

DBE and ACDBE Best Practices:

Monitoring & Enforcement



**Federal Aviation
Administration**

Office Of Civil Rights

ACHIEVING SAFETY
THROUGH DIVERSITY

**Third Annual National Civil Rights
Training Conference for Airports**

Alexandria, Virginia

FY – 2012 Main Focus

- Review & Examine
- Fact Finding – Monitoring & Enforcement
- Identify Best Practices
- Develop a “Best Practices” Tool
- Publish - training, guidance, and possibly examples of effective DBE practices

FY – 2012 Main Focus

- Identified Participants
 - National Sample
 - sponsors who have shown to have taken proactive efforts to strengthen their monitoring and enforcement process.

Site Visits

- San Antonio International Airport
- Miami International Airport
- Fort Wayne International Airport
- Richmond International Airport
- Salt Lake City International Airport
- Anchorage International Airport
- Lincoln Airport

FY- 2012 Process

The review process consists of the following stages:

- **Notification to recipient of selection for compliance review**
- **Request for documents**
- **Desk review of preliminary documents**
- **Site visit (1 ½ Days)**
- **Final Report of Findings – Issued on site**

Part 26 - Areas Examined

SECTION 1 - 49 CFR Part 26

PART 1 – DBE Monitoring and Enforcement Questions *(Please Check Yes or No)*

#	QUESTION	RESPONSE
1	Did the airport distribute its DBE Policy Statement?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2	Does the airport make reasonable efforts to use DBE financial institutions?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3	Does the airport encourage prime contractors on DOT assisted contracts to make use of DBE financial institutions?	<input type="checkbox"/> YES <input type="checkbox"/> NO
4	Is the DBELO present during the bid openings for FAA funded projects?	<input type="checkbox"/> YES <input type="checkbox"/> NO
5	Does the airport verify the Letters of Intent are included in the bid package?	<input type="checkbox"/> YES <input type="checkbox"/> NO
6	Does the airport confirm DBE certification prior to awarding the contract?	<input type="checkbox"/> YES <input type="checkbox"/> NO
7	Does the airport have mechanisms in place to ensure that work committed to DBEs at contract award actually went to DBEs?	<input type="checkbox"/> YES <input type="checkbox"/> NO
8	Do the mechanism provide for a running tally of actual DBE attainments (e.g., payments actually made to DBE firms), including a means of comparing these attainments to commitments.	<input type="checkbox"/> YES <input type="checkbox"/> NO
9	Does the airport have mechanisms in place to verify that the DBEs are managing their work, utilizing their own work force, equipment, and materials?	<input type="checkbox"/> YES <input type="checkbox"/> NO
10	Does the airport verify that the DBEs are performing a commercially useful function?	<input type="checkbox"/> YES <input type="checkbox"/> NO
11	Does the airport conduct random construction sites visits?	<input type="checkbox"/> YES <input type="checkbox"/> NO
12	During the construction site visits, does the airport verify that business names on equipment and vehicles are not covered with paint or magnetic signs?	<input type="checkbox"/> YES <input type="checkbox"/> NO
13	During the construction site visits, does the airport verify whether the DBE owner is present at job sites?	<input type="checkbox"/> YES <input type="checkbox"/> NO
14	During the construction site visits, does the airport verify who employs the workers on site?	<input type="checkbox"/> YES <input type="checkbox"/> NO
15	Does the airport verify contracts between prime contractors and DBE subcontractors?	<input type="checkbox"/> YES <input type="checkbox"/> NO
16	Does the airport review monthly DBE participation reports? (Provide copy of sample report)	<input type="checkbox"/> YES <input type="checkbox"/> NO
17	Does the airport randomly verify who orders and pays for the necessary supplies being used by the DBE subcontractor?	<input type="checkbox"/> YES <input type="checkbox"/> NO
18	Does the airport have prompt payment mechanisms in place?	<input type="checkbox"/> YES <input type="checkbox"/> NO
19	Does the airport submit its Uniform Report on DBE participation to the DOORS system?	<input type="checkbox"/> YES <input type="checkbox"/> NO
20	Is the airport required to prepare a DBE goal accountability report?	<input type="checkbox"/> YES <input type="checkbox"/> NO

Part 26 - Sample Questions

- Did the airport distribute its DBE Policy Statement?
- Does the airport have mechanisms in place to ensure that work committed to DBEs at contract award actually went to DBEs?
- Does the airport conduct random construction sites visits?

