



ARIZONA

— DEPARTMENT OF —

TRANSPORTATION

Industry Partners,

Summary:

On September 30, 2025, the U.S. Department of Transportation (USDOT) issued an Interim Final Rule (“IFR”) modifying eligibility requirements for participation in the Disadvantaged Business Enterprise (DBE) and Airport Concession DBE (“ACDBE”) Programs. The IFR was published by the United States Department of Transportation (“USDOT”) in the [Federal Register](#) and took effect on October 3, 2025.

The IFR requires the eligibility of all DBE certified firms to be reevaluated on an individual basis, without reliance on race- or sex-based presumptions of social and economic disadvantage. Until the reevaluation process is completed, recipients of federal transportation funds including ADOT and all subrecipients, may not update their overall goal, set any contract DBE goals on federally funded projects or count any DBE participation toward DBE goals.

Until further guidance is received from USDOT, this is ADOT’s understanding of the IFR and the steps ADOT will take to conform to the direction of the IFR.

Federal Aid Contracts

- Contracts executed prior to October 3, 2025:
 - ADOT will continue to enforce the existing goals and contract language unless further guidance is issued by FHWA.
- Contracts awarded prior to October 3, 2025 and not executed:
 - ADOT will continue with the execution of the awarded contract, and will enforce the existing goals and contract language unless further guidance is issued by FHWA.
- Contracts open prior to October 3, 2025 and not awarded:
 - ADOT will continue with the award and execution of the contract to avoid construction delays and will seek guidance from FHWA regarding enforcement.
- Contracts advertised prior to October 3, 2025 and not open:
 - ADOT will issue an addendum or revision to remove the DBE goals.
- Future projects not advertised:
 - ADOT will not set any DBE goals on projects until guidance is received from USDOT regarding the Unified Certification Program (UCP) and the reevaluation process of existing certified DBEs.

Management of the ADOT DBE Program:

- ADOT will work with its Unified Certification Program (“UCP”) partners to complete the reevaluation process as quickly as practicable in accordance with the IFR.
- ADOT will review new applications under the new certification standards as outlined in the IFR.
- ADOT will not accept appeals of DBE recertification applications per the IFR provision that these decisions are not subject to the appeal provisions of 26.87.
- ADOT will continue to provide Supportive Services to the Small Business community.

Sincerely,

Business Engagement and Compliance Office