

FAQs - Maryland DBE/ACDBE Certification Reevaluation

Updated: February 13, 2025

Frequently Asked Questions (FAQs) on the U.S. Department of Transportation's Interim Final Rule - *Disadvantaged Business Enterprise Program and Disadvantaged Business Enterprise in Airport Concessions Program Implementation Modifications* (effective October 3, 2025).

BACKGROUND

The Maryland Department of Social and Economic Mobility, established under House Bill 1253 (Chapter 605, Laws of Maryland 2025), is the principal department of State government and the first cabinet-level agency in the United States dedicated to removing structural barriers to social and economic mobility.

Effective October 1, 2025, three existing State offices focused on social equity programming have been consolidated into a single, integrated department. Specifically, the Department of Social and Economic Mobility is now comprised of:

- the Office of Minority Business Enterprise;
- the Office of Small, Minority, and Women Business Affairs; and
- the Office of Social Equity.

This consolidation allows the State to better coordinate equity initiatives, increase operational efficiency, and promote economic opportunity for all Marylanders. In short, the Department of Social and Economic Mobility ensures that small, minority-, and women-owned firms have the opportunity to fully and fairly participate in state and federally funded projects.

The Office of Minority Business Enterprise (OMBE) will continue to serve as Maryland's certification entity for the Minority Business Enterprise (MBE) program, the Disadvantaged Business Enterprise (DBE) program, the Airport Concession Disadvantaged Business Enterprise (ACDBE) program, and the Small Business Enterprise (SBE) program.

On October 3, 2025, the U.S. Secretary of Transportation issued an Interim Final Rule (IFR), entitled "Disadvantaged Business Enterprise Program and Disadvantaged Business Enterprise in Airport Concessions Program Implementation Modifications." The IFR became effective upon publication in the Federal Register, and is available at: <https://www.federalregister.gov/d/2025-19460>.

This new rule does not affect a firm's MBE certification, which applies to state-funded contracts. However, the IFR makes significant changes to the DBE and ACDBE programs, including:

- Elimination of Presumptions: Certification agencies that are responsible for administering Unified Certification Programs (UCP), such as OMBE, are now prohibited from using race- and sex-based presumptions of social and economic disadvantage for purposes of DBE/ACDBE certification. Instead, DBE and ACDBE applicants must demonstrate social and economic disadvantage as individuals, by relating specific instances of economic barriers, systemic barriers, and denied opportunities that impeded the owner's progress or success in education, employment or business.
- Mandatory Reevaluation of Certified DBEs/ACDBEs: All currently certified DBEs and ACDBEs must undergo a mandatory reevaluation under the new standards set forth in the IFR. Firms will need to submit new documentation, including a personal narrative and a current personal net worth statement, to their

original certifying jurisdiction. UCPs must then determine each firm's eligibility, and issue written recertification and decertification decisions.

- **Suspension of DBE Goals:** Until a UCP completes its reevaluation process, recipients of USDOT funding cannot set contracting goals for DBEs or ACDBEs or count any participation toward overall goals.

This document outlines the actions that the Department of Social and Economic Mobility is taking in response to these changes to the DBE and ACDBE programs.

This FAQ has been published as a follow-up to the initial OMBE FAQs - Maryland DBE Certification Reevaluation, published on January 23, 2026. The purpose of this communication is to inform Marylanders of the timelines and instructions for currently certified Maryland DBE and ACDBE firms to submit a certification reevaluation application—which includes a Personal Narrative and current Personal Net Worth statement.

IMPORTANT NOTE: OMBE will begin the DBE and ACDBE certification reevaluation process on January 23, 2026, with a submission date of April 3, 2026. Currently certified DBE and ACDBE firms that were originally certified by the State of Maryland are strongly encouraged to submit the required documentation on or before the submission date—this ensures the earliest possible review of their certification reevaluation applications. **Firms that do not submit the necessary materials will remain ineligible until all documentation demonstrating eligibility under the new standards have been provided.**

QUESTIONS & ANSWERS

A. **General**

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1. **Do the changes to the Disadvantaged Business Enterprise program apply to the Airport Concession Disadvantaged Business Enterprise (ACDBE) program?**

Yes, the IFR made changes to the ACDBE regulations in 49 CFR part 23 in a substantially similar manner to those made in 49 CFR part 26. Accordingly, these FAQs apply to both the DBE and ACDBE programs.