Part 26 - Document Review

PART 2 - Please provide copies of the following documents:

- | | | |
|---|-----------------------------------|------------------------------|
| • Airport organization chart, showing DBELO's position. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |
| • Records showing approval and/or rejection of DBE firm substitution. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |
| • Records documenting monitoring of contracts with DBE participation. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |
| • Sample forms used to monitor monthly DBE participation. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |
| • Records of site visits to prime and subcontractor offices/work locations. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |
| • Records documenting Good Faith Effort reviews. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |
| • Copy of your approved DBE Triennial Goal. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |
| • Copy of FY-2011 DBE Goal accountability report. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |
| • Sample template of a FAA funded contract. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |
| • Sample template of a FAA funded DBE sub-contractor contract. | <input type="checkbox"/> Attached | <input type="checkbox"/> N/A |

Part 26 – Document Review

- Airport organization chart, showing DBELO's position.
- Sample forms used to monitor monthly DBE participation.
- Records documenting Good Faith Effort reviews.
- Records documenting your construction site visits.

Part 23 - Areas Examined

SECTION II - 49 CFR Part 23

PART 1 – Concessions Monitoring and Enforcement Questions *(Please Check Yes or No)*

#	QUESTION	RESPONSE
1	Has the airport's ACDBE program been approved by FAA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
2	Did the airport distribute its ACDBE Policy Statement?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3	Does the approved ACDBE program on file with FAA reflect the current organizational structure of the agency?	<input type="checkbox"/> YES <input type="checkbox"/> NO
4	Does the airport include enforcement provisions in concession agreements?	<input type="checkbox"/> YES <input type="checkbox"/> NO
5	Does the airport verify that the prime or master concessionaire and ACDBE have entered into a written commitment prior to submitting a response to an RFP/RFQ?	<input type="checkbox"/> YES <input type="checkbox"/> NO
6	Does the airport require a prime or master concessionaire have written confirmation from the ACDBE firm that it is participating in the contract?	<input type="checkbox"/> YES <input type="checkbox"/> NO
7	Does the airport confirm ACDBE certification prior to awarding the contract?	<input type="checkbox"/> YES <input type="checkbox"/> NO
8	Does the airport verify that the work committed to ACDBEs is actually performed by the ACDBEs?	<input type="checkbox"/> YES <input type="checkbox"/> NO
9	Does the airport prohibit prime or master concessionaires from terminating ACDBE firms for convenience?	<input type="checkbox"/> YES <input type="checkbox"/> NO
10	Does the airport require prime or master concessionaires include administrative remedies if a prime or master concessionaire fails to comply with ACDBE requirements?	<input type="checkbox"/> YES <input type="checkbox"/> NO
11	Does the airport conduct concession sites visits regularly?	<input type="checkbox"/> YES <input type="checkbox"/> NO
12	During the concession site visits, does the airport verify general managers and who they report to?	<input type="checkbox"/> YES <input type="checkbox"/> NO
13	Does the airport verify that the ACDBE is actively managing the concession locations(s)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
14	Does the airport verify gross sales reports accounting for ACDBE participation?	<input type="checkbox"/> YES <input type="checkbox"/> NO
15	Has the airport submitted its FY 2010 Uniform report on ACDBE participation to the FAA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
16	Does the airport submit its Uniform Report on ACDBE participation to the DOORS system?	<input type="checkbox"/> YES <input type="checkbox"/> NO
17	Has the airport received any complaints alleging that it did not comply with the ACDBE regulations in the past three years?	<input type="checkbox"/> YES <input type="checkbox"/> NO
18	Does the airport have any joint venture agreements currently in place? If YES, please answer the following:	<input type="checkbox"/> YES <input type="checkbox"/> NO
	a) Has the airport undertaken an internal review of its joint venture agreements, if any, in order to verify that they are in compliance with the FAA Joint Venture Guidance?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	b) Did the airport make any change in the counting of ACDBE participation of the joint venture toward ACDBE goals as a result of its joint venture agreement reviews findings?	<input type="checkbox"/> YES <input type="checkbox"/> NO
19	Does the airport have Long Term (5+ years) and Exclusive contract(s) currently in place?	<input type="checkbox"/> YES <input type="checkbox"/> NO
20	If the airport has current Long Term and Exclusive contracts in place, were these contracts submitted to the FAA for approval?	<input type="checkbox"/> YES <input type="checkbox"/> NO

Part 23 - Sample Questions

- Does the airport require a prime or master concessionaire have written confirmation from the ACDBE firm that it is participating in the contract?
- Does the airport include enforcement provisions in concession agreements?
- Does the airport verify that the ACDBE is actively managing the concession locations(s)?
- Does the airport verify gross sales reports accounting for ACDBE participation?

