.

For more information, contact the Vermont Unified Certification Program.

<http://vtrans.vermont.gov/civil-rights/doing-business/dbe-center/certification>

- Please note, * An Interstate Affidavit must be submitted *
- Civil Rights Program Manager
Vermont Agency of Transportation
1 National Life Drive
Montpelier, VT 05633-5001

Please see next page for more information

Virginia

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Virginia must submit state application online, including the financial statement any other supporting documentation.

For more information, please visit the website below or contact the Virginia Unified Certification Program.

<https://www.sbsd.virginia.gov/certification-division/dbe/>

- Please note, * An Interstate Affidavit must be submitted *
- Virginia Department of Minority Business Enterprise
111 Eat Main Street, Suite 300
Richman, VA 23219
1(804) 786-6585

Washington

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Washington must submit copy of the file and supporting documentation they submitted to their home state, including a letter head stating that they are applying for the DBE certification.

For more information, contact the Pennsylvania Unified Certification Program.

<http://www.omwbe.wa.gov/certification>

<https://omwbe.diversitycompliance.com/>

- OMWBE
P.O. Box 41160
Olympia, WA 98504-1160

Please see next page for more information

West Virginia

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of West Virginia must fill out and submit the state application, along with the financial statement, and send supporting documentation.

For more information, contact the Virginia Unified Certification Program.

<http://transportation.wv.gov/eo/DBE/Pages/PersonalFinancialStatement.aspx>

- Please note, * An Interstate Affidavit must be submitted *
- WVDOT EEO Division
1900 Kanawha Blvd., E.
Building 5, Room 618
Charleston, WV 25305

Wisconsin

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Wisconsin must submit a copy of the file and supporting documentation they submitted to their home state, along with their personal net worth statement.

For more information, contact the Pennsylvania Unified Certification Program.

<http://www.dot.wisconsin.gov/business/engrserv/dbe-main.htm>

- Please note, * An Interstate Affidavit must be submitted *
- Wisconsin Department of Transportation
Civil Rights and Compliance Section, Room 451
4802 Sheboygan Avenue
P.O. Box 7965
Madison, WI 53707-7965

<http://wisconsin.gov/Documents/doing-bus/civil-rights/dbe/interstate-certification-procedure.doc>

Wisconsin Department of
Transportation
4802 Sheboygan Ave, Room 451
ATTN: DBE Office, Vincent Fisher
Madison, WI 53707-7965
Email: DBE_Alert@dot.wi.gov

OR

Milwaukee County
Community Business Development Partners
Contact Number: 414-278-4747
Application Link - Cut & paste in browser:
<https://mke.diversitycompliance.com/?TN=mke>

Please see next page for more information

Wyoming

Procedure for Out of State Companies Seeking DBE Certification:

Firms seeking certification in the state of Wyoming need to fill out and submit the state application, including supporting documentation. To retrieve the applications(s), fill out the request and then the application will be sent to you to the email provided. Same goes for the Interstate Certification, same process and to submitting the request

For more information, contact the Wyoming Unified Certification Program.

http://www.dot.state.wy.us/home/business_with_wydot/contractors/Disadvantaged_Business_Enterprise.html

- Please note, * An Interstate Affidavit must be submitted *
- Mitzi Krois , DBE Program Manager
5300 Bishop Blvd.
Cheyenne, WY 82009
307-777-4268

The District of Columbia (Washington D.C.)

Firms seeking certification in the state of Washington D.C. need to fill out and submit the state application, including supporting documentation.

For more information, contact The Washington Unified Certification Program.

<https://ddot.dc.gov/page/disadvantaged-business-enterprises>

<https://www.wmata.com/business/small-disadvantaged-business/dbe.cfm>

- Please note, * An Interstate Affidavit must be submitted *
- District Department of Transportation

Office of Civil Rights
55 M Street, SE, 7th Floor
Washington, DC 20003

Telephone: (202) 299-2190

Please see next page for more information

Washington Metropolitan Area Washington D.C.

Firms seeking certification in the state of Washington D.C. need to fill out and submit the state application, including supporting documentation.

For more information, contact The Metropolitan Washington Unified Certification Program.

<https://www.wmata.com/business/small-disadvantaged-business/dbe.cfm>

-Please note, * An Interstate Affidavit must be submitted *

- Washington Metropolitan Area Transit Authority
600 5th Street, NW
Washington, DC 20001

Please see next page for more information

49 CFR 26.85 Interstate certification.

(a) This section applies with respect to any firm that is currently certified in its home state.

(b) When a firm currently certified in its home state (“State A”) applies to another State (“State B”) for DBE certification, State B may, at its discretion, accept State A's certification and certify the firm, without further procedures.

(1) To obtain certification in this manner, the firm must provide to State B a copy of its certification notice from State A.

(2) Before certifying the firm, State B must confirm that the firm has a current valid certification from State A. State B can do so by reviewing State A's electronic directory or obtaining written confirmation from State A.

(c) In any situation in which State B chooses not to accept State A's certification of a firm as provided in paragraph (b) of this section, as the applicant firm you must provide the information in paragraphs (c)(1) through (4) of this section to State B.

