

## **Changes to Subsection 7.2.4 CUF Portion of Alaska Construction Manual (Chapter 7) Effective 11/1/2019**

### **7.2.4 Commercially Useful Function Monitoring and Verification**

**Commercially Useful Function Monitoring:** Complete a DBE Commercially Useful Function Monitoring Report (Form 25A-298) for each DBE firm that works on each federally funded project. Reports are required regardless of whether the project or program is race-conscious or race-neutral, or the presence of DBE utilization goals.

Complete a CUF Monitoring Report within seven days of when each DBE first shows up on the job site. If the project extends for multiple seasons, complete a CUF Monitoring Report for each construction season the DBE is on-site.

A CUF Monitoring Report is completed by interviewing the DBE's On-Site Representative or other DBE staff who has technical knowledge and the ability to answer questions regarding the DBE's work being performed on the project. The CRO can provide additional information if you are unsure of who is the on-site DBE representative. Only project personnel can complete the CUF Monitoring Report; it may not be filled out by the contractor or DBE. The CUF Monitoring Report must be signed and dated by the project staff who performed the interview, and the DBE's On-Site Representative as defined in 120-1.04 of the *Standard Specifications for Highway Construction* or the *Statewide Special Provisions for Airport Construction*. Coordinate directly with the Statewide Civil Rights Office for any questions or assistance in completing the Monitoring Report.

Photograph and document DBE activities. Also note whenever there are significant changes to the DBE's day-to-day operations that may not be consistent with commercially useful work (see "red flag issues"). Send each completed CUF Monitoring Report to the RCCL, for their acceptance.

CUF Monitoring Reports are not required on projects that have no federal funding.

**Commercially Useful Function Verification:** Complete a DBE Commercially Useful Function Verification Report (Form 25A-299) for each DBE firm that works on each federally funded project. Only the Project Engineer or designee can complete the CUF Verification Report; it may not be filled out by the contractor or DBE.

Coordinate directly with the Statewide Civil Rights Office for any questions or assistance in making the verification. Complete the CUF Verification Report after the DBE is substantially finished with their portion of the project work but before project final payment. Complete the report by reviewing project records. Send each completed CUF Verification Report to the RCCL, for their acceptance.

CUF Verification Reports are not required on projects that have no federal funding.

The RCCL or Project Engineer will verify that the DBE owner, or DBE On-Site Representative was at the worksite and responsible for the work. Immediately notify the RCCL if the interview reveals a potentially adverse finding. Discuss findings and significant changes with the RCCL. The Project Engineer or RCCL will notify the contractor of potentially adverse findings, and discuss ways to resolve issues. A copy of the reports may be provided to the contractor upon request.

The RCCL will coordinate potentially adverse findings with the CRO as appropriate. Again, the primary goal is to avoid contract compliance violations. Use the CRO as a resource for any questions about these requirements.

Send a copy of all CUF Monitoring and CUF Verification reports to the CRO consistent with regional policy. Copies may be in the form of an electronic PDF file.