

**DISADVANTAGED BUSINESS ENTERPRISE PROGRAM**  
**UNIFORM CERTIFICATION PROGRAM**

**TENNESSEE**  
**UNIFORM**  
**CERTIFICATION**  
**PROGRAM**  
**(TNUCP)**

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**Tennessee Uniform Certification  
Program  
Uniform Certification Partners**

Bristol Tennessee Transit  
Chattanooga Area Regional Transportation Authority  
Chattanooga Metropolitan Airport Authority  
Clarksville Transit System  
Jackson Airport Authority  
Jackson Transit Authority  
Kingsport Area Transit Service  
Knoxville Area Transit  
Memphis Area Transit Authority  
Memphis Shelby County Airport Authority  
Metropolitan Knoxville Airport Authority  
Metropolitan Nashville Airport Authority  
Metropolitan Transit Authority  
Murfreesboro Rover Public Transit  
Regional Transit Authority  
Tri-City Airport Authority  
Smyrna Airport Authority  
Johnson City Transit

Tennessee Department of Transportation  
(Lead Agency)

## Definitions

### **Agent**

Agent means an entity that performs certification legwork for a TNUCP partner in which a MOU is formed between the two.

### **Agreement**

Agreement means this document, the Tennessee Uniform Certification Program agreement.

### **Committee**

Committee means the Committee created by this document to administer and implement the UCP.

### **Contract**

Contract means a legally binding relationship obligating a seller to furnish supplies or services (including but not limited to, construction and professional services) and the buyer to pay for them.

### **Department or DOT**

Department and DOT mean the United States Department of Transportation

### **MOU**

MOU means a “Memorandum of Understanding”.

### **Partner**

Partner means a direct recipient of USDOT funds who is a member of the Tennessee Uniform Certification Program (TNUCP).

### **Processing Agency**

Processing agency means the agency to which the firm applied for DBE certification.

### **Recipient**

Recipient means any entity, public or private, that has an approved DBE Program, to which DOT financial assistance is extended, whether directly through another recipient, through the programs of FAA, FHWA or FTA or who has applied for such assistance.

### **Regulation**

Regulation means 49 CFR Parts 23 and 26, and any of its revisions, additions, deletions, or replacement.

### **Uniform Certification Program (UCP)**

Uniform Certification Program (UCP) means the program created by this agreement.

## **Overview**

**The Partnership.** The participants discussed the requirements for developing a uniform certification program and directory. The need for training in certification and supportive services and the unified group were also discussed. Each agency discussed its perceptions of the following: lead agency, minimum requirements, limitations, and the process for eventual program approval. All participants were encouraged to bring ideas, input and cooperation to the discussion.

The USDOT recipients agreed to meet to begin the task of developing Tennessee's UCP. The group's initial task was to define how unification would take place. After much discussion it was decided that a reciprocity process would be the most effective way to accomplish the UCP. However, it was agreed that the process would go beyond a mere reciprocity agreement. The recipients felt that this solution allowed each agency to maintain their staff and resources while achieving the requirements. The recipients agreed to the name of "Tennessee Uniform Certification Program" or TNUCP and developed a notification letter and a certification certificate. All entities involved agreed to act as local assisting agencies in certification, including, but not limited to onsite reviews and firm contacts. At this point in the agreement, the recipients will also be referred to as partners through the entirety of the agreement.

**Program Objective.** To develop a uniform certification program for the State of Tennessee. This program should help create a level playing field in which Disadvantaged Business Enterprises (DBEs) can compete fairly for Department of Transportation and other federally funded assisted projects across the state. This requires a better link between program development, certification and the development of DBEs.

The UCP will follow all certification procedures and standards as set forth in 49 CFR Part 26 Subparts D and E, on the same basis as recipients and cooperate fully with oversight, review and monitoring activities of DOT and its operating administrations. The UCP shall implement DOT directives and guidance concerning certification matters and make all certification decisions on behalf of all DOT recipients in the state with respect to participation in the DOT DBE Program. The UCP shall provide one-stop shopping to applicants for certification, such that an applicant is required to apply only once for a DBE certification that will be honored by all recipients in the state. The UCP is not required to process an application for certification from a firm having its principal place of business outside the state if the firm is not certified by the UCP in the state in which it maintains its principal place of business (the 'home state' UCP shall share its information and documents concerning the firm with other UCPs that are considering the firm's application). The UCP may also enter into written reciprocity agreements with other UCPs (see Certification/Eligibility Subcommittee) and may accept the certification of any other UCP or DOT recipient. The UCP shall also maintain a uniform DBE directory for all firms certified by the UCP (including those from other states certified under the provisions of Subpart E) containing the information required by §26.31. TDOT shall make the directory available to the public electronically, on the internet, as well as in print and update the electronic version of the directory by including additions, deletions and other changes as soon as they are made. Any subrecipient will be bound by the UCP, as well, by submitting a signed statement of such binding signed by an individual who is

authorized to bind the sub-recipient in such a manner.

