

Federal Requirements

The Federal DBE regulations (49 CFR 26.29) specifically address prompt payment of subcontractors.

https://www.govregs.com/regulations/expand/title49_chapterA_part26_subpartB_section26.29#title49_chapterA_part26_subpartB_section26.29

The regulation requires that NDOT require prompt payment as a part of the DBE program, however, the USDOT has determined that the Prompt Payment requirements apply to non-DBE subcontractors as well as DBE subcontractors.

<https://www.transportation.gov/sites/dot.gov/files/docs/mission/civil-rights/civil-rights-learning-center/307421/guidance-prompt-payment-and-retainage-final.pdf>