

Attachment 3

Monitoring and Enforcement Mechanisms

UA will require its contractors to adhere to the Utilization Plan (see Attachment 8) and will track completed work by DBE's through the Project Voucher process (see Attachment 11).

The University of Alabama has available several remedies to enforce the DBE requirements contained in its contracts, including, but not limited to the following:

1. Breach of contract action, pursuant to the terms of the contract;
2. Breach of contract action, pursuant to the Code of Alabama 1975 Title 41, Chapter 16 and Title 8, Chapter 1.

In addition, the federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR Part 26.
2. Enforcement action pursuant to 49 CFR Part 31.
3. Prosecution pursuant to 18 USC 1001.