

**Sec. 13a-165-12. Grounds for decertification**

A small business concern which has been certified as a DBE by the Department of Transportation may be decertified for good cause shown, including but not limited to the following:

- (a) The business no longer meets the eligibility criteria for certification as a DBE as set forth in sections 13a-165-2, 13a-165-4 and/or 49 CFR Part 23;
- (b) The business is not able to perform the contract work for which it was pre-qualified;
- (c) The business has failed to provide information requested by the Department regarding any of the eligibility criteria for DBE certification or has provided false information;
- (d) The business has failed to submit an update report or a supplemental application as required under section 13a-165-10, or has failed to submit a prequalification update in accordance with section 13a-165-11;
- (e) The business has been decertified as a DBE by the Federal Government or another State; or
- (f) The business, or any owner of the business, has been convicted or plead guilty under State or Federal law to a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.

(Effective January 4, 1990)