

# Missouri Unified Certification Process

## UCP Overview

### UCP Development

- “One Stop Shop” Is Required by US Department Of Transportation (DOT) for all states
  - Federal Highway Administration
  - Federal Transit Administration
  - Federal Aviation Administration
- All USDOT Recipients Must Participate in a Unified Certification Process (UCP)
- January 2005 USDOT Officially Approved Missouri UCP

### UCP Direct Partners who make up the Missouri Regional Certification Committee (MRCC)

- Missouri Department of Transportation
- METRO
- City of Kansas City, Missouri – Airport
- City of St. Louis – Lambert Airport
- Kansas City Area Transportation Authority

### Unified Certification Process

- “Super” Reciprocity Process
- Each Agency Retains Certification
- Designate MoDOT As Lead Agency
- MoDOT Maintains Centralized Data
- Unified Application, Certificate & Notification

### UCP Benefits

- Centralized Information
- Joint Use of Resources for Training
- On-going Coordination of UCP Partners

### “Grandfather Clause”

- One Time Only
- May grant DBE certification to firms currently certified by the agencies that administer DBE Programs under 49 CFR Part 26 (MoDOT, City of St. Louis, Metro, KCATA, and City of Kansas City)
- Does not include MBE or WBE firms

## **“Grandfather Clause” continued**

- Each agency to present two lists to MRCC (certified DBE firms & Pending firms)
- Agencies may challenge firms to the MRCC
- Challenges must be submitted in writing to MRCC reps and challenged firm (10 days)
- Agency review of challenged firm (30 days)
- Response by challenged firm (30 days)
- MRCC to hold hearing to determine certification eligibility on challenged firms
- Final decision by MRCC made public and in writing to challenged firm

## **Firm’s Removal from DBE Program**

- “Graduating” from the program based on size limits or ownership changes
- Failure of firm to provide comprehensive, accurate information in a timely manner on annual updates and recertifications

## **Appeal Process**

- Initial Certifications
  - Agency will provide written notice of denial
  - Firm has 90 days to appeal directly to USDOT’s Civil Rights Office
  - If denial upheld, firm may reapply after one year
- For Removal of Eligibility
  - Firms must first file appeal with MRCC
  - If MRCC upholds removal, then may appeal to USDOT
- Third Party Challenges
  - Any firm or person may file a written complaint with the certifying agency with specific reasons and supporting documentation
  - Certifying agency will review all records and material submitted, and issue written notification on determination (remove or retain)
  - Either party may appeal decision to MRCC following appeal procedures
- Challenges Directly From USDOT
  - USDOT has the right to challenge a firm’s eligibility
  - MRCC will be instructed to initiate review
  - If USDOT determines MRCC erroneously certifies a firm, the MRCC must remove eligibility immediately without further proceedings.
  - If USDOT finds in favor of the firm, certification date is effective from date of USDOT’s decision