Certification decisions by the UCP shall be binding on all DOT recipients within the state. All certifications by the UCP shall be considered as precertifications.

**Partners and Partners' Agents.** The need for assistance and cooperation from the other recipients was recognized early in the UCP process. All partners agree that assistance and cooperation is needed in the development and implementation of the UCP agreement, as well as for the certification process. The partners agree to support and provide sufficient resources and expertise to carry out the ongoing operation of the UCP and the requirements set forth for the UCP.

As well, the Finance Committee, which consists of representatives from each partner, shall meet within forty-five (45) days following adoption of the UCP to adopt rules by which the Committee shall function and to determine the appropriate cost structure to support the UCP. TDOT shall issue a ten (10) business day minimum notification to all partners of this first Finance Committee meeting. After the first meeting, the Finance Committee Chair will issue a ten (10) business day minimum notification to all partners of every subsequent meeting. A quorum of the Finance Committee shall consist of a majority of all the partners.

The Finance Committee shall adopt rules including, but will not be limited to: election/terms of officers, meeting notification procedure(s) and voting structure of the committee. The rules shall be adopted by vote of a simple majority of the Finance Committee. Meetings of the Finance Committee shall be held at the TDOT Offices in Nashville, Tennessee, or at such other location as mutually agreed upon by the Finance Committee.

After the rule setting described above has occurred, the Finance Committee shall determine the appropriate cost structure to support the UCP. The deliberations and decisions with respect to the cost structure will be conducted pursuant to the rules adopted by the Finance Committee. All partners shall receive a ten (10) business day minimum notification of said meeting. The partners agree to accept the decision of the Finance Committee regarding the appropriate cost structure. If the Committee is unable to reach a decision within a reasonable period of time, but not to exceed ninety (90) days, TDOT is authorized to establish an appropriate cost structure by default, which shall be binding on the partners. TDOT has agreed to commit to covering the majority of the initial startup costs and the Finance Committee will in turn determine the appropriate cost structure for the ongoing operation of the UCP. The partners and partners' agents agree to support and be bound by the terms and conditions of the UCP.

While TNUCP partners will accept and process applications in their respective metropolitan areas, it may be burdensome for some recipients to be expected to travel into more rural sections of the state to conduct the required on-site visits. Therefore, rural certifications would remain the responsibility of TDOT, as well as overall statewide certifications. However, applicants in transit or aviation/airport services may be better served by an entity more familiar with their particular work type. Memphis Area Transit Authority and Memphis Shelby County Airport Authority have and will continue to utilize outside agents who conduct their certification legwork, such as Schedule A

dissemination Schedule A and supporting documentation processing and performing on-site visits, then forwarding their recommendations onto the respective partners to make a determination of eligibility. These agents will have no voting power and will not be placed on any committee within the UCP. MOU's drafted between the partners and their agent are enclosed with the UCP agreement.

**Impact on Recipient Programs.** Federal Regulation 49 CFR Part 26, requires that all USDOT fund recipients execute a UCP agreement within three years of March 4, 1999. The statewide UCP must establish a single uniform process or "one stop-shop" for DBE applications, certifications, and the development of a single point DBE Directory. All US DOT recipients will be required to ratify the UCP agreement and all DBE certifications by the TNUCP will be binding.

The UCP supplements the recipients' existing approved DBE programs regarding certification. In the event of a conflict between the UCP and the DBE plan, the provisions of the UCP shall prevail. The lead agency in Tennessee, which is the funding agency for the majority of the recipients of USDOT federal funds, is the Tennessee Department of Transportation.

**Communication.** Sharing information on any matter related to the operation of the UCP is a core element of the process. All TNUCP partners agreed to and shall continue to communicate openly with each other. Communication can take the form of, but is not limited to, telephone conversations, conference calls, meetings, correspondence, electronic transmittals and/or discussion databases.

