



DISADVANTAGED BUSINESS ENTERPRISE (DBE)
TERMINATION/SUBSTITUTION REQUEST

Contract/TRACS No.: Mod: Task Order:
Prime: AZ UTRACS Registration No.:
DBE Firm: AZ UTRACS Registration No.:
Requestor: Email: Phone Number:
Type of request: Termination Substitution Reduction

1. Is this request due to an ADOT Change Order/Scope?

- Yes, explain below the Change Order/Scope impact on DBE participation.
No, select below the fact(s) and the reason(s) for the request (see attached instructions). DBE:
Fails or refuses to execute written contract
Fails or refuses to perform work in accordance with normal industry standards
Fails or refuses to meet prime contractor's reasonable, nondiscriminatory bond requirements
Becomes bankrupt, insolvent or exhibits credit unworthiness
Is ineligible to work because of suspension or debarment proceedings
Is not a responsible contractor
Voluntarily withdraws from the project and provides to the Agency written notice of its withdrawal
Is ineligible to receive DBE credit for the type of work required
Owner dies or becomes disabled resulting in inability to complete its work on the contract
Other documented good cause (Attach documentation)

Attach a brief statement of facts describing the situation and any documentation to substantiate selection above.

- 2. Date determined the DBE is unwilling, unable or ineligible to perform:
3. Date of Written Notice to DBE: Attach notice with this request, along with the DBE response.
4. Original DBE award amount: \$ Remaining DBE award amount: \$
5. Amount owed to the DBE for work completed: \$
6. Proposed Sub Name (if applicable):
7. Projected date for replacement Sub to commence work:
8. Is the proposed replacement an Arizona certified DBE?
Yes, please provide new DBE Affidavit (AZ UTRACS Registration No.:).
No, provide Good Faith Effort (GFE) brief statement and documentation.
9. Is this project scheduled to meet the assessed DBE goal? Yes No (Provide DBE utilization summary)

Original DBE Sub Signature Date:
Prime Signature Date:
Agency Project Mgr. Signature Date:

FOR AGENCY/BECO USE ONLY
Request is: Approved Not Approved
Agency Representative:
Date:
BECO Representative:
Date:



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INSTRUCTIONS

* Terms used on this form, *contractor* and *subcontractor* are synonymous with *consultant* and *subconsultant* respectively.

The contractor shall follow the DBE Special Provisions Section 24 when determining to terminate/substitute a DBE listed on the DBE Intended Participation Affidavit Summary. The contractor shall make all reasonable efforts to avoid termination or substitution of a DBE listed on the DBE Intended Participation Affidavit Summary. All terminations, substitutions, and reduction in scope must be approved in writing by ADOT's Business Engagement and Compliance Office's (BECO).

Before submitting this form to the Agency Date:

complete the following:

- Submit a written notice to the DBE and a copy to the agency
- Allow the DBE a minimum of five days to respond
- Include the DBE response with this form
- GFE and supporting documentation
- Revised DBE Affidavits

The contractor must demonstrate good faith efforts to replace a committed DBE firm, which does not perform as intended, with another committed DBE firm. Reasonable methods to resolve performance disputes must be applied. Replacement of DBEs without the agency's prior written approval and BECO's concurrence is a material breach of the contract.

If a DBE subcontractor is approved to be terminated or fails to complete its work on the contract for any reason, the prime contractor will make good faith efforts to find another DBE subcontractor to replace the original DBE. The good faith efforts will be directed at finding another DBE to perform **at least** the same amount of work under the contract as the DBE that was terminated or replaced, to the extent needed to meet the contract goal established for the project.

When a DBE substitution is necessary, the contractor shall submit an amended DBE Intended Participation Affidavit and Intended Participation Affidavit Summary to the agency for approval BECO's concurrence with the substitute DBE's name, description of work, NAICS code, AZ UTRACS registration number, and dollar value of work to the Project Manager/Engineer and the agency's compliance officer. Approval from the agency with BECO concurrence must be obtained prior to the substituted DBE beginning work.