Part 23 - Areas Examined

PART 2 – Please provide copies of the following documents:

- Airport organization chart, showing ACDBELO's position. Attached N/A
- Records showing approval and/or rejection of ACDBE firm substitution. Attached N/A
- Records documenting monitoring of concession contracts with ACDBE participation. Attached N/A
- Sample forms used to monitor monthly DBE participation. Attached N/A
- Records of site visits to concessions locations. Attached N/A
- Copy of approved ACDBE Triennial Goal. Attached N/A
- Records documenting Good Faith Effort reviews. Attached N/A
- Sample template of a Concessions agreement that includes an ACDBE goal requirement. Attached N/A
- Sample template of an ACDBE sub-concessionaire agreement. Attached N/A
- Summary of the findings of your Joint Venture agreements reviews along with supporting documents. Attached N/A
- Copy of Long Term and Exclusive contracts and FAA Approval Letter. Attached N/A

Part 26 – Document Review

- Sample template of a Concessions agreement that includes an ACDBE goal requirement.
- Records documenting monitoring of concession contracts with ACDBE participation.
- Summary of the findings of the Joint Venture agreements reviews along with supporting documents.

Best Practices

- Outreach Practices
- Internal Compliance Review
- Departmental Collaboration

Best Practice – Sample Form

SLC - Pre Bid Checklist

Salt Lake City Department of Airports Pre-Bid Checklist November 10, 2011

This document is an aid. It is not a substitute for 49 CFR Part 26, Participation by Disadvantaged Business Enterprises (DBE) in Department of Transportation Financial Assistance Programs or Salt Lake City Department of Airports Contract Documents.

1. **Contact Paul Marshall at 801-575-2945 if you have questions about DBE related forms.**

2. The **North Cargo Apron Expansion** project is federally funded; and includes a contract DBE participation goal of **8.0%**.

3. Ways to satisfy contract goal:
- Contract with a DBE for the goal amount
- Demonstrate a good faith effort (see contract for details)

4. Work committed to DBEs at contract award or subsequently (SLCDA agreed contract modification) must be performed by the DBEs to which the work was committed. If an adjustment to the contract (to include contract dollar amount) needs to be made, then let the project engineer know in advance.

5. Prime contractor, including pre-award and post-award, shall not terminate DBE(s) without the written approval from the sponsor. This is now the law (see new rule 49 CFR Part 26 effective Feb. 28, 2011).

- DBE regulations require prime contractors to demonstrate a good faith effort if DBE participation is changed for any reason.

- The contract between the prime and DBE(s) and all DBE subcontracts (all tiers) must be submitted to Salt Lake City Department of Airports no later than the pre-construction meeting.

- The contracts will be reviewed to ensure DBE participation is structured to achieve the participation committed to by the DBE(s) and prime.

- For example, has the DBE subcontracted with a non-DBE (which might not be countable toward the contract goal) to accomplish their work on the project?

- For example, does the DBE have enough trucks to do what the Prime has contracted them to do?

6. All DBE Participation IS NOT COUNTED THE SAME

- Construction Work done exclusively by DBE (materials, labor and equipment)

DBE Goal

GFE

Commitments

Terminations/Replacements

Contract Review!

Counting Participation

- Count 100% of dollar amount of both DBE and non-DBE trucking.

- Approved DBE Trucking Special Provisions provide for ONLY counting commissions and fees should the DBE subcontract for any number of trucks above the one-for-one match. For example, if a DBE trucking firm owns and operates eight trucks on the job and subcontracts for ten non-DBE trucks, then count 100% of the dollar amount up to sixteen trucks and include the fees and commissions associated with the two remaining non-DBE trucks.

7. Davis Bacon Certified Payrolls (related to trucking):

- If hauling on-site, then except for owner/operator, who is listed as such on the certified payroll, Davis Bacon wages apply.
- If hauling off-site, then Davis Bacon wages do not apply.
- On-site is defined as staying on Airport; including going outside a gate along public roads and then back into an on airport site.