If any TNUCP partner is in receipt of information that is necessary or critical to making a determination of DBE eligibility, the TNUCP partner shall notify and submit the appropriate information to the TNUCP or any partner. Each TNUCP partner shall be notified of all status changes affecting certifications. All TNUCP partners shall be notified of **all certification and denial actions** of each TNUCP partner as soon as they occur. The notification shall take the form of, but not limited to, electronic mail (email).

**Reciprocity.** The TNUCP through the Eligibility/Certification Committee will elect to enter into a reciprocity agreement with any USDOT approved UCPs in other states or regions. When a firm certified by another state UCP or the Small Business Administration seeks certification by the TNUCP, the TNUCP will make an independent certification decision based on documentation provided by the other recipient or the SBA, augmented by any additional information requested from the applicant such as additional items that may be unique to the TNUCP unless the Eligibility/Certification Committee has entered into a MOU or reciprocity agreement with that UCP. Also an onsite review will be performed for firms that are SBA certified.

TNUCP partners shall process requests from DBEs or the SBA made pursuant to the DOT/SBA MOU in accordance with 49 CFR 26.85.

**Ratification Process.** All recipients of federal funds administered by the USDOT, either directly or indirectly, must participate in a UCP. Failure to comply may result in the loss of federal funds from the TNUCP partners and/or the USDOT.

All partners listed in this UCP and their agents have agreed to support and be bound by the terms and conditions of the UCP. Upon approval by USDOT of the UCP, all partners will submit to the UCP a signed letter confirming their agreement to support and be bound by the terms and conditions of the UCP that will be forwarded to USDOT.

Any new recipients required to participate in the UCP who were not present at the inception of this plan shall be added at any time after they have reviewed the plan and agree to terms and conditions set forth in this plan.

**Process Review.** The partners agreed to the name of “Tennessee Uniform Certification Program” or TNUCP and developed an application letter, notification correspondence and certificates for approvals of eligibility. A uniform certification application developed by USDOT was addressed and will be utilized by the partners and/or partners’ agents. The letterhead and certificate includes the logos/names of the various direct recipients.

While defining the process, there were many issues identified that had to be detailed in order to provide enough information to create the agreement while meeting the requirements of the individual agencies. Process issues were divided among the partners for definition and inclusion in this document. Those issues included, but were not limited to, were:

- Certification by Specialty
- Reciprocity with Other States or Agency Industry Familiarity
- Geography
- Grand fathering Currently Certified Firms
- Compliance with CFR
- UCP Effect on Individual Agency
- DBE Third Party Challenge/Certification Eligibility Procedures
- Goals
- Data Tracking
- Training
- Communication

**Data Requirements.** One of the major issues to be resolved was the method and the format of data necessary for detailing the certification status, DBE directory development and maintaining communication between the partners. The TNUCP designated TDOT as the “clearinghouse” for the data. TDOT is the database manager and will continue to work with their personnel to develop the common database. TDOT will maintain a unified DBE directory containing all firms certified by the TNUCP (including those from other states certified under 49 CFR Part 26). The listing for each firm will include its address, phone number, and the types of work the firm has been certified to perform as a DBE. The TNUCP shall also print the directory at least annually and make it available to the public and contractors on the Internet. TDOT will update the electronic version of the DBE directory by including updates, additions, deletions and other changes as soon as they occur. TDOT currently maintains this information several ways via TDOT website and through TDOT’s construction management software, which is used by all bidding contractors. TDOT’s website address is [www.tdot.state.tn.us](http://www.tdot.state.tn.us) and the complete DBE list can be found there as well as information on future bidding opportunities. The



construction management software is an electronic bidding tool for prime contractors that maintain certification information on the DBEs such as ethnicity, certification date, name, address, and eventually on what contracts they have performed for TDOT and the contract amount(s).

**Initial Consolidation.** Only firms certified based upon guidelines prescribed in 49 CFR Part 26 and provisions under this Agreement shall be recognized as certified by the TNUCP.

### **Roles and Responsibilities**

The Eligibility/Certification Subcommittee will be responsible for:

- (1) Reviewing all firms submitted by a TNUCP partner that a partner feels an eligibility determination needs to be assessed under 49 CFR Part 26.
- (2) Formulating and executing MOU's and/or reciprocity agreements between the TNUCP and other UCP's. Such an agreement shall outline the specific responsibilities of each participant.

The Eligibility/Certification Subcommittee will consist of five (5) TNUCP partners with one (1) alternate in the case that one of the five (5) TNUCP partners is the one who submitted the firm for review, in which they will reclude themselves from the review.

