



Local Civil Compliance

August 2026





Brief DBE Program Overview



Office Bulletin - #26-02
Bidder's/Proposer's List



Office Bulletin - #26-03
Disadvantaged Business Enterprise



Questions?



Interim Final Rule (IFR)

OCTOBER 2025

- Eliminated all race - and gender-based presumptions of social and economic disadvantage
- Replaced with a strictly individualized determination standard of disadvantage that includes personal narratives and personal wealth
- Mandatory reevaluation of previously certified DBE firms under the new criteria
 - Certification questions? DBE.Reevaluation@dot.ca.gov
- Until the DBE reevaluation is complete, DBE goals cannot be restored and at this time includes no counting DBE participation, monitoring or enforcement.

DBE Status Update Office of Civil Rights

Dear California Department of Transportation (DOT) Recipients,

On behalf of David DeLuz, Deputy Director of Caltrans Office of Civil Rights, the California Unified Certification Program (CUCP) would like to notify all California DOT recipients that, effective July 20, 2026 the CUCP has completed its Disadvantaged Business Enterprise ([DBE](#)) reevaluation process.

The CUCP has formally notified the U.S. Department of Transportation ([USDOT](#)) of the completion of this process, and the USDOT has confirmed receipt of our notification.

Thank you for your continued partnership and support. For additional information, please contact your [District Local Assistance Engineer](#).

DBE Status Update

DBE PROGRAM IS STILL PAUSED

- DBE contract goals continue to be suspended.
- Goal-based compliance monitoring and enforcement activities related to overall DBE participation continue to be suspended.

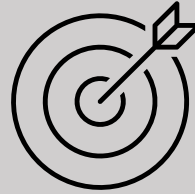
PROJECTED DBE PROGRAM RESTORATION

Updated DBE Program Plan



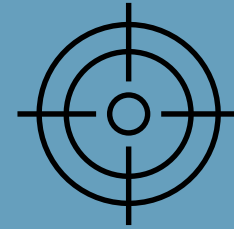
Formal document, approved by FHWA, explaining how Caltrans will implement, manage and monitor the DBE Program

Set an Overall DBE Goal



Overall statewide goal establishes an annual target for DBE participation – based upon the # of DBEs

Updated Goal Methodology



Data-driven process of developing a contract goal - based scope of work, DBE availability, location of work



Office Bulletin Updates





Office Bulletin

#26-02

Bidder's/Proposer's List



BIDDER'S LIST COLLECTION/SUBMISSION

- Code of Federal Regulations - What records do recipients keep and report?
 - 49 CFR 26.11
- USDOT is currently requesting bidder information on projects using federal funds.
 - Firm name and address, including ZIP code;
 - Firm's status as a DBE or non-DBE;
 - NAICS code applicable to each scope of work the firm sought to perform in its bid;
 - Age of the firm; and
 - The annual gross receipts of the firm. You may obtain this information by asking each firm to indicate into what gross receipts bracket they fit (e.g., less than \$1 million; \$1-3 million; \$3-6 million; \$6-10 million; etc.) rather than requesting an exact figure from the firm.
- Recipients (and subrecipients) are to send the data to FHWA by December 1 of each year.

LAPM Exhibit 9-L: Bidder's/Proposer's List

COLLECTION OF EXHIBIT 9-L BEGINS OCTOBER 1, 2026

PRIME CONTRACTORS

LPAs must collect bidder data as specified in **49 CFR 26.11(c)(2)**, by the Prime Contractor, for each bid received.

Construction contracts – Utilize Exhibit 9-L: Bidder's/Proposer's List that complies with 49 CFR 26.11

PRIME CONSULTANTS

LPAs must collect the proposer data as specified in **49 CFR 26.11(c)(2)** by the Prime Consultant for each proposal received.

Consultant contracts – Utilize Exhibit 9-L: Bidder's/Proposer's List that complies with 49 CFR 26.11

Retirement of Exhibit 12-B – October 1, 2026

- Retirement of the current Bidder's List – Exhibit 12-B
 - *Note: Exhibit 12-B cannot be used to satisfy the requirement of Public Contract Code §4104, List of Bidders (see Exhibit 12-H: Sample Bid for the List of Subcontractors form).*
- [OB#26-02 Bidder's/Proposer's List](#)





Office Bulletin

#26-03

LAPM 9.5



Chapter 9 Format - Construction/Consultant

PROJECT IMPLEMENTATION – BEGINNING TO END

- You will know the specific stage of the project and what DBE processes/forms apply at that stage
- Separated between consultant guidance/construction guidance
- The posted language supersedes DBE language in other chapters

NEW

GUIDANCE HAS BEEN UPDATED TO ALIGN WITH THE DBE INTERIM FINAL RULE

Disadvantaged Business Enterprise Program

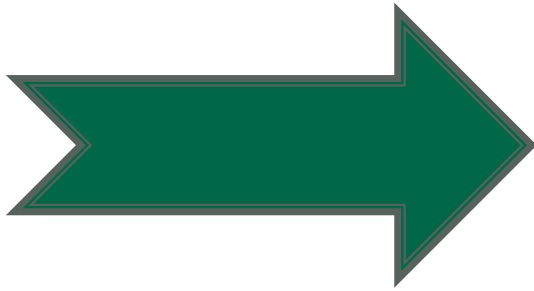
Federal Contract Assurances

Bidder's/Proposer's List

Termination Procedures

Prompt Payment

Subcontractor Protections



Current suspension of some DBE provisions does not exempt Caltrans or Local Public Agencies and their contractors of their continued compliance and contract administration responsibilities, including but not limited to adherence to the Subletting and Subcontracting Fair Practices Act (Public Contract Code Section 4100 et. seq.).

RESOURCES

DLA DBE
Webpage

<https://dot.ca.gov/programs/local-assistance/local-civil-compliance/disadvantaged-business-enterprise-dbe>

Certification
Questions

DBE.Reevaluation@dot.ca.gov

Code of
Federal
Regulations

[eCFR :: 49 CFR Part 26 -- Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs](#)

