

# **SAMPLE 5-DAY NOTICE LETTER**

## **PRIME LETTERHEAD**

MONTH-DAY-YEAR

### **VIA EMAIL and CERTIFIED MAIL**

DBE Name  
ATTENTION: DBE Owner  
1 South Wilmington Ave  
Raleigh, NC 27601

SUBJECT: "C" Project Number / Project DESCRIPTION  
**NOTICE OF INTENT TO REQUEST REPLACEMENT**

Dear DBE Owner:

Prime Contractor has absorbed unanticipated costs and delays due to the subcontractor not meeting its performance obligations. As you are aware, the Prime Contractor requires all work to be performed in accordance with the executed subcontract agreement, which includes but is not limited to, safety, workmanship (i.e. quality) and timeliness (i.e. schedule). Unfortunately, the DBE Firm has continuously failed to meet these obligations for this project. In recent weeks, these performance issues have not improved.

For these reasons, we have notified the Resident Engineer's Office of our intent to request to replace/terminate DBE Firm on the above-reference project. DBE Firm has five (5) business days to respond to this notification by signing the attached DBE/MBE/WBE replacement form or stating its objections to being replaced on this contract. Also, please note that the five-day response period ends on MONTH, DAY, YEAR at 5:00 PM.

Please feel free to contact me if you have questions.

Sincerely,

PRIME CONTRACTOR  
Project Manager

**ATTACHMENTS:** Default Letters and Meeting Minutes (If Applicable)

Cc: Resident Engineer/Contract Administrator  
FILE COPY