



INDIANA DEPARTMENT OF TRANSPORTATION
100 North Senate Avenue
Room N758
Indianapolis, Indiana 46204-2216
(317) 232-5533 FAX: (317) 232-0238
An Equal Opportunity Employer ● [http:// www.in.gov/dot](http://www.in.gov/dot)

Driving Indiana's Economic Growth

MITCHELL E. DANIELS, JR., Governor
THOMAS O. SHARP, Commissioner

Writer's Direct Line
317-232-5456

June 13, 2006

**CONSTRUCTION MEMORANDUM
06-16**

TO: District Directors
District Highway Operation Directors
District Construction Engineers
District Testing Engineers
District Area Engineers
Project Engineers/Supervisors
Toll Road Operations Engineer

FROM: Mark A. Miller, Director *Mark A. Miller*
Division of Construction Management

SUBJECT: DBE Hauling Special Provision for Federal Aid Contracts

The Division of Economic Opportunity has developed new guidelines and requirements for reporting of DBE trucking use on contracts containing a DBE goal. The attached unique Special Provision will appear in contracts on the July 19, 2006 letting. The language in the unique Special Provision will be incorporated into Recurring Special Provision 100-C-151 beginning with the August 16, 2006 letting. The intent of the Special Provision is to provide the Department with better data related to utilization of both DBE and non-DBE trucks. The Special Provision requires the contractor to make submittals to the Engineer prior to starting work utilizing DBE trucks and also weekly during the course of the Contract.

The PE/S should familiarize themselves with the Special Provision and ensure that the Contractor makes the required submittals in a timely manner. The PE/S should forward the original of the submittals to the District EEO Officer and retain a copy for their records. The information on the submittals could be useful if the PE/S has concerns about the Contractor's utilization of DBE and non-DBE trucks to attain apportionment of the Contract DBE goal.

Questions regarding the Special Provision and submittals should be addressed to the District EEO Officer.

MAM:rlh

attachment

DBE HAULING

In addition to the Contract requirements set out in the Special Provisions and in Section 103 of the Standard Specifications, the following requirements shall also apply.

A minimum of five business days prior to beginning Contract work in which the Contractor has committed to utilizing a DBE trucking firm (Primary DBE Hauler), the Contractor shall provide the Engineer with a list that identifies the trucks the Primary DBE Hauler plans to use on the Contract. The list of trucks shall include all trucks the Primary DBE Hauler plans to use under written agreement with any DBE or non-DBE trucking firms or owner/operators (Supplemental DBE Haulers) on the Contract. For each truck on the list, the following information shall be provided:

1. Owner
2. Model and year
3. Color
4. VIN
5. Name of usual driver(s)

The Contractor shall provide the Engineer with a revised list within five business days of any changes in the information as originally submitted.

A minimum of five business days prior to utilizing any Supplemental DBE Hauler on the Contract, the Contractor shall provide a copy of the written agreement between the Primary DBE Hauler and the Supplemental DBE Hauler to the Engineer.

In addition to delivery ticket information required by Section 106, the following information shall be included on each ticket for material delivered to the job site by a Primary or Supplemental DBE Hauler:

1. Name of the trucking firm
2. Printed name of the driver

The Contractor shall submit weekly reports to the Engineer, on forms provided by the Department, that document the number of DBE trucks utilized and a breakdown of the dollar amount credited toward the Contract DBE goal. The reports shall be submitted within five business days of the end of the week being reported. Sample forms are available on the Department's website at www.in.gov/dot/div/legal/DBE/.