Tennessee Department of Transportation:

Provide oversight to the UCP Program

Develop forms:

Uniform Certification Application

Uniform On-Site Visit

Annual Affidavit of No Change

Personal Financial Statement

Make all forms available with instruction on the TDOT web page

Maintain the UCP DBE database

Provide a standardized training program for certification officials in the state

Provide all coordination with certification officials in each region

Perform statewide certification and on-site visits

DBE plan for TDOT

Tennessee Uniform Certification Program

Continue to perform regional certifications

Continue to create and submit a DBE plan for their organization

Perform regional on-sites

Forward completed certified files to TDOT

Forward new applications that are not in their area/region to TDOT or applicable certifying partner

Monitoring payments to DBEs

Perform on-site visits for members who have received applications outside their region/area.

Agents

Perform regional on-site visits

Collection of application materials

Submit completed application to a direct recipient of USDOT funds/TDOT etc. for review and certification approval.

**Geographical Designation.** The TNUCP shall review and make an eligibility determination on all firms applying for DBE certification whose business is located in the State of Tennessee.

TDOT will still review applicant firms statewide and the other TNUCP partners will continue certifying applicants in their perspective areas for their specific industry or market needs unless assistance is needed by another agency. For example:

- The Airport would review applicants that are primarily aviation oriented, including concessionaires. These may include, but are not limited to, non-heavy products and services, food service firms, aviation specialty firms or structural construction firms.
- TDOT would review applicants that are primarily heavy highway oriented services or products, including but not limited to, heavy and bridge construction products and services, planning and engineering consultants, specialty consultants, roadway suppliers, and steel manufacturers or fabricators.
- RTA, MTA, and the other transit organizations that do certification would review applicants that are primarily transit oriented services or products. These may include, but are not limited to, transit services, maintenance services, maintenance products or transportation services.

All TNUCP partners agree that there may be exceptions to assignments based upon familiarity with the firm, historical knowledge, resources, etc.

A partner of the TNUCP may in the following situations, request that another TNUCP certifying partner act as a consultant for a particular applicant and assist in the certification process by:

1. Performing the onsite visit for the initial certifying partner if the geographical location of the applicant firm is within their geographical area or within their expertise.
2. Reviewing the application and its supporting documents if the initial certifying partner would like the application reviewed by a certifying partner who has more familiarity with the particular field or occupation of the DBE applicant.

The consulting certifying partner will report their findings to the primary certifying partner. The primary certifying partner will retain the responsibility, for the TNUCP, of the final decision concerning the DBE certification as well as being responsible for all communication with the applicant firm and performing all administrative duties required for both denials and approvals. It is expected that all certifying recipients will agree to assist if requested. However in the event that the consulted certifying partner refuses to accept the application, the TDOT will assume the responsibility of the application process and onsite visit.

**NAICS Codes.** The TNUCP agrees to certify all firms in compliance with 49 CFR Part 26, including designating specific work types. The partners agree to use the NAICS codes for those designations. All firms will be informed of the specific codes and a short narrative description of that designation (see SBA regulations 13 CFR part 121).

Any firm may request modification and/or additions to their approved codes by making a written request to the certifying partner. That request must include the equipment and

experience indicating the firm's ability to perform the particular work type. In addition, the firm must submit documentation of past contracts on which the firm has performed the specific type of work in the industry.

**Certification Process.** All TNUCP partners will require applicants seeking to be certified for participation in the Disadvantaged Business Enterprise Program to complete and submit the attached application forms and the items listed on the check list. However, if the applicant is certified by the U.S Small Business Administration (SBA), the application will be processed in accordance with 49 CFR 26.84. Applicants will also be required to attest to the accuracy and truthfulness of the information provided on the forms. When a TNUCP partner receives an application it is given a cursory review to assess whether that application can be processed by that partner. If it is determined that the receiving partner has received an application that is in the region they are able to conduct an on-site (because of mile radius restrictions imposed on the entity) and the firm's specialty is one specifically needed by or unique to their entity (for example concessionaires and the airport authorities) that partner may accept that application and process it to certification or denial. If that partner feels that the above-cited scenario does not apply they may forward that application to another consulted TNUCP partner or TDOT for processing to certification or denial as referenced in the "Geographical Designation" section of this agreement.

*All* applications received by any TNUCP partner must be reviewed and pass the standards of proof outlined in 49 CFR part 23 & 26.

