

**MICHIGAN USDOT RECIPIENTS
MEMORANDUM OF UNDERSTANDING
FOR THE UNIFIED CERTIFICATION PROGRAM**

Revised 6-21-2017 to incorporate Amendments 1 (8-1-2012); 2 (6-27-2015);
3 (6-21-2017); 4 (7-28-2025) and 5 (1-27-2026)

MISSION STATEMENT

The Michigan Unified Certification Program (MUCP) exists to provide an effective means of communication, cooperation and collaboration among the MUCP agencies, and to enhance our ability to provide quality service to our customers through the implementation and administration of this program.

ORGANIZATION

All Michigan DOT recipient Disadvantaged Business Enterprise and Airport Concession Disadvantaged Business Enterprise certifying agencies and non-certifying agencies, listed below, agree to participate in this Michigan Unified Certification Program (MUCP) Certification Agreement in accordance with 49 C.F.R. Parts 23 and 26, which state in part:

“You and all other DOT recipients in your state must participate in a Unified Certification Program (UCP)....”

The MUCP will follow all certification procedures and standards of 49 CFR Parts 23 and 26, on the same basis as recipients; the MUCP shall cooperate fully with oversight, review and monitoring activities of DOT and its operating administrations; and the MUCP shall implement DOT directives and guidance concerning certification matters. The MUCP agencies shall ensure sufficient resources, funding and expertise to carry out the requirements of 49 CFR Parts 23 and 26. The MUCP committee of certifying agencies will make all overall policy decisions for the MUCP.

To that end, this Memorandum of Understanding is based on the following principles:

1. Each certifying agency retains the right to certify or deny an applicant based upon that agency’s policies and procedures within the guidelines, interpretation of the regulations and forms agreed upon by the certifying members of the Michigan Unified Certification Program in accordance with 49 CFR Part 26.83. These determinations are binding upon all MUCP agencies.

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2. MUCP certifying agencies have agreed to develop and maintain a database to manage certifications from each agency. The database will provide an online DBE certification database and current Directory. It is the mechanism by which MUCP agencies will be notified for certification decisions. It will also give notice of meetings, trainings, contacts and other information relevant to the MUCP's implementation. The database has been developed and maintained by Michigan DOT and is housed on a Michigan DOT server. Each MUCP certifying agency will have 24-hour access to all information.
3. The MUCP will maintain a unified DBE directory containing all firms certified by the MUCP (including those from other states certified under the provisions of this 49 CFR Part 26), the information required by 26.31. The MUCP will make the directory available to the public electronically, on the internet with printable formatting. The MUCP will update the electronic version of the directory by including additions, deletions, and other changes as soon as they are made. The MUCP webpage which includes the directory and forms will be maintained by the Michigan Department of Transportation. Information concerning the status of firms requesting certification shall be entered by the appropriate certifying agency.
4. The certifying agency will notify all certification applicants in writing, within a reasonable period of time, of their certification decision for each new applicant. The certifying agency will notify all MUCP certifying agencies of removals and suspensions within 14 days. Certifying agencies must keep complete files on applicants and provide information as required. Certifications which do not follow MUCP guidelines will not be valid. The MUCP will review files of other agencies, as needed to maintain the integrity of the program in cooperation with all MUCP agencies.
5. A primary airport is required to have a concessions DBE program as a recipient of FAA funds for airport planning and development under 49 U.S.C. 47107et seq. In accordance with 49 CFR 23.21(e) "...non-primary airport, non-commercial service airport, a general aviation airport, reliever airport, or any other airport that does not have scheduled commercial service, [you] are not required to have an ACDBE program..." Wayne County Airport Authority is the certifying agency and has expertise in ACDBE certification. The MUCP agencies agree that all firms seeking ACDBE Certification within the State of Michigan shall file the initial application with Wayne County Airport Authority. The MUCP agencies recognize, accept, and

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acknowledge Wayne County Airport Authority's jurisdiction to request individual exceptions to this rule. DBE certified firms seeking to add ACDBE designation will apply through their certifying agency. The certifying agency (if not Wayne County Airport Authority) will submit the application to Wayne County Airport Authority for review and recommendation of application outcome. Any communication received from Wayne County Airport Authority to other MUCP certifying agencies regarding ACDBE designation requests are considered internal document discussion drafts. Wayne County Airport Authority is the primary agency for ACDBE, unless remanded back to original agency by USDOT or via transfer to another MUCP certifying agency.

