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Dear MDOT Contractors,

The U.S. Department of Transportation has issued an Interim Final Rule (IFR) effecting the Disadvantaged Business Enterprise (DBE) program, effective October 3, 2025. The IFR is available at <https://www.govinfo.gov/content/pkg/FR-2025-10-03/pdf/2025-19460.pdf>.

The IFR requires reevaluation of the eligibility of existing DBEs under the IFR's new certification standards before MDOT can implement a valid DBE program. As a result, all existing DBE contract provisions are unenforceable.

In accordance with the IFR and guidance from the Federal Highway Administration, please be advised of the following:

- The DBE goals and provisions in existing contracts are invalid and will not be enforced.
- For active construction projects, any subcontract with a DBE is still an active subcontract, although the DBE goals will no longer be enforced.
- Contractors are still required to complete the OCR-484 form, in order to track prompt payment of subcontractors. However, the form has been revised to remove DBE-specific language, and the revised OCR-484 form is available on MDOT's website under the Office of Civil Rights.
- Moving forward, MDOT contracts will not contain DBE goals or provisions, unless and until such time as all required steps have been taken to implement a DBE program that complies with the IFR.

MDOT continues to monitor federal guidance regarding the implementation of the IFR. Updates and additional information will be posted to MDOT's website as they become available. While no timetable has been provided to state DOTs, we anticipate that the reinstatement of the DBE program and the establishment of new DBE contract goals will take several months.

We appreciate your cooperation and patience during this transition as we continue to work together to provide a safe and efficient transportation system for Mississippi's citizens and the traveling public.