Guidance Document

Pursuant to Neb. Rev. Stat. §84-901.03

This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

NDOR DBE INTERSTATE CERTIFICATION AFFIDAVIT

49 CFR § 26.85, INTERSTATE CERTIFICATION

Nebraska Department of Roads ("NDOR") chooses to review all out-of-state applications as provided in § 26.85(c). The following applies with respect to any firm that is currently certified in its home state and wishes to become certified by the NDOR DBE Program. All such firms:

(1) Must provide to NDOR a complete copy of your home state application form, all supporting documents and any other information related to your firm's certification that you have submitted to your home state or any other state. This includes affidavits of no change and any notices of changes that you have submitted to your home state, as well as any correspondence you have had with your home state UCP or any other recipient concerning your application or status as a DBE firm.

(2) Must provide to NDOR any notices or correspondence from states other than your home state relating to your status as an applicant or certified DBE in those states. If you have been denied certification or were decertified in another state, or are subject to a decertification action there, you must inform NDOR of this fact and provide all documentation concerning this action to NDOR.

(3) Must submit the below affidavit sworn to by all of 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.

(4) If you have filed a certification appeal with USDOT, you must inform NDOR of the fact and provide your letter of appeal and USDOT's response to NDOR.

AFFIDAVIT OF CERTIFICATION FOR OUT-OF-STATE APPLICANTS

This form must be signed and sworn to be each owner of the applicant firm. Use additional forms if necessary.

ANY MATERIAL OR FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION OR AFFIDAVIT IS SUFFICIENT CAUSE FOR DENIAL OF CERTIFICATION, REVOCATION OF A PRIOR APPROVAL, INITIATION OF SUSPENSION OR DEBARMENT PROCEEDINGS, AND MAY SUBJECT THE PERSON AND/OR ENTITIY MAKING THE FALSE STATEMENT TO ANY AND ALL CIVIL AND CRIMINAL PENALTIES AVAILABLE PURSUANT TO APPLICABLE FEDERAL AND STATE LAW.

I_____(print full name), declare under penalty of law that I have submitted all of the information required by 49 CFR 26.85(c). This information is complete and, in the case of the requirements of § 26.85(c)(1), is identical to the information which served as the basis for my home state certification. Further, I declare under penalty of perjury that all facts in my most recent on-site report remain true and correct.

Executed_____
(Date)

NOTARY CERTIFICATE

Signature_____
(Applicant Owner)