



Industry Partners,

On Oct. 24, 2025, the U.S. Department of Transportation (USDOT) issued an official Frequently Asked Questions (FAQ) on the Interim Final Rule (IFR) modifying eligibility requirements for participation in the Disadvantaged Business Enterprise (DBE) and Airport Concession DBE ("ACDBE") Programs. The FAQ was published by the USDOT in the [DBE Laws, Policy, and Guidance](#) on Oct. 24, 2025.

The FAQ addressed some of the guidance in ADOT's [Implementation of IFR Federal DBE Program Changes](#) sent out to industry partners on Oct. 16, 2025, and published by ADOT on the [Business Engagement and Compliance Office \(BECO\)](#) website.

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 and Oct. 24 FAQ.

### **Federal Aid Contracts**

- Contracts executed prior to Oct. 3, 2025:
  - ADOT will continue to enforce the existing goals and contract language unless further guidance is issued by FHWA.
  - Committed DBE shall not be terminated or replaced without ADOT approval.
- Contracts awarded prior to Oct. 3, 2025 and not executed:
  - ADOT will continue with the execution of the awarded contract, and will issue change orders to remove the DBE goals and include the Interim DBE without goal contract language in the contract.
- Contracts open prior to Oct. 3, 2025 and not awarded:
  - ADOT will continue with the award and execution of the contract to avoid construction delays and will issue change orders to remove the DBE goals and

include the Interim DBE without goal contract language in the contracts.

- Contracts advertised prior to Oct. 3, 2025 and not open:
  - ADOT will issue an addendum to remove the DBE goals and include the Interim DBE without goal contract language in the contracts.
- Future projects not advertised:
  - ADOT will advertise, award and administer all contracts without DBE goals until the reevaluation process of existing certified DBEs is completed.

**Management of the ADOT DBE Program**

- ADOT paused the goal setting process for ADOT and subrecipient federally-assisted contracts.
- ADOT paused the performance of Commercially Useful Function (CUF) reviews of DBE work on existing contracts during the reevaluation process.
- ADOT will continue to provide Supportive Services to the Small Business community.

Thank you for your patience as ADOT works through the new updates and resulting changes.

Sincerely,

Business Engagement and Compliance Office