When a new DBE becomes certified and upon entry to the directory, a form letter should be automatically generated to the applicant stating:

1. The business is a certified DBE and the certification renewal date.
2. An Annual Affidavit of No Change is required to state that no changes have occurred in the firm in accordance with 49 CFR Part §26.83 (j).
3. Certification may be removed should circumstances change that make the firm no longer eligible for DBE status.
4. Any other information the committee deems important now and in the future.

The partner should then send out an e-mail to TDOT informing them of the certification of the new DBE, who they are, contact information, the firms specialty (to be added to the TDOT web-site) as soon as the certification occurs and a complete copy of the file.

**Initial Certification/Applicant Denials.** When a TNUCP partner denies a request by a firm, who is not currently certified with them, to be certified as a DBE, a written explanation is provided outlining the reasons for the denial referencing the evidence in the record and the citation of the appropriate corresponding regulation. If DBE certification is denied to a firm that is certified by the SBA, written notice shall be provided to the SBA that includes the reasons for the denial, as required by 49 CFR 26.86(b). Any information and documentation that was utilized in making the decision will be available to the applicant upon request. The firm who is denied may reapply for certification twelve (12) months from the date that the firm receives the denial letter from the TNUCP. The final decision of denial of certification may be appealed to the US DOT

within ninety (90) days of the partner's denial.

**Removal of Certification Eligibility.** The removal of certification eligibility may be initiated by either a third party challenge, TNUCP partner, or DOT directive.

**Third Party Challenge.** The TNUCP shall accept written challenges from any party, including TNUCP partners, alleging that a currently certified firm may be ineligible. The challenge must state specific reasons for ineligibility and submit written documentation in support of the challenge. The firm being challenged will receive written notification from the original certifying agency, the basic issues involved, and the relevant regulations. The TNUCP partner originally responsible for the certification shall thoroughly investigate the challenge within a reasonable time frame not to exceed ninety (90) business days. If reasonable cause to remove the firm does not exist, the TNUCP partner must notify the complainant and the firm of its determination the reasons for its determination, and the right of the complainant to appeal the decision to USDOT. If reasonable cause to remove certification eligibility is found, the TNUCP partner will notify the challenged firm in writing by certified mail of the specific reasons for the proposal to remove its certification and of its right to request an informal hearing to respond to the proposed decertification in person. The firm may elect to present information and arguments in writing without going to a hearing consistent with 49 CFR 26.87.

The TNUCP establishes a Third Party Challenge Committee, which will hear all Third Party challenges coming before the TNUCP. The committee shall ensure that the decision in a proceeding to remove a firm's eligibility is made by an office and personnel that did not take part in actions leading to or seeking to implement the proposal to remove the firm's eligibility and are not subject, with respect to the matter, to direction from the office or personnel who did take part in these actions. The decision makers shall be individuals who are knowledgeable about the certification requirements of the DBE program and this agreement. The firm shall be notified of the final decision made by the Third Party Challenge Committee and the reasons for the decision. If the decision is not to remove the firm, the complainant will be notified of the right to appeal to USDOT under 49 CFR § 26.89. If the firm is removed and is certified by the SBA, a written notice shall be provided to the SBA that includes the reasons for the removal, as required by 49 CFR 26.87. The firm has the opportunity within 90 days of receipt of the date of the final decision to appeal the decision to USDOT under 49 CFR Part 26 Subpart E § 26.89.

**DOT Directive.** The USDOT may notify the TNUCP of reasonable cause to find a certified DBE firm to be ineligible and the TNUCP shall immediately commence and initiate a proceeding to remove eligibility as provided by the abovementioned Third Party Challenge paragraph of this agreement.

**TNUCP Partner-initiated.** The original certifying partner may also initiate proceedings to remove a DBE's certification, if based on notification by the firm of a change in its circumstances or other information that comes to your attention; it determines that there is reasonable cause to believe that a currently certified firm is ineligible. Upon this determination, the original certifying partner shall immediately notify the firm in writing setting forth the reasons for the determination and prosecute a proceeding to remove

eligibility as provided by the abovementioned Third Party Challenge paragraph of this agreement.

The firm whose eligibility is removed may reapply for certification twelve (12) months from the date that the firm receives the removal letter from the TNUCP.

**Administrative Removal of Eligibility.** In circumstances where a certified firm's owner(s) exceed(s) the Personal Net Worth limit and there is no dispute, then the firm's certification may be removed without using the procedures of 49 CFR 26.87.