6. Each certifying agency agrees to provide information and documentation, upon request, to any out-of-state certifying agency where a DBE firm is seeking certification. All MUCP agencies agree to refer any UCP inquiries from out-of-state UCP's to the appropriate certifying agency.
7. Each certifying agency agrees to require home state certification as a prerequisite to certifying an out-of-state firm. The certifying agency where an out-of-state DBE firm is seeking certification may contact the applicant or the home state in order to address questions and concerns.
8. Each certifying agency will annually require its DBE firms to file a Declaration of Eligibility (DOE) to continue certification eligibility. In accordance with 49 CFR Part 26 an applicant's documentation will be kept confidential unless the certifying agency receives written approval to forward applicant information with exceptions provided within 49 CFR.
9. MUCP agencies have autonomy in making decisions regarding any certified DBE's participation on agency projects and contracts. Each MUCP agency has the authority to initiate action(s) that may affect a DBE firm's eligibility to participate on its contracts or projects without the prior approval of the initial certifying agency. The MUCP agency where action is taken has the responsibility of informing the other MUCP agencies within 30 days of the outcome of those actions. Any actions taken which affect a firm's eligibility for certification will be in accordance with 49 CFR Part 26.87 and the MUCP removal of eligibility procedures. Any actions taken to remove eligibility based on the above will require full cooperation by the initial certifying agency in corresponding with the firm, scheduling hearings and providing documents to USDOT and other interested parties as required. Copies of investigation results will be kept on file at the initial certifying agency.

10. This Agreement should not be construed to contravene the sovereignty of each MUCP agency in making any decision concerning the DBE Programs that do not affect the certification process as governed by the MUCP.
11. Certification decisions by the MUCP certifying agencies shall be binding on all MUCP agencies within the State of Michigan. All certifications will be pre-certifications; i.e., certifications that have been made final before the due date for bids or offers on a contract on which a firm seeks to participate as a DBE as required by 49 CFR Part 26.81(c). Certification decisions are final as of the date of the notice of approval/denial sent by the certifying agency.
12. All obligations of MUCP agencies with respect to certification and nondiscrimination must be carried out by the MUCP and all MUCP agencies may accept certifications only from UCP's that comply with the certification and nondiscrimination requirements of 49 CFR Part 26.81(b)(3).
13. To be effective, any amendments to this MOU Agreement must be approved by the MUCP Certifying Agencies. The approval of those agencies designated as "Certifying Agencies" shall be sufficient for ratification of the amendment(s) to the MOU. Non-Certifying Agencies will be notified of proposed changes and provided sufficient time in which to present objections to all proposed amendments. All objections shall be addressed by the "Certifying Agencies" prior to amendment approval. Amendments shall contain the signature, written or electronic of the approving agencies. These amendments must also be approved by USDOT.

IMPLEMENTATION PRODECURES

The certifying agencies and any interested non-certifying agencies, will quarterly meet to address implementation processes and issues required to assure appropriate procedures are in effect pertaining to this Michigan USDOT Recipients Memorandum of Understanding for a Unified Certification Program. The implementation procedures may be revised, as needed, with the consent of all certifying agencies without invalidating this MOU.

1. The MUCP will establish a unified directory with web accessibility to the general public. The active date is 2004.
2. The certifying agencies have formed a committee, with representation from each certifying agency, to process DBE removals of eligibility in accordance with 49 CFR Part 26.87 for the removal of eligibility. The MUCP certifying agencies shall meet on

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a quarterly basis with the exceptions of information hearings or administrative reviews.

3. The certifying agencies agree on the eligibility status of firms currently certified by the MUCP agencies.
4. The MUCP certifying agencies will establish uniform formats for the following: USDOT uniform certification application, Personal Net Worth form, Declaration Of Eligibility, standard appeal time frames for recipients' denials of initial requests for certification, standard language for removal of eligibility, on-site review format, and any additional forms deemed necessary for a fully functioning MUCP. Workshops have been held and are ongoing which are used to compare processes and reach agreement on standard letters and forms. MUCP agencies agree to enter basic information into the MUCP database as soon as possible upon receiving an application. This will allow the MUCP to avoid duplicate or conflicting certification activities.
5. Each certifying agency has appropriate agency channels for appeals of Denial of Initial Requests for Certification in accordance with 49 CFR Part 26.87. Appeals will be completed by the agency which processed the application. Once a denial is made, the applicant may appeal to USDOT in accordance with 49 CFR Part 26.89. Each certifying agency's Denial and Appeal process is accepted as binding on the MUCP. USDOT will request file information from and reply directly to the certifying agency. The certifying agency will then have the responsibility of notifying the MUCP.
6. On-site reviews on all firms including SBA certified firms will be conducted by the certifying agencies as required by 49 CFR Parts 26.81(b)(3) and 26.83(c)(1).
7. Requirements for agencies wishing to become new certifying agencies are as follows:
 - a. An agency desiring to become a certifying agency in the MUCP completes a written commitment to abide by the terms of the MOU. They specifically accept the certifying agency's responsibilities and submit it to the existing MUCP committee of certifying agencies. This written commitment also designates and identifies the individual(s) the applicant agency proposes to use to perform certification reviews and determinations and is signed by an

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individual within the organization with authority to bind the organization and commit adequate resources to the successful execution of this agreement.

