

## **RESOLUTION**

To Authorize the Mayor to Execute a Memorandum of Understanding for the Alabama Uniform Certification Program with the Alabama Department of Transportation

**WHEREAS**, a final rule revising the United States Department of Transportation's (USDOT) regulations for its Disadvantaged Business Enterprise (DBE) Program was published in the Federal Register on February 2, 1999; and

**WHEREAS**, these regulations contained in 49 CFR Part 26.81, as amended, became effective on March 4, 1999; and

**WHEREAS**, all USDOT recipients within each state must sign an agreement establishing a Unified Certificate Program (UCP) and obtain approval of the agreement by the Secretary of the USDOT.

**NOW, THEREFORE, BE IT RESOLVED** that it is mutually agreed between the parties that the Alabama Unified Certification Program (ALUCP) is established for all USDOT certifying/non-certifying partner recipients within the State of Alabama. The ALUCP is detailed in Attachment "F" of this agreement. The purpose of the ALUCP is to comply with the requirements contained in 49 CFR Part 26.81, Subpart E, as amended.

**THE** State of Alabama Department of Transportation (ALDOT), as a responsible certifying member, through its Construction Bureau, DBE section, will take the lead for the ALUCP with regard to:

The maintenance for all ALUCP's DBE Directory listing certified DBE's and agreeing to abide by regulations cited in 49 CFR Part 26.81, monitoring activities of USDOT and its Operating Administrations (OA).

**ALL** Non-Certifying partner recipients agree as follows:

To cooperate fully with the ALUCP and be bound by its decisions or actions upon approval by USDOT.

To cooperate fully with the terms and conditions of this agreement.

To promptly forward DBE applications to the Responsible Certifying Member.

To provide information on any certified DBE upon request by an ALUCP member.

Upon approval of Alabama's Uniform Certification Program, the ALDOT, through the ALUCP will immediately assume and consolidate all certification functions and responsibilities. The ALUCP will be operational not later than eighteen (18) months following its approval by USDOT.

**IN WITNESS WHEREOF**, the Parties have signed, sealed, and delivered this Memorandum of Understanding as of the date set forth on the following signature pages.

**ADOPTED THIS 2<sup>ND</sup> DAY OF OCTOBER, 2023.**

**FOR PUBLIC RELEASE**

By: Audrey Bully Colvin, President  
Alexander City Council

**AUTHENTICATED THIS 2<sup>ND</sup> DAY OF OCTOBER, 2023.**

**FOR PUBLIC RELEASE**

By: Stephanie J. Southerland,  
City Clerk

**APPROVED:**

**FOR PUBLIC RELEASE**

By: Curtis Woody Baird,  
Mayor

Yeas: Tapley, Hardy, Colvin, E. Brown, Keel

Nays: None

AGREEMENT

For

ALABAMA UNIFORM CERTIFICATION PROGRAM (ALUCP)

THIS AGREEMENT is made and entered into this 2nd day of October 2023, by and between the undersigned, authorized representatives of the Alabama Department of Transportation (ALDOT), and those entities (partner recipients) within the State of Alabama identified as current or future recipients or sub-recipients of funding from the United States Department of Transportation's (USDOT) Federal Highway Administration (FHWA), Federal Aviation Administration (FAA), Federal Transit Administration (FTA), or The Alabama Port Authority.

WHEREAS, a final rule revising the USDOT's regulations for its Disadvantaged Business Enterprise (DBE) Program was published in the Federal Register on February 2, 1999.

WHEREAS, these regulations contained in 49 CFR Part 26.81, as amended, became effective on March 4, 1999.

WHEREAS, all USDOT recipients within each state must sign an agreement establishing a UCP and obtain approval of the agreement by the Secretary of the USDOT.

NOW THEREFORE, IT IS MUTUALLY AGREED BETWEEN THE PARTIES

The Alabama Unified Certification Program (ALUCP) is established for all USDOT certifying/non-certifying partner recipients within the State of Alabama. The ALUCP is detailed in Attachment A of the Agreement. The purpose of the ALUCP is to comply with the requirements contained in 49 CFR Part 26.81, Subpart E, as amended.

The State of Alabama Department of Transportation (ALDOT), as a responsible certifying member, through its Construction Bureau, Disadvantaged Business Enterprise (DBE) Section, will take the lead for the ALUCP with regard to:

The maintenance for all ALUCPs DBE Directory listing certified DBEs and agreeing to abide by regulations cited in 49 CFR Part 26.81, monitoring activities of USDOT and its Operating Administrations (OA).

All Non-Certifying partner recipients agree as follows:

To cooperate fully with the ALUCP and be bound by its decisions or actions upon approval by USDOT.

To cooperate fully with the terms and conditions of this agreement.

To promptly forward DBE applications to the Responsible Certifying Member

Provide information on any certified DBE upon request by a ALUCP member.

Upon approval of Alabama's Uniform Certification Program, the ALDOT, through the ALUCP will immediately assume and consolidate all certification functions and responsibilities. The ALUCP will be operational not later than 18 months following its approval by USDOT.

**FOR PUBLIC RELEASE**

Title: Mayor  
Agency: City of Alexander City  
Recipient: City of Alexander City  
(City, Town, County, Etc.)

MAIL TO:

Alabama Department of Transportation  
Disadvantaged Business Enterprise Program  
1409 Coliseum BLVD, G-101  
Montgomery, Alabama 36110

FORM A-1009  
REV. 1/23