

[Prime Consultant/Contractor]
[Street Address]
[City, State Zip Code]

[Today's Date]

[DBE Firm]
[Address]
[City, State Zip Code]

Subject: Notice of Intent to Request DBE Termination/Replacement

Dear [DBE Firm],

This letter is to notify you of [Prime Consultant/Contractor's] intent to terminate your contract on [Project Name/Contract ID/County] for the following reason(s):

(As per 49 CFR Part 26, some examples for terminating a DBE are included in the following. The full list is available at: https://www.ok.gov/odot/Doing_Business/Civil_Rights/DBE_Termination_Replacement.html).

- *The listed DBE fails or refuses to execute a written contract*
- *The listed DBE fails or refuses to perform the work of its sub-agreements/subcontract in a way consistent with normal industry standards*
- *The listed DBE voluntarily withdraws from the project and provides to you written notice of its withdrawal*
- *The listed DBE is ineligible to receive DBE credit for the type of work required*
- *Other documented good cause that you determine compels the termination of the DBE. Provided, that good cause does not exist if the prime consultant/contractor seeks to terminate a DBE it relied upon to obtain the agreement/contract so that the prime consultants/contractor can self-perform the work for which the DBE was engaged or so that the prime consultant/contract can substitute another DB or non-DBE after award.*

[DBE Firm] has 5 calendar days to respond to the notice. If [DBE Firm] would like to provide any reasons on why it objects to the proposed termination and why [Prime Consultant/Contractor's] request to terminate should not be submitted to the Department, submit response/attachment to [Prime Consultant/Contractor's email address].

Sincerely,

Prime Consultant/Contractor

Attachments: (If Applicable)

cc: Jenny Allen, Civil Rights Division DBELO