

## Instructions for Completing the Nebraska Department of Roads (NDOR) DBE Annual Affidavit of No Change

The NDOR DBE Annual Affidavit of No Change (Affidavit) is required within 30 days prior to your firm's DBE certification anniversary date. By signing the Affidavit as the firm's owner you declare, under penalty of perjury, that there have been no changes in the firm's circumstances that affect business size, disadvantaged status, ownership or control.

If there have been changes in your firm's circumstances that may affect its DBE eligibility, you must notify the NDOR Highway Civil Rights Office (HCRO) within 30 days of the change. Events that may affect your firm's eligibility include: change in ownership or ownership structure; a change in your personal net worth; the firm's acquisition of or acquisition by another firm; or an action of decertification, certification suspension, or certification denial taken by another state in which your firm has been or has attempted to be DBE certified.

The Affidavit affirms that your firm continues to meet the Small Business Administration's (SBA) business size standards to be considered a small business and do not exceed the U.S. Department of Transportation's DBE business size cap of \$23.98 million. Firms having average annual gross receipts in excess of the \$23.98 million over its previous three (3) fiscal years do not qualify as a DBE regardless of the SBA's business size standards.

The following are instructions for completing the Affidavit:

- First field: Name of the DBE-qualifying majority owner (owns 51% or more)
- Second field: Name of DBE firm
- Third field: Name of DBE firm
- Fourth field: Name of DBE firm
- List SBA's business size standard for firm's primary NAICS code (e.g. 238120 = \$15 million)

In addition to the signed and notarized Affidavit, include the most recent U.S. Federal Income Tax Returns for your DBE firm and any of its affiliates, including all schedules and attachments. If you are a sole proprietor or your firm is an LLC and you report business income on a Schedule C, submit your entire most recently completed U.S. Individual Federal Income Tax Return. (i.e. Form 1040)

If you fail to provide a completed Affidavit along with the required tax return and any other applicable documentation in a timely manner, you will be deemed to have failed to cooperate under § 26.109(c), and NDOR shall take steps to remove your firm's eligibility.

If you have any questions regarding the Affidavit, please contact the NDOR HCRO at:

NDOR HCRO – Annual Affidavit  
1500 Hwy 2  
PO Box 94759  
Lincoln, NE 68509-4759  
Phone: 402-479-4531  
Fax: 402-479-3728  
E-mail: [troy.larsen@nebraska.gov](mailto:troy.larsen@nebraska.gov)

## NDOR DBE ANNUAL AFFIDAVIT OF NO CHANGE

I \_\_\_\_\_ (*name of DBE owner*) swear (or affirm) that there have been no changes in circumstances affecting \_\_\_\_\_'s (*name of DBE firm*) ability to meet business size, disadvantaged status, ownership, or control requirements of 49 CFR Part 26 and 13 CFR Part 121. I swear (or affirm) that there have been no material changes in the information provided with \_\_\_\_\_'s (*name of DBE firm*) application for certification, except for any changes about which I have provided written notice to NDOR pursuant to the requirements of 49 CFR Part 26.

I swear (or affirm) that I am socially disadvantaged because I have been subjected to racial or ethnic prejudice or cultural bias, or have suffered the effects of discrimination, because of my identity as a member of one or more of the groups identified in 49 CFR Part 26, without regard to my individual qualities. I further swear (or affirm) that my personal net worth does not exceed \$1.32 million and that I am economically disadvantaged because my ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same or similar line of business who are not socially and economically disadvantaged.

I specifically swear (or affirm) that \_\_\_\_\_ (*name of DBE firm*) continues to meet the Small Business Administration's (SBA) business size criteria for its NAICS identified industries and the firm's average annual gross receipts over the previous three (3) fiscal years do not exceed \$23.98 million. I provide the attached Federal tax documentation, and other documentation as applicable, in support of this Affidavit.

<b>Name / Title</b>	<b>Signature</b>	<b>Date</b>

**Notary Public**

County of _____	State of _____	{Seal}
The foregoing affidavit was subscribed and sworn to me before me on this _____ day of _____, 20____ by _____ (name)		
<b>Notary Public</b>  <b>Commission expires on</b> _____		

Submit the completed form, the required tax documentation, and any other application documentation to:

NDOR HCRO – Annual Affidavit  
 1500 Hwy 2  
 PO Box 94759  
 Lincoln, NE 68509-4759  
 Phone: 402-479-4531  
 Fax: 402-479-3728  
 E-mail: [troy.larsen@nebraska.gov](mailto:troy.larsen@nebraska.gov)