**Partner Compliance.** A great deal of the discussion in the final stages of development centered on the need to trust each TNUCP partner, as well as, acknowledging issues that may arise related to quality and compliance. The partners agree there are many agency specific issues related to their agency's certification processes. The primary areas of concern are:

- Political Influence or Interference In Certification Decisions
- Incomplete Or Inadequate Definition Of Processes
- Non-Compliance With 49 CFR Part 26
- Quality Of Decisions

In order for the UCP to succeed and the partners to maintain the level of trust needed to effectively comply with the UCP requirements it is necessary to implement minimum requirements for compliance, as well as a process for dealing with any recipient that is found to be in non-compliance. The specific minimum requirements are:

- All decisions related to certification must be made in compliance with 49 CFR Parts 23 & 26. This requires the political independence to make decisions based upon the specific eligibility requirements as outlined in the regulations.
- Outside entities such as construction boards or other politically mandated organizations can not be involved in the certification determination or investigations of third party challenges.
- All TNUCP Partners must have an approved DBE Program/Plan in place that clearly defines the role of the administrative staff.
- Any partner with a DBE Program administered in conjunction with an MBEI/WBE program of another entity must have the procedures and policies for the DBE program clearly defined and separated. This includes eligibility requirements, data tracking, and removal/denial of certification.
- All partners agree to make decisions and recommendations on certification based purely upon the eligibility requirements, without consideration of political influence or other factors.

If any TNUCP partner feels that a partner is not complying with the requirements of 49 CFR Parts 23 & 26, they may make a written complaint to TDOT. The TNUCP will review and process the complaint and circumstances. If a majority of the TNUCP partners, not including the complaining partner or the partner in question, agrees that the partner is not complying with the requirements, remedial action will be taken. The remedial action can take the form of one of the following:

- **Written Findings** — The TNUCP may issue a formal written determination of the issues regarding that partner's certification, procedures, or practices. This determination will be sent to the senior management officials and the USDOT. It is hoped that the partner will review the procedures at issue and make improvements to the process in order to meet 49 CFR Part 26.
- **Monitoring & Concurrence** — The TNUCP may issue a formal written determination as set out above, as well as provide a procedural review and concurrence process. It is the hope of the partners that the

partner in question will take this opportunity to gain additional knowledge and education of the regulations and requirements.

- **Non-Compliance** — Should the TNUCP make every effort to correct the deficiencies in a partner's certification process, extreme measures may be necessary. The TNUCP may find that a partner is not acting in good faith and determine that the UCP will not accept firms certified by that agency until the required changes are implemented.

The TNUCP recognizes that this is a method of last resort and would not apply this remedy liberally. In addition, the TNUCP would not proceed with this remedy without notification to the USDOT, as well as the lead federal agency for the partner agency. The TNUCP further agrees that should the USDOT or the lead federal agency wish to assist or provide guidance on resolution, the TNUCP would make every effort to resolve the situation prior to implementing this remedy.

**Non-Disclosure/Confidentiality.** The participants to this agreement will not release information that may be reasonably construed as confidential business information to any third party without the written consent of the firm that submitted the information. This includes applications for DBE certification and supporting documentation in accordance with 49 CFR Part 26.109.

When another recipient of United States Department of Transportation funding, in connection with its consideration of the eligibility of the applicant, makes written request for certification information from a participant to this agreement which it has obtained from the applicant (e.g. including in application materials, reports of onsite visits) the participants will make the information available to the other recipient.

**Training.** All TNUCP partners recognize the need for continued training for staff members, as well as recipients and agency management personnel. Upon execution of the final UCP agreement the partners agree to initiate a series of training sessions aimed at improving the certification processes of the partners, as well as provide for consistent eligibility determinations. The TNUCP will seek the assistance of the USDOT, FTA, FHWA, FAA and other agencies as appropriate to provide guidance and training. The TNUCP will also embark upon ongoing in-service opportunities to continue to update the partners, as well as the staff members. Many of these opportunities may be in conjunction with other UCP's, states, or entities.

The TNUCP partners also discussed the need for improved technical and business supportive services. It was agreed that the efforts of all of the agencies could be combined to provide additional and meaningful training to all of the DBE firms. The partners decided to develop a communication effort to ensure that all agencies were notified of the upcoming training and given an opportunity to assist in the training and development activities.

**Voting Criteria.** A majority of the TNUCP partners is needed for a quorum. Only the official designated representative, or an approved alternate, from each partner may vote. Partner's specific name and their respective designated representative and vote will be recorded.