8. DBE SUBCONTRACTING:

- DBEs must manage, supervise and perform the work with their own employees and their own equipment.
 - To receive ANY DBE credit, each DBE must do at least 30% of contracted work with their own workforce.
- Generally, when a DBE subcontracts with a non-DBE the dollar amount of the work performed by the non-DBE **DOES NOT COUNT** toward the prime's DBE goal.
 - Call Paul Marshall if you have any questions

9. DAVIS BACON WAGES

- Davis Bacon wage rates in contract documents
 - Wage Rate Posters: Must be posted in work area
 - Call Paul Marshall if you need Posters.
- Certified payrolls: Please send weekly certified payrolls to Lisa Garmendia in the SLCDA Planning Office. Lisa can be reached at (801) 575-2987.

Subcontracting

Best Practice – Sample Form

FWA – Certification Acknowledgement Memo

ATTACHMENT A

DISADVANTAGED BUSINESS ENTERPRISE

CERTIFICATION ACKNOWLEDGEMENT

Currently Certified?

State?

Type of work?

Amount \$

I, _____, certify that my firm is currently certified as a Disadvantaged Business Enterprise in accordance with 49 CFR Part 26 (including Subpart D and E). This certification was conducted by the Indiana Department of Transportation as the certifying agency for the Unified Certification program for the State of Indiana.

It is my understanding that my participation on project (include dollar amounts) AIP-** ____ **, Described as, _____ will be as follows:

Any change in my participation as noted above, company organizational status, address, or current certification status by INDOT will be immediately reported to the Fort Wayne-Allen County Airport Authority, 3801 W. Ferguson Road, Suite 209, Fort Wayne, Indiana, 46809.

A copy of my current certification is attached.

Signature

Signature of Authorized DBE Representative

Company Name

Date

Best Practice – Sample Form

ANC - Good Faith Effort Evaluation

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

SEAN PARNELL, GOVERNOR

CIVIL RIGHTS OFFICE

2200 East 42nd Avenue
 P.O. Box 196900
 ANCHORAGE, ALASKA 99519-6900
 STATEWIDE TOLL-FREE NO. (800)770-6236
 PHONE (907) 269-0851
 FAX (907) 269-0847

To:

Date:

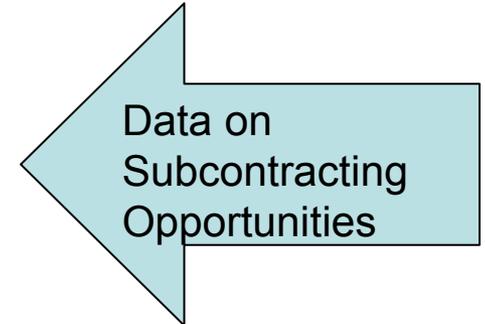
From: External EEO Officer

Phone: _____

RE: Good Faith Effort Documentation

The Civil Rights Office (CRO) has reviewed the Good Faith Effort (GFE) documentation submitted by _____ and is found to be _____

Bid Item #	Work Category	No. of required GFE contacts	No. of DBE contacts	No. of DBE quotes rec'd	No. of DBE quotes accepted
	Fencing Construction				
	Standard Hwy Signs Permanent Installation Construction				
	Surveying-unlicensed construction				



Analysis

Summary of Efforts
Fencing-Construction

Standard Hwy Signs-Permanent Installation-Construction

Surveying-Unlicensed-Construction

Observations

Other Observations

Project Information

Please **include** the DBE Liaison Officer's contact information on all letters or correspondences to the low bidder pertaining to this matter.

Item _____ GFE Summary

GFE File initial review

Advertised Date:

Bid Opening:

Contractor:

Project #/Name:

DBE Goal:

cc:

Best Practice – Sample Form

MIA – Pre-Construction Meeting & Good Faith Efforts Clarification

Contractor:
DBE Subcontractor:

Since we have the contractor and DBE subcontractor with 16.2% DBE goal, it looks like the project is set to go. As they say, "the devil is in the details", so let's briefly discuss the dos and don'ts of the DBE contract or subcontract implementation process, which the Regulation refers to as Commercially Useful Function (or meaningful participation).

Commercially Useful Function (CUF) Title 49 CFR Part 26, Section 26.55

Under the terms established in Section 26.55 of the Regulation, a DBE firm performs a Commercially Useful Function (CUF) when it is:

"Responsible for execution of the work of the contract or a distinct element of the work by actually performing, managing, and supervising the work involved."

DBE Subcontracting

DBE subcontracting task is a little complex that requires monitoring by the prime and other parties. For this reason and for purposes of this meeting, let's have a brief discussion on the dos and don'ts associated with it.

