SAMPLE REQUEST FOR TERMINATION:

Date

Department of Transportation

District Address

City, State Zip

Ref: Requesting Termination of DBE for Project XX-XXXXXX

Pursuant to [2018 or 2022] Standard Specifications Section 5-1.13(B), and 49 CFR 26.53 [Prime name] is requesting a termination of [original DBE firm from commitment] from the project for the following reason(s):

1 The listed DBE subcontractor fails or refuses to execute a written contract

2. The listed DBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided, however, that good cause does not exist if the failure or refusal of the DBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the prime contractor

3. The listed DBE subcontractor fails or refuses to meet the prime contractor's reasonable, nondiscriminatory bond requirements.

4. The listed DBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness

5. The listed DBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant [2 CFR Parts 180](https://www.ecfr.gov/current/title-2/part-180), [215](https://www.ecfr.gov/current/title-2/part-215) and [1](https://www.ecfr.gov/current/title-2/part-1),[200](https://www.ecfr.gov/current/title-2/part-200) or applicable state law

6. You have determined that the listed DBE subcontractor is not a responsible contractor

7. The listed DBE subcontractor voluntarily withdraws from the project and provides to you written notice of its withdrawal

8. The listed DBE is ineligible to receive DBE credit for the type of work required

9. A DBE owner dies or becomes disabled with the result that the listed DBE contractor is unable to complete its work on the contract

10. Other documented good cause that you determine compels the termination of the DBE subcontractor. Provided, that good cause does not exist if the prime contractor seeks to terminate a DBE it relied upon to obtain the contract so that the prime contractor can self-perform the work for which the DBE contractor was engaged or so that the prime contractor can substitute another DBE or non-DBE contractor after contract award.

**Provide an explanation for the reason stated:**

**State the date of DBE notification and that transmission documents are attached using the language below:**

[Original DBE firm from commitment] was notified on [date] of the intent to terminate. Attached are the documents reflecting proof of transmission.

**If DBE did not respond, use language below:**

[Original DBE firm from commitment] did not respond within 5 days of the written notice.

**If DBE did respond, use language below:**

[Original DBE firm from commitment] responded to the written notice on [date] with the attached [objection or support] of the request to terminate.

Sincerely,

Prime Contractor