

### **DBE Substitution/Replacement**

As per the 49 CFR 26.53 and the DBE Program Manual, a prime contractor may not terminate, for convenience; a DBE (or an approved substitute DBE firm) listed in their contract and then perform the work of the terminated subcontractor with its own forces or those of an affiliate, without ODOT's prior written consent. The contractor will notify the DBE subcontractor in writing as to reasons for termination and/or substitution. The DBE subcontractor will have five (5) days to respond to the contractor with any objection to termination and/or substitution. The contractor must then submit a request with documentation to the ODOT Contract Compliance Division for approval before proceeding with termination and/or substitution.