



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

OFFICE OF GENERAL COUNSEL
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WILL REID
COMMISSIONER

BILL LEE
GOVERNOR

October 3, 2025

Boday Borres, P.E.
Acting Division Administrator
Federal Highway Administration, Tennessee Division
Sent via email Boday.Borres@dot.gov

Dear Ms. Borres,

The Tennessee Department of Transportation (TDOT) is in receipt of the Disadvantaged Business Enterprise (DBE) Interim Final Rule (Rule) effective today along with the USDOT guidance document. I am writing to share TDOT's understanding of these changes and to share questions that we have as we proceed with implementation.

We understand that the Rule requires reevaluation of the eligibility of existing DBEs under the new certification standards in the Rule. TDOT is seeking specific guidance on what this reevaluation process will entail and how these standards are to be applied. In addition, TDOT is seeking additional guidance on the administration of preexisting contracts with DBE goals.

Until such time as a proper reevaluation process is established and completed, TDOT has taken the following steps, effective immediately:

- TDOT will not take action on any new DBE applications.
- TDOT will not take action on any DBE certification appeals.
- TDOT will not include DBE contract goals on any new contracts.
- DBE contract goals will not be included in any advertisements.
- TDOT will not count any participation toward overall DBE goals.
- Existing DBE firms and other contractors may access the DBE Supportive Services program.

We are grateful that you have sought our questions for submission to the Office of the Secretary, and we look forward to receiving feedback on those questions. We are glad to be working closely with you during this time of transition to gain clarity on implementation requirements.

This letter reflects TDOT's understanding of the Rule to date. We look forward to further guidance on the Tennessee Uniform Certification Program and the DBE certification process.

Sincerely,

A handwritten signature in cursive script that reads "Leslie South".

Leslie South, General Counsel

CC: Commissioner Will Reid