

Port of Seattle DBE/ACDBE IFR Notification 10-3-2025

On October 3, 2025, The U.S. Department of Transportation (DOT) issued an Interim Final Rule (IFR) on the certification of Disadvantaged Business Enterprises for the federal DBE/ACDBE programs. The IFR is effective immediately.

This regulatory change removes the automatic presumption that minority and women owned firms are automatically considered socially and economically disadvantaged. It also mandates that every business that currently is certified as a DBE/ACDBE for the federal DBE/ACDBE programs must be reevaluated and, to do so, must provide a written personal narrative demonstrating the owner's social and economic disadvantage, along with supporting documentation. All new certifications will be made based on the same, individualized demonstration of social and economic disadvantage.

The Port of Seattle is coordinating with Washington's Office of Minority and Women's Business Enterprises (OMWBE), the certifying body of Washington's Unified Certification Program (UCP), and expects to receive further guidance on the next steps for DBE/ACDBEs to apply for recertification. We have also provided OMWBE with a list of DBEs actively working on Port of Seattle projects to make them aware of the DBEs that need notification and guidance on the recertification requirements.

The IFR mandates significant changes to the DBE/ACDBE program regulations and the Port's implementation of its DBE/ACDBE program, effective October 3, 2025.

Key updates include:

1. **Reevaluation of Certification:**
 1. All currently certified DBE/ACDBE firms must undergo a reevaluation to determine eligibility under new standards.
2. **Personal Narrative Requirement:**
 1. Any firm wanting to be certified as a DBE/ACDBE must submit a personal narrative explaining its owner's social and economic disadvantage, without regard to race or gender.
3. **Personal Net Worth Statement:**
 1. Firms must also submit an updated personal net worth statement as part of the recertification process.
4. **Suspension of DBE/ACDBE Goals:**
 1. As directed, the Port of Seattle is suspending, or suspending enforcement of, DBE/ACDBE goals (for individual contracts

and for the Port's capital program generally) effective October 3, 2025.

2. Federal funding recipients, including the Port of Seattle, must set 0% - DBE/ACDBE goals for new contracts and stop counting DBE/ACDBE participation towards existing contract goals until the certification review process is complete and new goals can be set.
5. Existing Port Contracts:
 1. Port of Seattle contracts already awarded remain valid; however, DBE/ACDBE commitments and participation under those contracts cannot be enforced during the reevaluation period. The Port of Seattle is evaluating its contracts to determine the best approach to accomplishing this requirement.

For more detailed guidance, please refer to the official U.S. Department of Transportation and other agency resources below:

United States Department of Transportation (USDOT) – US Office of Civil Rights DBE Program

<https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise>

Washington State's Office of Minority Women's Business Enterprise (OMWBE)

<https://omwbe.wa.gov/>

49 CFR Part 26

https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl

49 CFR Part 23

<https://www.ecfr.gov/current/title-49/subtitle-A/part-23>

Federal Aviation Administration

www.faa.gov

Port of Seattle – Diversity in Contracting

<https://www.portseattle.org/business/bid-opportunities>

Please do not hesitate to contact Diversity In Contracting or Airport Dining and Retail if you have any questions or need additional information.