

DBE Program Requirements

for Prime Contractors



The Business Engagement and Compliance Office (BECO) is responsible for ensuring that ADOT, its subrecipients, contractors and consultants achieve full compliance with all applicable federal regulations related to the Disadvantaged Business Enterprise (DBE) Program.

Project-Specific Contracts

The contractor identifies all DBEz firms utilized to meet the DBE goal or provides good faith effort documentation before the project begins.

On-Call Contracts

On-call contracts require the contractor to identify its DBE firms or provide good faith effort documentation before every task order begins.

Not Meeting the DBE Goal on a Bid

The first step in conducting a Good Faith Efforts (GFE) is to contact BECO via the AZ UTRACS [Solicitation Form](#). The Solicitation Form is a way for a Soliciting Firm to reach out to Recipient Firms to work together on federally funded transportation projects in Arizona. The benefit of the Solicitation Form is that it can be used to contact firms for specific types of work that the soliciting firms would like to solicit bids/proposals for a specific project, based on information that the recipient firms have provided on their AZ UTRACS firm profile.

DBE Termination/Substitution or Reduction of Work (TSR)

In a situation in which a committed DBE's award is reduced due to scope change, the contractor is required to inform BECO of the DBE firm's revised contract award amount. However, the contractor is still obligated to meet the DBE goal and must perform Good Faith Efforts (GFE) when participation is below the DBE goal. A [TSR Request Form](#) must still be submitted to BECO.

The contractor must not terminate a DBE firm or substitute a DBE's work without approval by BECO. The contractor sends a written notice to the DBE with reasons for termination, and sends a copy to BECO. The DBE has five days to respond. After five days, the contractor sends a completed [TSR Request Form](#) to BECO. The request should include a statement of GFE conducted in order to meet the DBE goal; which firm will complete the DBE's work and final DBE utilization on the contract. For further detailed information, please refer to [ADOT's DBE Program Plan](#).

If a non-DBE was selected over a DBE due to costs, the contractor must also include the quotes received from both the non-DBE and DBE.

BECO takes all information into consideration before approving or denying the request. Good cause examples to terminate or substitute a DBE firm are the DBE failing or refusing to execute the written contract, to perform work in accordance with normal industry standards, or to meet the prime contractor's reasonable, nondiscriminatory bond requirements; the DBE becomes bankrupt, insolvent or exhibits credit unworthiness; the DBE is ineligible to work due to suspension or debarment proceedings; the DBE is not a responsible contractor; the DBE voluntarily withdraws from the project and provides written notice of withdrawal; the DBE is ineligible to receive DBE credit for the type of work required or the DBE becomes unable to complete its work on the contract due to death or disability. For further detailed information, please refer to [ADOT's DBE Program Plan](#).



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Three main requirements for Federally-funded RN contracts:*

1. Reporting payments in the DOORS System and/or the LPA DBE System
2. Prompt payment within seven days, in accordance with State Law
3. Primes submit COPs for all DBEs, both RC* and RN* used on the project

Payment Reporting Systems

ADOT's **DOORS*** (adotdoors.dbesystem.com) and **LPA DBE System** (arizonalpa.dbesystem.com) are designed to streamline data collection, analysis and reporting to federal funding agencies and stakeholders.

Participation in these systems are a contractual requirement for all contractors and subcontractors on federally funded projects. One important feature for both systems is the payment audit process.

1. The contractor reports subcontractor payments executed in the previous month by the 15th of the current month
2. The subcontractor verifies prime payment information in the following two weeks of the current month

The reporting and verification of payments executed in the previous month must be completed by the end of the current month.

Prompt Payment

Prime contractors must pay their subcontractors within seven days of receipt of payment made by ADOT in accordance with Arizona State prompt pay law.

Contractors/Consultants shall ensure that this requirement is identified in the subcontract agreement and adhered to at time of payment.

Certification of Payments to DBE Firms

The contractor shall submit the Certification of Payments for all DBE firms RN and RC, prior to closeout of the project.

* RN = Race Neutral - non-committed DBEs (not submitted on the DBE Affidavits)

* RC = Race Concious - committed DBEs (submitted on the DBE Affidavits)

* DOORS = DBE & OJT Online Reporting System

DOORS



LPA
DBE
System



DBE
Contract
Compliance Site



ADOT
DBE Program
Plan