- b. All MUCP certifying agencies must agree to maintain trained and knowledgeable staff for certification processing in accordance with the requirements under 49 CFR and the MUCP MOU. The MUCP reserves the right to revoke the certifying privileges of any certifying agency that does not maintain trained knowledgeable staff in accordance with 49 CFR 26 and all MUCP requirements.
- c. The majority vote of current certifying agencies is required for an agency to become a certifying agency. The MUCP committee of certifying agencies will send a written acknowledgement to the applying agency that includes guidelines for certification and a proposed training schedule for their designated certifying staff.
- d. The duration of training will be one year unless otherwise specified by the MUCP committee of certifying agencies. Training will consist of learning to analyze the regulations, the content of applications, company documentation, standard on-site questions, correspondence, forms, etc. Training also includes attending and assisting with at least five (5) supervised on-site reviews with recognized and experienced MUCP certification staff and then conducting and completing at least five (5) certification reviews that are deemed by the MUCP committee of certifying agencies to meet the requirements of 49 CFR Part 26 and all other MUCP requirements. Any variations to this requirement will be by consent of the MUCP committee of certifying agencies.
- e. The applying agency receives written approval from the MUCP committee of certifying agencies when their designated staff has satisfactorily completed the training specified above. Approval and continued participation as a certifying agency is contingent upon having trained and knowledgeable certifying staff.
- f. The MUCP reserves the right to revoke the certifying privileges of any certifying agency that does not comply with the certification requirements of 49 CFR Part 26 and the MUCP requirements.

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8. The Removal or Eligibility Committee will consist of one representative from the following agencies:

- Michigan Department of Transportation (MDOT), Office of Business Development
- Detroit Department of Transportation, Office of Compliance
- Wayne County Airport Authority, Procurement, Business Development and Contract Compliance.

Representatives from the following agencies will serve as alternatives when necessary:

- Suburban Mobility Authority for Regional Transportation (SMART).

Each agency will have one vote except the agency which performed the initial certification. That agency will abstain from voting or if necessary to break a tie will be represented by an alternate member. In accordance with the regulations, each firm will be allowed to present their case in person or through an administrative review of documents.

Removal of eligibility to participate in the MUCP DBE program may occur for any of the following reasons:

- a. Notification by the firm that it no longer meets federal regulations for DBE certification.
- b. If the DBE's business entity has changed to the extent the business is no longer a small business concern.
- c. For federal-aid projects funded by FHWA, FAA, and FTA funds, if the socially and economically disadvantaged individual's status has been challenged and the department has found the individual does not meet the definition of a "socially and economically disadvantaged individual" used in 49 CFR Part 26.63, 26.67, 26.69, and 26.71, "Individual Determinations of Social and Economic Disadvantage," and that the firm is no longer owned and controlled at least 51 percent by a socially and economically disadvantaged individual(s).

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- d. If the firm's business entity has changed to the extent the business is no longer owned and controlled by socially and economically disadvantaged individual(s) as defined by the federal regulations.
- e. For federal-aid projects if the MUCP agency received an order from the office of the Secretary of Transportation, US DOT, to remove the eligibility of a DBE firm.
- f. If an investigation uncovers evidence of violations of 49 CFR Part 26, with regard to the actual work performed by a DBE, and the findings and conclusions show that the firm's ownership or control has changed to the extent that the firm is no longer eligible.
- g. All other reasons as provided in 49 CFR Part 26.

If grounds for removal of eligibility are sufficient, the firm is mailed a **Notice of Intent to Remove Eligibility**, with the reasons for the decision and advised of the opportunity for a hearing before the Removal of Eligibility Committee. The applicant has 10 calendar days from the date of the notice of intended removal of eligibility to appeal. The firm may be given any opportunity to rebut findings of the investigation at a conference with the certifying MUCP agency. Firms failing to attend the scheduled conference may be removed from the program for failure to cooperate.

The Notice of Intent to Remove Eligibility letter must inform the DBE of the hearing scheduled on a date no fewer than 30 days and no more than 45 days from the date of the notice. At the conference, reasons for the intended removal of eligibility will be discussed, either in person by the DBE, or through an administrative review of documents, if requested by the firm. The Committee will receive information and evidence intended to show that certification eligibility should not be removed and will ask questions related to the intended removal of eligibility.

