

**Notice from the Division of Construction Management**

**Re: DBE Participation**

**Traffic Control/Maintenance of Traffic**

**October 31, 2011**

Upon further review of the Federal Code of Regulations and the current industry standard, the Department is rescinding the portion of the May 5, 2011 Notice from the Office of Contracts entitled: **Traffic Control/Maintenance of Traffic: DBE Goal Credit Information**

Effective immediately, the Department is adopting the following guidelines:

 **Traffic Control/Maintenance of Traffic: DBE Goal Credit Information**

**Traffic Control/Maintenance of Traffic:**

In order to receive 100% DBE goal credit, DBE firms listed in this category may lease the traffic control devices and the necessary equipment for the traffic control devices, including message boards, attenuators, and arrowboards, so long as the leasing of the devices and equipment is not with the prime contractor or its affiliate, and is used by the DBE in the performance of the subcontract toward the DBE goal.

“Traffic control devices” means all flaggers, signs, signals, markings, and devices placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic, including signs denoting names of streets and highways and temporary concrete or steel barrier walls, for use on roadway sections.

“Traffic control signal” means any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop, to proceed, to change direction, or not to change direction.

The Department will evaluate the work to be performed by the DBE firm and determine the appropriate DBE goal credit that will be allowed. Contractors with questions regarding applicable DBE goal credit should contact the Office of Contracts, DBE Services Section at (800) 459-3778.

Respectfully,

Megan O’Callaghan, P.E.

Deputy Director, Division of Construction Management