



Indicators

A DBE is responsible for the execution of a distinct element of work and carries out its responsibilities by actually performing, managing, and supervising the work.

Primary Areas in Assessing Commercially Useful Function

Management

- Is the DBE scheduling work operations?
- Is the DBE ordering equipment and supplies?
- Is the DBE preparing and submitting certified payrolls?
- Is the DBE responsible for hiring and firing employees?

A no response requires further inquiry to assess if a DBE is separate and independent from the prime contractor.

Workforce

- Are employees moving between the DBE and the prime contractor?
- Are employees listed on the DBE and prime contractor's payroll?
- Does the DBE share office space with the prime contractor?
- Is there a discrepancy between the company identification badge and the information provided by the employee during labor interviews?

A yes response requires further inquiry with the District Contractor Compliance Officer and follow-up to determine if a DBE is managing its own workforce.

Equipment

- Who is the owner of the equipment?
- Observe equipment and assess signage. Is there a sign over an original sign?
- Who is operating the equipment? Is the operator an employee of the Prime contractor?
- What is reflected on the daily reports? Does the inspector identify the equipment used by the DBE?

If it is unclear that the DBE has control over equipment, further Inquiry and follow-up is required.

DBE **Red Flag** Indicators


Materials

- Did the DBE order its own materials?
- Are invoices for materials and supplies addressed to the DBE?
- Who paid for the materials? Is payment made by a joint check bearing the DBE and prime contractor's signatures?

 ***If it is unclear that DBE is responsible for ordering materials and supplies, further inquiry and follow-up with the District Contractor Compliance Officer is required.***

Performance

- Does the DBE have a contract with the prime contractor?
- Does the prime contractor or any other companies perform a portion of the DBE's work?

 ***If it is unclear that the DBE is performing the work specified in its agreement with the prime contractor, further inquiry and follow-up is required.***

To report possible DBE fraud or other suspicious behavior and/or abuse, please notify:

Fraud Hotline 888-778-4171

ODOTComplaintHotline@dot.ohio.gov

USDOT Office of Inspector General

1-800-424-9071 (toll free)

Email: hotline@oig.dot.gov



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