

MEMORANDUM

TO: Jodi Rooney; Susan Anderson; Eric Boyles; Annette Riley; Julie Gadsby; Mike DenBleyker; Bertha Whitby; Steve Boschen;

FROM: Vivien Lattibeaudiere, BECO Manager

CC: LPA Section; Project Managers Group; Construction Group; Procurement; ECS; State Engineers Office

DATE: July 6, 2016

RE: DBE Program Implementation Modifications for Certification Acceptance Agencies

ADOT is responsible for ensuring Local Public Agencies (LPA) operating as sub-recipients under Certification Acceptance Authority carry out project delivery in accordance with federal and state laws and regulations. ADOT's Business Engagement and Compliance Office (BECO) is responsible for ensuring full compliance with all applicable federal regulations related to the ADOT DBE Program.

On November 3, 2014, the U.S. Department of Transportation (DOT) amended its Disadvantaged Business Enterprise (DBE) program regulations to improve program implementation for Federal-aid contracts. DOT's 2014 final rule contains important improvements to the administration of the DBE program regulations. The modifications in the regulations directly impact the Arizona Department of Transportation (ADOT) DBE Program and DBE Special Provisions (EPRISE).

This Memo is notification that important modifications have been made to ADOT's DBE Program Plan, DBE Provisions (EPRISE), and the Prompt Pay Specifications for ADOT and Certification Acceptance (CA) Agencies. The modifications have prompted **additional requirements concerning such subjects as: Bidder's List, AZUTRACS Registration, subcontractor payment reporting, prompt payment of subcontractors, sanctions and good faith efforts.**

On June 10, 2016, the Federal Highway Administration (FHWA) approved ADOT's modified DBE EPRISE and Prompt Pay contract specifications. Therefore, **all CA Agencies' FHWA Federal-aid contracts advertised after October 1, 2016**, must comply with the new DBE requirements and be administered in accordance with ADOT DBE Program regulations.

To ensure that CA Agencies receive adequate training regarding the newly revised DBE EPRISE & Prompt Pay Contract Specifications, BECO will be conducting DBE Program training and one-on-one agency consultation meetings with each CA Agency. Details of training and consultation dates were provided to CA Agency representatives on Friday, June 24, 2016.

Any questions regarding DBE EPRISE & Prompt Pay Contract Specifications should be directed to the BECO office at 602.712.7761.