

COMERCIAALLY USEFUL FUNCTION CHECKLIST



Under federal, state and/or local regulations, **Iovino or Affiliate Company** may claim DBE credit only for subcontractors that perform a “commercially useful function (CUF).” By raising questions about a DBE’s operation, labor force, equipment, and supervision, among other issues, this Checklist is designed to record data relevant to that requirement. Throughout this document, the term “DBE” includes MBE, WBE, SBE, LBE, SDVOB and any other categories as well. Refer to CUF Checklist Instructions (separate document).

If, upon completion of the Checklist, you have any questions about the issues raised during your review or suspect that a DBE is not performing a commercially useful function, contact your Corporate Diversity Compliance Officer

Name:	
Company:	
Category:	
Project Name:	Project Number:
Has a site visit been conducted?	If Yes, select date:
DBE’S function of this contract?	Other DBE Functions?
Scope of DBE’s Work:	
If DBE is not a first tier subcontractor, list name of 1 st tier, 2 nd tier, etc.	
List specific category of certification applicable to this project:	
Other Certifications?	
Does the firm retain the proper NACIS agency Codes to perform the particular work under this contract?	
List specific applicable codes:	
DBE Start Date of Project:	Expected DBE Completion Date:
DBE Original Contract Amount: \$	DBE Current Contract Amount: \$
Date of DBE Contract:	% (Percent) of Work Completed to Date:

Questions	Yes	No	N/A	Comments
Performance				
1. Have you observed the DBE satisfactorily performing the work required under this contract?				
2. Have you observed the DBE working without the assistance of other firms including Iovino on this contract?				
3. Overall, have you observed whether the DBE contractor has control over its work (i.e. provide the labor, equipment and supervision) as required by its contract?				
4. Does the DBE hold the professional licenses or certifications required to perform the work under this contract?				
5. Have you ever observed whether the DBE subcontracted any portion of its work to a non-DBE firm? Trucking or otherwise? If yes, please explain.				
6. If the DBE subcontracted any portion of its work to a DBE trucking firm, is that firm an owner-operated DBE and/or DBE which employs its own drivers?				
7. Does the DBE "regularly" engage in the purchase, sale or lease in the course of its business, the products of the general character involved in the contract and for which DBE credit is sought?				
8. Is the role the DBE plays with regard to the specific contract, consistent with the regular sale or lease of the products in question as compared to the role better described as that of a broker or a manufacturer's representative?				

Questions	Yes	No	N/A	Comments
Management & Supervision				
9. Does the DBE directly employ i.e., its own payroll, the drivers for its owned and/or leased trucks?				
10. Does the DBE have a principal or senior manager assigned to the project? If yes, provide name and title of individual.				
11. Does the DBE have a superintendent, foreman or other representative on the job site? If yes, provide name of the representative				
12. Does the DBE itself own and operate at least one fully licensed, insured and operational truck used on this contract? If yes, indicate how many are owned.				
13. Have you ever observed whether the DBE's owner has been present on the jobsite? If yes, indicate how often and for what purpose.				
14. Have you observed the DBE's onsite representative effectively managing the DBE's work without a substantial amount of assistance from Iovino or another firm?				
15. If the DBE leases trucks from a third party, indicate whether the third party is itself a DBE and how many additional trucks are leased.				
16. Is the DBE's onsite representative a regular employee of the DBE and appear on their certified payroll?				

Questions	Yes	No	N/A	Comments
Materials				
17. Did the DBE negotiate the price for its purchase of materials without the assistance of another firm or lovino?				
18. Did the DBE order the materials and schedule the delivery of those materials without assistance of another firm or lovino?				
19. Did the DBE pay for its materials without assistance such as a joint check or assistance of another firm or lovino?				
20. Did you find any evidence that the DBE did not obtain its own materials and negotiate prices?				
21. Did you find any evidence that the DBE did not order the materials and schedule the delivery of those materials?				
22. Does the DBE purchase materials directly from the manufacturer or an authorized distributor?				
23. Does the DBE regularly provide warehouse and storage capacity for the materials supplied for this contract?				
24. Does the name on all supporting documents i.e. packing list, invoices and delivery tickets match the name on the DBE's Certification Certificate?				
25. Have you observed the DBE deliver the materials in vehicles marked with their company name?				
26. Is there evidence of raw stock or inventory related to the manufacture or fabrication of the materials, supplies, articles or equipment under this contract?				

Questions	Yes	No	N/A	Comments
Tools and Equipment				
27. Does the DBE provide all its own equipment, tools, computers and supplies to perform the work under this contract?				
28. Does the DBE provide all its own small tools?				
29. Have you ever observed such equipment being utilized under the direct supervision of the DBE?				
30. Have you observed signs or markings on the DBE's tools, equipment or gear which indicate that those items belong to the DBE?				
31. If the DBE is using any heavy equipment (such as a compressor or crane) does the DBE own or lease the equipment?				
Labor				
32. Does the DBE have its own employees on the job to perform the work?				
33. Is the DBE responsible for finding its own workers? What union(s) is the DBE a signatory to?				
34. Does the DBE maintain its own payroll and prepare its own certified payroll reports?				
35. Have you ever observed the DBE employee names listed on a certified payroll of another firm or lovino?				
Factory & Facilities				
36. Does the DBE operate or maintain a suitable factory or establishment that produces on the premises the materials, supplies, articles or equipment required under the contract?				

Name: _____ Date: . _____

Title: _____ Signature: _____