

NOTICE TO CONTRACTORS

DISADVANTAGED BUSINESS ENTERPRISE PROGRAM

The U.S. Department of Transportation (USDOT) has published an Interim Final Rule (IFR) regarding the Disadvantaged Business Enterprise (DBE) Program in the *Federal Register* (2025-19460) effective October 3, 2025.

The IFR requires reevaluation of all current DBE firms, recertification of any DBEs that meet the new certification standards, and decertification of any DBEs that do not meet the new certification standards. Changes to the DBE program outlined in the IFR will be implemented once the Arkansas Department of Transportation (ARDOT) completes the recertification/decertification process for all DBEs and provides notification to FHWA. The recertification/decertification process will begin after supplementary guidance is provided by USDOT.

The IFR further provides that until a recipient of financial assistance from the USDOT (e.g. ARDOT) completes the reevaluation and recertification process, recipients may not (1) include DBE contract goals; or (2) count any participation toward overall DBE goals. As such, please be advised of the following information:

- **Effective Date:** October 3, 2025
- **New Contracts:** ARDOT will not include DBE contract goals or requirements on any new contracts until further notice.
- **Existing Contracts:** The DBE goal and requirements, including reporting, established within the "Goals for Disadvantaged Business Enterprise Participation" Special Provision will be removed from existing contracts by Change Order. Therefore, all subcontracts will be administered as per Section 108 of the Standard Specifications for Highway Construction (2014 Edition) as of the effective date noted above.
- **Comment Period:** A 30-day comment period was opened October 3, 2025. Contractors with questions or suggested changes should submit comments through the *Federal Register* notice. The IFR will continue to be in effect during the comment period.

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