



## WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

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Deputy Secretary of Transportation

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Secretary of Transportation  
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### M E M O R A N D U M

**TO:** All West Virginia DBEs and ACDBEs  
**FROM:** The Civil Rights Compliance Division *gjg*  
**SUBJECT:** USDOT-Mandated Reevaluations for the DBE Program

All,

The U.S. Department of Transportation has issued an Interim Final Rule (IFR) requiring major changes to the DBE/ACDBE certification process. The IFR removes race- and sex-based presumptions from the definitions of "socially and economically disadvantaged individual," and instead provides that the owner of a DBE or ACDBE firm must demonstrate **on a case-by-case basis** that the individual meets the criteria described in 49 CFR § 26.67. Effective immediately:

- All existing DBEs/ACDBEs must undergo **reevaluation** under the new standards.
- Until reevaluations are complete, recipients may not set DBE/ACDBE contract goals or count participation toward overall goals.

Firms wishing to complete the reevaluation process must provide a **Personal Narrative** and a **Personal Net Worth Statement**, together with **Supporting Documentation** demonstrating social and economic disadvantage under 49 CFR § 26.67.

The requested deadline for submitting these materials is: **Monday, March 2, 2026**, by the close of the day. Instructions for completing and submitting the materials are below. Please note, submissions will still be accepted after the requested deadline, however, materials received on or by the deadline will be processed before materials received afterwards. Until firms complete the reevaluation process, they will remain ineligible for counting towards DBE participation. Submitting the required documentation demonstrating DBE eligibility under the new standards is required to continue participating in the DBE Program. We appreciate your cooperation and patience during this transition, which is required under federal law.

### Part One: Materials

#### **A: The Personal Narrative**

Provide a detailed, written narrative that demonstrates how the owner is socially and economically disadvantaged, based on his or her own experiences and circumstances that occurred within American society, and without regard to race or sex. Be descriptive of specific incidents of economic hardship, barriers, and/or denied opportunities.

##### **1. Barriers and Denied Opportunities**

- Describe specific barriers or instances of unequal treatment you experienced in American society that impeded your education, employment, or business.

- Examples may include, but are not limited to:
  - Being denied promotions or opportunities despite qualifications.
  - Facing unfavorable loans or lending practices, including denials.
  - Exclusion from business networks or industry associations.
  - Lack of access to markets or bid opportunities compared to non-disadvantaged peers.

## 2. Economic Harm

- Explain how these barriers caused measurable economic harm.
- Examples may include, but are not limited to:
  - Loss of contracts or clients.
  - Paying higher interest rates or fees than similarly situated firms.
  - Delayed or denied access to capital.
  - Reduced income, assets, or business growth opportunities.

## 3. Magnitude of Harm

- Describe the type and extent of the disadvantage.
- Examples may include, but are not limited to:
  - “Lost access to \$200,000 in financing over a 5-year period.”
  - “Business expansion delayed by 3 years due to inability to secure bonding.”

## 4. Comparison to Non-Disadvantaged Peers

- Summarize how these circumstances differ from similarly situated individuals who are not disadvantaged.

## B: The Personal Net Worth Statement

Provide a new or updated Personal Net Worth Statement. The form is available from the USDOT website and this QR code:

<https://www.transportation.gov/sites/dot.gov/files/2024-09/Personal%20Net%20Worth%20Statement%204.9.2024%20%28revised%29.pdf>



## C: Supporting Documentation

Provide supporting documentation to go with the Personal Net Worth Statement, such as asset account documents, and supporting documentation for the Personal Narrative, such as loan denial letters, credit reports, proof of rejected bids, or any other documentation exhibiting the instances of social and economic disadvantage you described in the Narrative. Each applicant's situation will be different, and the documentation will vary. On review, this UCP may request additional documentation as it becomes necessary for each person's case.

## Part Two: Submitting the Materials

Applications will be processed by district. Submissions and any questions regarding new rules, requirements, or updates should be directed to your district DBE Specialist (contact information provided below.)

District 1	Boone, Clay, Kanawha, Mason, Putnam	Shelia Young
District 2	Cabell, Lincoln, Logan, Mingo, Wayne	Duane Waller
District 3	Calhoun, Jackson, Pleasants, Ritchie, Roane, Wirt, Wood	John Handley
District 4	Doddridge, Harrison, Marion, Monongalia, Preston, Taylor	Dave Merchant
District 5	Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan	Duane Waller
District 6	Brooke, Hancock, Marshall, Ohio, Tyler, Wetzel	John Handley
District 7	Barbour, Braxton, Gilmer, Lewis, Upshur, Webster	John Handley
District 8	Pendleton, Pocahontas, Randolph, Tucker	Duane Waller
District 9	Fayette, Greenbrier, Monroe, Nicholas, Summers	Shelia Young
District 10	McDowell, Mercer, Raleigh, Wyoming	Shelia Young

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Dave Merchant	kevin.d.merchant@wv.gov	304.414.6889

Scan for January DBE info session:

