



Illinois Department of Transportation

Memorandum

To: Regional Engineers
From: Jack A. Elston 
Subject: Special Provision for Subcontractor and DBE Payment Reporting
Date: April 20, 2018

This special provision was developed by the Bureau of Construction and the Bureau of Small Business Enterprises to comply with the DBE program federal regulation 49 CFR 26.37, which requires that a running tally be maintained of payments made to DBE firms. This special provision also ensures compliance with 49 CFR Part 26.29, which requires federal funding recipients to monitor and enforce prompt payment to subcontractors.

This special provision should be inserted into all contracts.

The districts should include the BDE Check Sheet marked with the applicable special provisions for the August 3, 2018 and subsequent lettings. The Project Coordination and Implementation Section will include a copy in the contract.

This special provision will be available on the transfer directory April 20, 2018.

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SUBCONTRACTOR AND DBE PAYMENT REPORTING (BDE)

Effective: April 2, 2018

Add the following to Section 109 of the Standard Specifications.

“109.14 Subcontractor and Disadvantaged Business Enterprise Payment Reporting.
The Contractor shall report all payments made to the following parties:

- (a) first tier subcontractors;
- (b) lower tier subcontractors affecting disadvantaged business enterprise (DBE) goal credit;
- (c) material suppliers or trucking firms that are part of the Contractor’s submitted DBE utilization plan.

The report shall be made through the Department’s on-line subcontractor payment reporting system within 21 days of making the payment.”

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