Actually Performing the Work

When the Regulation defines the DBE must actually perform the specified work means:

- The DBE must function independent from the prime.
- The DBE must be in control of the work specified
- The DBE must remain certified through the life of the contract
- Second tier DBE participation is not counted towards the DBE goal

Management

The DBE must manage the work that has been contracted. Management includes, but is not limited to:

- Scheduling work operations
- Ordering equipment and materials
- Preparing and submitting certified payrolls
- Hiring and firing employees.

The DBE owner must supervise daily operations, either personally or with a full time, skilled, and knowledgeable superintendent employed by and paid wages by the DBE. The superintendent must be under the DBE owner's direct supervision. The DBE owner must make all operational and managerial decisions of the firm. Mere performance of administrative duties is not supervision of daily operations.

Some questionable management practices, which may warrant further review, include, but are not limited to:

- Supervision of DBE employed by another contractor
- The DBE's superintendent is not a regular employee of the firm or supervision is performed by personnel associated with the prime contractor, another business or personnel are not under the control of the DBE firm.
- The DBE firm's owner is not aware of the status of the work or the performance of the business.

DBE Goal

Requirements- "actually"

Define CUF

Manage Work

Supervision

Questionable Practices

Typical CUF questions could include:

Contract!!!

1) Is there a written legal document executed by the DBE to perform a distinct element of work? Yes _____ No _____

Reporting?

2) On-site DBE representative reports to: _____

3) Has the on-site DBE representative been identified as an employee of the DBE? Yes _____ No _____

Payroll?

4) Has this individual ever shown up on any other contractor's payroll? Yes ___ NO. ___

5) Does the DBE on-site representative effectively manage the job site without any interference from the prime contractor? Yes _____ No _____

Jobsite Presence?

6) Has the DBE owner been present on the jobsite? Yes _____ No _____

7) Does the DBE appear to have control over methods of work on its contract items? Yes _____ No _____

8) Is the DBE maintaining its own payroll? Yes _____ No _____

9) Who prepares the DBEs certified payroll _____

Work activities?

10) Is the DBE actually scheduling work activities, material deliveries and other related actions require for prosecution of the work?

Sublet?

11) Did the DBE sublet any items or portions of the work to any other firm? Yes _____ No _____ If yes, what percent was sublet _____ Name of the firm getting the work _____

Documents?

Typical Documentation that should be evaluated:

- Written contractual obligation document
- Daily Inspection and Diary
- Payrolls

Best Practice - Form

MIA - Project Site Visit Review/Reporting

Per 49 CFR 26.55, "A DBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. A DBE does not perform a CUF if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of DBE participation." This form is for the purposes of reviewing DBEs for compliance with the CUF requirements for credit.

Minority Affairs field staff will perform CUF reviews on DBE subcontractors and Material Suppliers. Perform a minimum of one review for each DBE for each project with DBE goal. The review should be conducted when the DBE first begins work. Monitor compliance through the course of the project.

Project Name:	MDAD Reviewer:	
Project No:	Reviewer Title:	
Prime Contractor:	Review Date:	
DBE Name:		
DBE is performing as: The Prime Contractor <input type="checkbox"/> A Subcontractor <input type="checkbox"/> Another Tier Subcontractor <input type="checkbox"/> Or Material Supplier: Manufacturer <input type="checkbox"/> Regular Dealer <input type="checkbox"/> Broker <input type="checkbox"/>		
Provide a brief description of the DBE's scope of work. (obtain copy of Subcontract Agreement and/or Purchase Order if needed.)		
COMMENSURATE: Is payment received by the DBE commensurate with the work being performed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
PERFORMING: Does the DBE have employees on the job to perform the work? Does the DBE's employees only work for the DBE? Is the DBE working without assistance from the prime contractor or another subcontractor? <small>(Use of prime's equipment in an emergency is allowed but the cost associated with the use of the equipment cannot be credited towards the goal.)</small> Is the DBE only using equipment it owns, rents, or leases? <small>(Attached equipment list and all ownership documents and rental/lease agreements.)</small> Is the DBE performing at least 30% of their work?	Yes <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Hauling: Does the DBE hauling firm own or lease their trucks? <small>(If so, obtain verification of ownership or lease documents in the name of the DBE.)</small> Does the DBE employ drivers for trucks owned by the company? <small>(If leased trucks include operators, this should be indicated in the agreement.)</small> Does a review of the haul tickets associated with the project indicate that hauling is being performed by the DBE?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
MATERIALS: Does the DBE's name appear on all invoices, haul tickets, and/or bills of lading? If joint checks are used, has the DBE Coordinator approved? Are joint checks signed by the DBE? <small>(Obtain canceled check copies.)</small>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
SUPERVISING: Is the DBE supervising its employees and their work? Is the supervisor a full-time employee of the DBE?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
CUF: Does the DBE appear to be performing a Commercially Useful Function (CUF)? <small>(If no, provide comments.)</small>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS:		

