MONTANA TRANSPORTATION COMMISSION

Policy No. 001

REQUIREMENTS FOR CONTRACTORS "DOING BUSINESS AS" (d/b/a)

BACKGROUND: The Department has had continuing problems in documentation (contracts, payrolls, progress payments, etc.) caused by firms identifying themselves at different points in the construction process by different names.

PURPOSE: To eliminate confusion and streamline project documentation process, the Commission requires that a contractor use only one name throughout the duration of the entire contract.

PROCEDURE

1. If a firm is "doing business as" one name, the contract and contract bond will only be issued in that name. Other names will not be reflected in either the bid or the bid bond.
2. If another name is included on either, the bid will be considered irregular and will be rejected under 102.08.
3. The Taxpayer I.D. number provided with the bid must be the T.I.D. number that is used by "Doing Business As" name.
4. Subcontracts and proposed subcontracts will only be entered into by the name in the contract (the DBA name)
5. Payrolls will be accepted only from the company named in the contract.
6. Progress payments will only be issued in the name of the contract.
7. Any delays or extra costs to a contractor of its subcontractors from not complying with the requirements will solely be the responsibility of the prime contractor.
8. All correspondence will be sent to the name and address in the contract.
9. This policy will be publicized as follows:
    - Policy will be made available to contractor at the time of the May/June 2005 advertisings.
    - Policy will be made available to the Montana Contractors' Association (MCA) at the next MCA/MDT meeting following the policy's adoption.
    - Policy will be posted on the Commission's website as well as MDT's website for contractors.

HISTORY

Effective: 6/25/2005

Updated: 2/10/2026