

**DBE MATERIAL SUPPLIER/TRUCKER CONTRACT CERTIFICATION**

1. To be completed by the Prime Contractor, Subcontractor (if 2<sup>nd</sup> Tier agreement), and DBE Material Supplier/Trucker **immediately following the award of project**
2. Submit the completed form to the HQ Civil Rights Office (CRO) Small Business Development Program (SBDP) with actual Subcontract Agreement and/or purchase order **prior to pre-construction conference for project.**

Contract No.: \_\_\_\_\_ Project No.: \_\_\_\_\_ County: \_\_\_\_\_

Contract Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prime Contractor: \_\_\_\_\_

Sub Contractor (if 2<sup>nd</sup> Tier agreement): \_\_\_\_\_

DBE Firm: \_\_\_\_\_

Describe the type of work to be completed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Regular Dealers/Suppliers**

- ❖ The DBE dealer shall be an established, regular business that engages, as its principle business and under its own name, in the purchase and sale or lease of the products being supplied
- ❖ The DBE dealer shall maintain a store, warehouse, or other establishment, where the products are brought, kept in stock, or sold or leased to the public in the usual course of business (A firm may be a dealer in bulk items such as petroleum products, steel, cement, gravel, stone, or asphalt without owning or operating a place of business, if the firm owns and operates the distribution equipment for the products)
- ❖ 60% of the cost of materials supplied will be counted towards DBE Goal credit only

**Transportation or Hauling of Materials**

- ❖ As allowed by 49 CFR Part 26 as interpreted by the SBDP. This regulation allows for DBE goal hauling-credit in either DBE trucks or in trucks leased to DBE firms. Leases cannot be TDOT contract-specific and must be approved by the SBDP Staff. The verification of truck drivers employed by DBE firms will continue to be by submission of payrolls independent from any Davis-Bacon regulations.
- ❖ DBE receives credit for the total value of the transportation services it provides on the contract using trucks it owns, insures, and operates using drivers it employs.
- ❖ The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from DBE receives credit for the total value of the transportation services the lessee DBE provides on the contract.
- ❖ The DBE may also lease trucks from a non-DBE firm, including an owner-operator. The DBE who leases trucks from a non-DBE is entitled to the total value of transportation services provided by non-DBE lessees not to exceed the value of transportation services provided by DBE-owned trucks

on the contract. The DBE is entitled to credit only the fees or commission it receives for all other non-DBE trucks used..

**DBE Responsibilities:**

- ❖ Does the DBE supply materials to non-DBE goal projects: Yes \_\_\_\_\_ No \_\_\_\_\_
- ❖ Does the DBE supply materials to other contractors not working on TDOT contracts:  
Yes \_\_\_\_\_ No \_\_\_\_\_
- ❖ Does the DBE own and operate distribution equipment for the materials supplied:  
Yes \_\_\_\_\_ No \_\_\_\_\_
- ❖ The DBE will be responsible for:
  1. Obtaining materials/supplies Yes \_\_\_\_\_ No \_\_\_\_\_
  2. Negotiating the price Yes \_\_\_\_\_ No \_\_\_\_\_
  3. Ensure that quality and quantity of materials are per TDOT requirements Yes \_\_\_\_\_ No \_\_\_\_\_
  4. Purchasing & making payment for the materials Yes \_\_\_\_\_ No \_\_\_\_\_
  5. Make arrangement and schedule for delivery of materials Yes \_\_\_\_\_ No \_\_\_\_\_
  6. Supplying invoices & cancelled checks verifying purchase of materials Yes \_\_\_\_\_ No \_\_\_\_\_
  7. Control over methods of work on their contract items Yes \_\_\_\_\_ No \_\_\_\_\_

By completing and signing this certification, the Prime Contractor, Subcontractor (if 2<sup>nd</sup> Tier agreement), and DBE firm agree to and acknowledge the responsibilities of the DBE as stated herein and in accordance with SP1247 of the Contract Proposal. The individual signing this certification must be an authorized company representative.

**Prime Contractor Authorized Representative:**

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Subcontractor Authorized Representative (if 2<sup>nd</sup> Tier agreement):**

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**DBE Material Supplier/Trucker Authorized Representative:**

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_