

October 16, 2025

On October 03, 2025, the U.S. Department of Transportation (USDOT) issued an interim final rule (IFR) requiring immediate changes to the Disadvantaged Business Enterprise (DBE) program regulations.

Key Provisions

- **Certification Review:** All DBE firms previously certified using race- or sex-based presumptions of social and economic disadvantage must be recertified by MDT to determine eligibility under the new standards established in the IFR.
- **Personal Narrative Requirement:** Certified DBE firms owned by an individual who was presumed to be disadvantaged (e.g., women, Black American, Hispanic American, Native American, Asian Pacific American, Subcontinent Asian American), must now submit a personal narrative explaining their social and economic disadvantage, without regard to race or gender, and submit an updated personal net worth statement.
- **Suspension of DBE Goals for Future Projects:** For contracts advertised on or after October 03, 2025, MDT and other DOT fund recipients cannot set DBE goals until the certification review process described in the bullet above is complete.
 - We will discontinue Commercially Useful Function (CUF) monitoring of existing projects with DBEs unless we receive information otherwise.
- The bidder's list is still required, except for the race and gender reporting.

DBE Impact

- The certifications for any DBE firm that previously qualified based on a presumed disadvantage are not effective during the certification review period.
- Affected firms will be notified directly. The notice will include detailed instructions regarding the recertification process and submission requirements for firms seeking to regain DBE certification.
- DBE firms must submit a personal narrative and a personal net worth statement, which will be reviewed during the certification review period. If a firm fails to comply

or does not meet the standard of certification, it will be decertified **without** the opportunity to go to a hearing.

- Please do not submit any personal narratives or personal net worth statement until you are contacted directly by MDT.
- This change **does not** impact prevailing wage, certified payroll, or prompt payment.
- DBE Reimbursements are suspended until all firms are recertified.

Small Business Enterprise (SBE) Program Continuity

The SBE program remains race- and gender-neutral, focusing solely on economic disadvantage, and is not impacted by the interim rule. While DBE goals are paused, MDT remains committed to advancing SBE program goals. The SBE program is designed to expand the pool of qualified contractors, enhance availability of resources, and foster greater competition, ultimately driving more competitive pricing and delivering greater value to Montana and the traveling public. All DBEs formerly certified by MDT are also certified as SBEs. Please check the MDT website for updates as to when SBE goals will be reinstated on projects.

Support & Resources

MDT is committed to assisting certified firms and applicants through this transition through the following efforts:

1. Virtual Q&A sessions will be scheduled once we know more. Please check back to this website for more information.
2. 1:1 Support: Contact your [Business Development Specialist](#)
3. Email: mdtsbeprogram@mt.gov

Questions

Review the full Disadvantaged Business Enterprise Program and Disadvantaged Business Enterprise in Airport Concessions Program Implementation Modifications [online](#).