1st Step: Letter of Reprimand

2nd Step: Liquidated damages equivalent to the DBE shortfall

3rd Step: If a pattern of paying liquidated damages persists or the Contractor has falsified, misrepresented or withheld information, ODOT can pursue other remedies available by law including suspension, revocation, and/or debarment.

Factors to be considered in issuing sanctions may include, but are not limited to, the following:

- the magnitude and the type of offense
- the degree of the Contractor’s culpability
- any steps taken to rectify the situation
- the Contractor’s record of performance on other projects including, but not limited to:
  - annual DBE participation
  - annual DBE participation on projects without goals
  - the number of complaints ODOT has received regarding the Contractor
  - the number of times the Contractor has been previously sanctioned by ODOT