Commensurate Payment

Materials

Performance

Supervision

Category -
Performance

Category -
Materials

Category -
Supervising

CUF DETERMINANTS

If any Red Flag Conditions are identified, contact Minority Affairs Office

PERFORMING

- DBE must be responsible for performing its own work on the project
- At least 30% of the work must be performed by the DBE with its own workforce
- The DBE keeps a regular workforce and has its own employees
- The DBE is utilizing its own equipment
- Operation of the equipment must be subject to the full control of the DBE

RED FLAGS

- A portion of the DBE's work being done by the Prime Contractor or jointly with another contractor
- Employee working for both the Prime and the DBE
- Equipment used by DBE belongs to the Prime Contractor or another contractor with no formal lease agreement
- Equipment signs and markings cover another contractor's identity

RECORDS/DOCUMENTS

- Subcontract Agreement or Purchase Order
- Equipment ownership, rental, or lease documents
- Certified payrolls

MATERIALS (For material credit)

- DBE is responsible for the delivery of the materials
- DBE is ordering the material and invoices indicate that DBE is the customer
- Material invoices indicate that DBE owner or Superintendent is the contact person
- A/E has approved use of joint checks

RED FLAGS

- Materials for DBE credited work are delivered by the Prime Contractor
- Materials are ordered, billed to, and/or paid by the Prime Contractor
- Invoices do not indicate that DBE is the customer
- Prime's employee is listed as the contact person on invoices
- Materials come from Prime's stockpiles

RECORDS/DOCUMENTS

- Invoices
- Haul tickets or Bills of Lading
- Material on Hand documentation
- Joint check agreement
- Cancelled checks

SUPERVISING

- DBE supervisor is a full-time employee of the DBE
- Employees are being supervised by DBE supervisor
- DBE is scheduling work operations

RED FLAGS

- DBE's employees are being supervised by Prime Contractor or another contractor
- DBE provides little or no supervision of work
- DBE supervisor is not a full-time employee of the DBE

RECORDS/DOCUMENTS

- Certified Payrolls
- Document communication with DBE owner or Superintendent

RED Flags &
Records for
each category

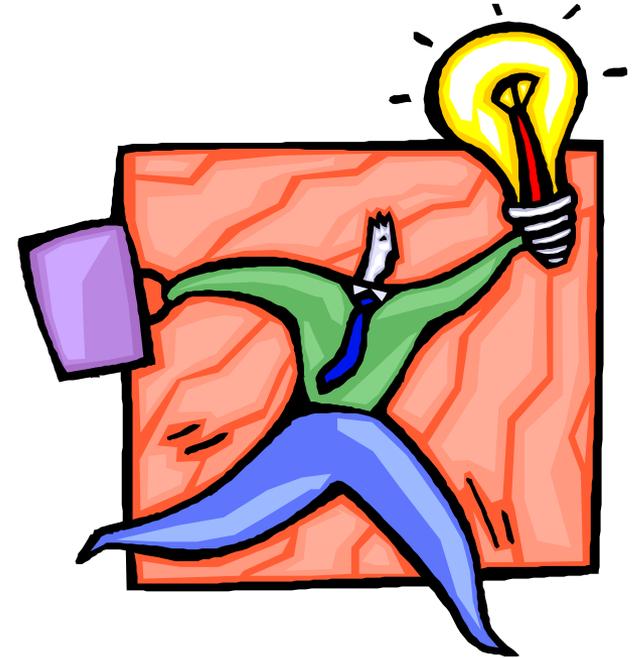
Best Practices Report



- Compilation of various data sources
- Initial Step - Additional tips/guidance for the administration of DBE programs
- Initiative to unfold department-wide
- Modes collaborate - continue to offer more tips/guidance on effective DBE practices.

What Best Practices Do You Have In Place?

- Send Data to Dolores.Leyva@faa.gov



Thank You!