

Rule No.: 941 - 6203 - 00800

Agency: Mississippi Department of Transportation

Agency Effective Date: May 15, 2005

Agency Issued Date: March 8, 2005

Secretary of State Authority Date: May 15, 2005 Supercedes Rule:

Division: Office of Civil Rights

Rule Title: Certification of Payments to Disadvantaged Business Enterprise (DBE) Firms

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**The person to be contacted regarding the proposed rule is:** Facility and Records Management Director

**Name of person originating the proposed rule:** Carolyn Bell, Civil Rights Director

**Name of supervisor or person who approved the proposed rule:** Larry L. Brown, Executive Director

**Purpose:**

To establish a procedure to comply with 49CFR, Part 26 of the Federal Code of Regulations. These regulations may be accessed online at <http://www.gpoaccess.gov/cfr/index.html>

**Summary:**

Prime Contractors are required to submit an OCR-482 certifying all payments to DBE subcontractors before a final estimate is paid and a project closed out.

**The full text of the proposed rule is:**

**All cites herein refer to the most current version of the cited document.**

The prime contractor, unless they are a certified DBE, shall submit a copy of Form OCR-482 on all federal-aid projects and AHEAD projects that contain a DBE goal at the conclusion of the project. The prime contractor shall submit the OCR-482 to the project engineer to be signed and forwarded to the appropriate person as indicated on the bottom of the form. Prime contractors who are also certified DBEs shall submit an OCR-482 acknowledging that fact for the record.

Prime contractors shall be required to provide the Project Engineer with justification and supporting documentation when it is found that the DBE goal was not met.

The project will not be accepted and the Prime Contractor will not be paid a final estimate until the DBE goal has been satisfied or proper justification obtained for failure to meet the DBE goal.

The OCR-482 may also be labeled an OCR-482C when used in conjunction with consultant contracts and a DBE-2 when used in connection with Urban projects.

All forms may be obtained via the MDOT website at [www.gomdot.com](http://www.gomdot.com) or by contacting the MDOT Offices of Contract Administration Division or the Office of Civil Rights at P.O. Box 1850, Jackson, MS 39215-1850.