All information will be reviewed, and a vote taken. If the DBE has successfully rebutted the findings detailed in the **Notice of Intent to Remove Eligibility**, the firm will remain certified. If the intended removal of eligibility has not been rebutted, the firm is notified in writing, and DBE certification is removed.

Firms may appeal to the US DOT within 45 calendar days of the date of the final decision. The appeal letter must contain information and arguments on why the removal of eligibility should be reversed. Pending the US DOT's decision in the

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matter, the department's decision remains in effect. 49 CFR Part 26.89 describes the process for appeals to the US DOT. Firms which have had DBE certification removed must wait twelve (12) months after the effective date of the final decision before reapplying for DBE certification.

This MOU is modified to incorporate by reference all provisions and requirements of 49 CFR Part 23, the Airport Concession Disadvantaged Business Enterprise program.

All provisions of this MOU shall be fully operation upon acceptance by the Secretary of the United States Department of Transportation.

The agencies listed agree to the MUCP and the terms of this Memorandum of Understanding and agree to abide by its contents.

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CERTIFYING AGENCIES

- Michigan Department of Transportation, Lisa Thompson, Administrator, Office of Business Development
- Detroit Department of Transportation, Alicia Miller, Manager, Contract Compliance
- Wayne County Airport Authority, Victoria Edwards, Vice President, Procurement

NON-CERTIFYING AGENCIES

Please refer to page 12.

SIGNATURE PAGE

Lisa S. Thompson 5-1-26

MICHIGAN DEPARTMENT OF TRANSPORTATION DATE
LISA THOMPSON, ADMINISTRATOR

Alicia Miller 4/29/2026

DETROIT DEPARTMENT OF TRANSPORTATION DATE
ALICIA MILLER, MANAGER

Victoria Linnis Edwards 04/28/2026

WAYNE COUNTY AIRPORT AUTHORITY DATE
VICTORIA EDWARDS, VICE PRESIDENT, PROCUREMENT

NON-CERTIFYING AGENCY COMMITTEE MEMBER

Kesha McKinney 4/29/2026

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION DATE
KESHA MCKINNEY, VICE PRESIDENT, STRATEGIC INITIATIVES

NON-CERTIFYING AGENCIES

- Detroit Transportation Corporation, Barbara Hansen, General Manager
- Grand Rapids, The Interurban Transit Partnership, Judy Devries, Procurement Services Coordinator
- Coleman A. Young Municipal Airport, Pamela Mdginister, Analyst
- Wayne County Airport Authority, Detroit Metropolitan Wayne County Airport, Pete Hathaway
- Flint Mass Transportation Authority, Ed Benning
- Muskegon Area Transit System, James Koens
- Gerald R. Ford International Airport, County of Kent, Aeronautics Department, Carlos Ruiz, Chief Commercial Officer
- Kalamazoo/Battle Creek International Airport, Amanda Woodin, Assistant Director, Finance & Administration
- Capital Region International Airport, Robert Benstein, Senior Vice President, Co
- Ann Arbor Transportation Authority, Michelle Whitlow, Manager of Purchasing
- Bishop International Airport (Flint), Christopher Yeates, Chief Operating Officer
- Kalamazoo Metro Transit System, Sean McBride, Executive Director
- City Of Saginaw, Saginaw Transit Authority, Christine Billeter, Director of Procurement
- Capital Area Transportation Authority, Lansing, Rich Bannon, Purchasing Manager
- Battle Creek Transit, Colleen Bohn, Transit Grants Program Administrator
- Macatawa Area Express (Max), Beth Higgs, Deputy Director
- Jackson Transportation Authority, Oliver Lindsay
- Southeast Michigan Council of Governments, Paul Tait
- Bay Metro Transportation Authority, Tom Dominowski, Purchasing Agent
- Blue Water Area Transit, Dave Mcelrow, Director of Finance
- Dickinson County Ford Airport, Tim Howen, Airport Manager

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- Muskegon County Airport, Marty Piette, Airport Manager
- MBS International Airport, Bernie Coffell, Operations Manager
- Sawyer International Airport, Duane Duray, Airport Manager
- Chippewa County International Airport, Tami Beseau, Airport Manager
- Cherry Capital Airport, Traverse City, Dan Sal, Assistant Director, Operations & Maintenance
- Houghton County Memorial Airport, Dennis Hext, Airport Manager
- Delta County Airport, Kelly Smith, Airport Manager
- Pellston Regional Airport, Kelly Atkins, Airport Manager
- Twin Cities Area Transportation Authority, Bill Purvis