(1) You must provide to State B a complete copy of the application form, all supporting documents, and any other information you have submitted to State A or any other state related to your firm's certification. This includes affidavits of no change (*see* § 26.83(j)) and any notices of changes (*see* § 26.83(i)) that you have submitted to State A, as well as any correspondence you have had with State A's UCP or any other recipient concerning your application or status as a DBE firm.

(2) You must also provide to State B any notices or correspondence from states other than State A relating to your status as an applicant or certified DBE in those states. For example, if you have been denied certification or decertified in State C, or subject to a decertification action there, you must inform State B of this fact and provide all documentation concerning this action to State B.

(3) If you have filed a certification appeal with DOT (*see* § 26.89), you must inform State B of the fact and provide your letter of appeal and DOT's response to State B.

(4) You must submit an affidavit sworn to by the firm's owners before a person who is authorized by State law to administer oaths or an unsworn declaration executed under penalty of perjury of the laws of the United States.

(i) This affidavit must affirm that you have submitted all the information required by 49 CFR 26.85(c) and the information is complete and, in the case of the information required by § 26.85(c)(1), is an identical copy of the information submitted to State A.

(ii) If the on-site report from State A supporting your certification in State A is more than three years old, as of the date of your application to State B, State B may require that your affidavit also affirm that the facts in the on-site report remain true and correct.

(d) As State B, when you receive from an applicant firm all the information required by paragraph (c) of this section, you must take the following actions:

(1) Within seven days contact State A and request a copy of the site visit review report for the firm (*see* § 26.83(c)(1)), any updates to the site visit review, and any evaluation of the firm based on the site visit. As State A, you must transmit this information to State B within seven days of receiving the request. A pattern by State B of not making such requests in a timely manner or by “State A” or any other State of not complying with such requests in a timely manner is noncompliance with this Part.

(2) Determine whether there is good cause to believe that State A's certification of the firm is erroneous or should not apply in your state. Reasons for making such a determination may include the following:

(i) Evidence that State A's certification was obtained by fraud;

(ii) New information, not available to State A at the time of its certification, showing that the firm does not meet all eligibility criteria;

(iii) State A's certification was factually erroneous or was inconsistent with the requirements of this part;

(iv) The state law of State B requires a result different from that of the state law of State A.

(v) The information provided by the applicant firm did not meet the requirements of paragraph (c) of this section.

(3) If, as State B, unless you have determined that there is good cause to believe that State A's certification is erroneous or should not apply in your State, you must, no later than 60 days from the date on which you received from the applicant firm all the information required by paragraph (c) of this section, send to the applicant firm a notice that it is certified and place the firm on your directory of certified firms.

(4) If, as State B, you have determined that there is good cause to believe that State A's certification is erroneous or should not apply in your state, you must, no later than 60 days from the date on which you received from the applicant firm all the information required by paragraph (c) of this section, send to the applicant firm a notice stating the reasons for your determination.

(i) This notice must state with particularity the specific reasons why State B believes that the firm does not meet the requirements of this Part for DBE eligibility and must offer the firm an opportunity to respond to State B with respect to these reasons.

(ii) The firm may elect to respond in writing, to request an in-person meeting with State B's decision maker to discuss State B's objections to the firm's eligibility, or both. If the firm requests a meeting, as State B, you must schedule the meeting to take place within 30 days of receiving the firm's request.

(iii) The firm bears the burden of demonstrating, by a preponderance of evidence, that it meets the requirements of this part with respect to the particularized issues raised by State B's notice. The firm is not otherwise responsible for further demonstrating its eligibility to State B.

(iv) The decision maker for State B must be an individual who is thoroughly familiar with the provisions of this Part concerning certification.

(v) State B must issue a written decision within 30 days of the receipt of the written response from the firm or the meeting with the decision maker, whichever is later.

(vi) The firm's application for certification is stayed pending the outcome of this process.

(vii) A decision under this paragraph (d)(4) may be appealed to the Departmental Office of Civil Rights under s§ 26.89 of this part.

(e) As State B, if you have not received from State A a copy of the site visit review report by a date 14 days after you have made a timely request for it, you may hold action required by paragraphs (d)(2) through (4) of this section in abeyance pending receipt of the site visit review report. In this event, you must, no later than 30 days from the date on which you received from an applicant firm all the information required by paragraph (c) of this section, notify the firm in writing of the delay in the process and the reason for it.

(f)(1) As a UCP, when you deny a firm's application, reject the application of a firm certified in State A or any other state in which the firm is certified, through the procedures of paragraph (d)(4) of this section, or decertify a firm, in whole or in part, you must make an entry in the Department of Transportation Office of Civil Rights' (DOCR's) Ineligibility Determination Online Database. You must enter the following information:

(i) The name of the firm;

(ii) The name(s) of the firm's owner(s);

(iii) The type and date of the action;

(iv) The reason for the action.

(2) As a UCP, you must check the DOCR Web site at least once every month to determine whether any firm that is applying to you for certification or that you have already certified is on the list.

(3) For any such firm that is on the list, you must promptly request a copy of the listed decision from the UCP that made it. As the UCP receiving such a request, you must provide a copy of the decision to the requesting UCP within 7 days of receiving the request. As the UCP receiving the decision, you must then consider the information in the decision in determining what, if any, action to take with respect to the certified DBE firm or applicant.

(g) You must implement the requirements of this section beginning January 1, 2012.

[76 FR 5100, Jan. 28, 2011]