

11-1 Contractor Notifies the DBE of Intent to Terminate or Reduce Commitment (Prime Contractor)



Details

Responsible Parties

- Prime Contractor

Revision Date of this Document

June 2025

Document Owner

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Procedure Objective

This document is intended to assist the Prime Contractor with notifying a Disadvantaged Business Enterprise (DBE) firm (with a commitment) of a written intent to terminate or reduce participation.

System Procedures

1. The Prime Contractor or subcontractor (that has a subcontract/written agreement with a lower-tier DBE firm) determines that there is a need to terminate or reduce the participation of a committed DBE firm. If the Prime Contractor has a DBE commitment with a lower-tier DBE firm, the subcontractor who has the subcontract with the DBE shall inform the Prime Contractor of the intent to terminate or reduce the DBE's commitment. It is the Prime Contractor's responsibility to communicate in writing to the committed DBE firm regardless of the tier.
2. The Prime Contractor sends a written notification of the intent to terminate or reduce participation to the DBE firm. The Region Civil Rights Office (RCRO) and the CDOT Project Engineer/Project Manager (PE/PM) shall receive a copy of the contractor's intent to terminate or reduce participation to the DBE firm. It is recommended that if the DBE commitment has a contract with a subcontractor that has a contract with a lower-tier DBE firm, that the Prime Contractor provide a copy of the written intent to terminate or reduce participation to the upper-tier subcontractor.

Note 1: The Prime Contractor shall notify the DBE in writing of the Prime Contractor's intent to terminate or reduce and the underlying reason(s) before submitting the CDOT Form 1420 requesting the proposed commitment modification.

Note 2: In the notice of intent, the Prime Contractor shall provide the DBE at least five (5) days to respond to the notice and inform the prime of the reason, if any, why the DBE objects to the proposed commitment modification.

Note 3: Any notification of intent to terminate or reduce must include examples of good cause for the termination or reduction. Watch CDOT's training video, [Modifying DBE Participation](#), for more information and examples of good cause.

3. Following the five (5) calendar days for the DBE firm to respond, the Prime Contractor shall follow all procedures (outlined by the project's DBE standard special provision) for notifying CDOT of their request for DBE termination.
4. The Prime Contractor has successfully notified the DBE firm(s) of an intent to terminate or reduce participation.