



Commercially Useful Function (CUF) Project Site Review

CUF FORM

Civil Rights Division

405-521-3186

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 DBE's for compliance with the CUF requirements for credit.

On federally funded projects, a minimum of one CUF Form must be completed by the Residency for each DBE and should be conducted when the DBE first begins work. As the DBE's work progresses, the Residency may conduct additional reviews as deemed necessary to ensure compliance with the CUF requirements.

Project No.: _____ Contract ID: _____
Residency: _____ JPN: _____
Prime Contractor: _____ County: _____
DBE Name: _____ Sub ID: _____
DBE Representative: _____ Title: _____
DBE Start Date: _____ Expected End Date of this DBE's Work: _____

Brief description of DBE's scope of work: _____

Table with 3 columns: DBE PERFORMING AS:, SECTIONS TO COMPLETE, RED FLAG. Rows include Prime Contractor, Subcontractor, Material Suppliers, and Hauler with associated red flag descriptions.

Based on the following sections, is the DBE an independent business, executing a distinct element of work, and actually performing, managing, and supervising the work? [] Yes [] No

If DBE is NOT performing a CUF, contact Civil Rights Division immediately at 405-521-3186.

Comments: _____

I confirm that I have reviewed the payrolls

Payroll Verified By: _____ Date: _____

I confirm that I have reviewed the records and monitored the work site ensuring the DBE that had been committed to perform the work was in deed performing the work.

Reviewer Signature: _____ Date: _____

I confirm that I have reviewed the information provided.

Resident Signature: _____ Date: _____

SECTION 1 - PRIME CONTRACTOR OR SUBCONTRACTOR

Management

- Is there a supervisor on site? Yes No NA
- Is the supervisor a full-time employee of the DBE? Yes No NA
- Does the supervisor effectively manage the job without interference from any other DBE or non-DBE contractor? Yes No NA

Red Flags
 - DBE owner or superintendent provides little or no supervision of the work;
 - DBE's superintendent is not a regular employee of the firm or supervision is performed by personnel associated with the Prime Contractor;
 - Key staff and personnel are not under the control of the DBE; and
 -DBE owner is not aware of the status of work or performance of the business.

Who is scheduling work activities, material deliveries and other requirements for the DBE's work? (include names and titles)

Performance

- Has any other contractor performed any of the DBE's work? Yes No
- If yes, who and what work items? _____

Equipment

- Does DBE own, lease or both? _____
- Does DBE use Prime Contractor's equipment? Yes No
- Comments: _____
- Whose name appears on the equipment? _____
- Comments: _____

Red Flags:
 -Equipment used by DBE belongs to Prime Contractor or another contractor with no formal lease agreement;
 -Equipment signs and markings cover another owner's identity, usually through magnetic signs; and
 -DBE firm uses trucks owned by the Prime Contractor.

Employees

- Does DBE have employees on the job Yes No
- Whose payroll is the employee on? DBE Prime Other (please explain): _____

Red Flags:
 -Supervision of DBE employees by another contractor;
 -Actual work performed by personnel normally employed by the Prime Contractor or another business; and
 -Employees are paid by the DBE and the Prime Contractor.

SECTION 2 - MATERIAL SUPPLIERS

DBE has possession of, and is responsible for, the delivery of materials, DBE is ordering the material and invoices indicate that DBE is the customer, and material invoices indicate that DBE owner or superintendent is the contact person. The prime contractor may take delivery at the DBE's establishment.

- 1. Did the DBE supplier own/lease and operate the equipment that made the delivery? Yes No
If NO, then #2 MUST NOT be N/A
- 2. Do shipping documents (e.g. bills of lading) indicate that the products were delivered directly from the DBE's establishment? Yes No NA

SECTION 3 - HAULING/TRUCKING

DBE is required to own and operate at least one fully licensed, insured, and operational truck. A DBE can supplement its fleet by leasing a truck(s) from an established equipment leasing business open to the general public. The lease must indicate that the DBE has exclusive use of and control over the truck.

- 1. Did the DBE own and operate at least one of the trucks on this project? Yes No
- 2. Were all the trucks used (or leased) by the DBE operated by the DBE and under the direct supervision of the DBE? Yes No
If NO, explain, including any counting adjustments made:

- 3. Were the DBE trucking lists periodically compared to the trucking logs contained in SiteManager? Yes No
- 4. Do the haul tickets and/or bills of lading associated with the project confirm that hauling is being performed by the DBE? Yes No