2. **What vendor management system does Maryland use for its MBE, DBE, ACDBE, and SBE programs?**

Maryland utilizes [B2Gnow](https://marylandmdbe.mdbecert.com/) contract compliance management software for its MBE, DBE, ACDBE, and SBE programs. All stakeholders can access the system using the following link: <https://marylandmdbe.mdbecert.com/>

B. **Timelines**

1. **When did the Interim Final Rule (IFR) go into effect?**

The IFR was published by the United States Department of Transportation (USDOT) on October 3, 2025, with an immediate effective date.

2. Has the Maryland Department of Social and Economic Mobility (DoSEM) published guidance regarding the certification reevaluation process for its DBE and ACDBE programs?

Yes, OMBE published its first set of FAQs in response to the USDOT IFR on January 23, 2026.

OMBE will issue specific guidance on submitting a Personal Narrative and current Personal Net Worth Statement directly to currently certified DBE/ACDBE firms via its B2G platform, continue to periodically update the DoSEM website, and correspond with relevant state agencies and our community partners regarding the reevaluation process.

OMBE Initial FAQs: <https://economicmobility.maryland.gov/Documents/OMBE-Initial-FAQs-USDOT-IFR.pdf>

3. How will OMBE identify the DBE and ACDBE firms that have completed or not completed their certification reevaluation process?

On December 31, 2025, OMBE delisted all DBE and ACDBE firms from the Maryland B2G system. This effectively removed all firms from the DBE and ACDBE directories until Maryland's certification reevaluation process is completed.

OMBE opened the certification reevaluation application in the B2G system on January 23, 2026, setting an initial submission date of April 3, 2026 for Maryland-certified DBE and ACDBE firms. This application will prompt currently certified DBE and ACDBE firms to submit a Personal Narrative and a current Personal Net Worth Statement with the required supporting documentation. OMBE will evaluate completed certification reevaluation applications on a first-come, first-served basis.

4. Did USDOT establish a deadline for Maryland to complete its certification reevaluation process?

No. The regulation at 49 CFR § 26.111 requires OMBE to complete its certification reevaluation process "as quickly as practicable." OMBE has set a goal to complete reevaluation before the close of the 2026 calendar year (December 31, 2026).

5. Has OMBE set a deadline for currently certified Maryland DBE and ACDBE firms to submit reevaluation documentation?

No. 49 CFR § 26.111 does not set a deadline for currently certified DBE/ACDBE firms to submit documentation demonstrating their eligibility under the new standards set forth in the IFR. However, OMBE has established a submission date of April 3, 2026, for currently certified DBE/ACDBE firms wishing to begin the process for certification reevaluation as soon as possible. OMBE will continue accepting certification reevaluation applications after this date, on a rolling basis. Firms that do not submit certification reevaluation applications will remain ineligible for Maryland's DBE/ACDBE programs until they submit the required documentation demonstrating DBE/ACDBE eligibility under the new standards. OMBE has set a goal to complete reevaluation before the close of the 2026 calendar year (December 31, 2026).

6. What happens after OMBE's initial submission date (April 3, 2026)?

OMBE will begin reevaluation for DBE and ACDBE firms that submit the required documents on or before the initial submission date of April 3, 2026. However, OMBE will continue accepting and processing certification reevaluation applications indefinitely. Firms that do not submit the necessary information will remain ineligible for Maryland's DBE/ACDBE programs until they submit the required documentation demonstrating eligibility under the new standards.

C. Certification Reevaluation Process

1. Will OMBE reevaluate all currently certified DBEs/ACDBEs operating in Maryland, or only those DBEs/ACDBEs for which Maryland was the jurisdiction of original certification?

Under the certification reevaluation requirements at 49 CFR § 26.111, OMBE is only required to reevaluate the certifications of those DBEs/ACDBEs for which Maryland was the original certifying jurisdiction. OMBE is not required to reevaluate the certifications of DBEs/ACDBEs that originally obtained certification from certifying entities of other states through the Unified Certification Program (UCP) interstate certification procedures at 49 CFR § 26.85.

All firms whose DBE/ACDBE certification originated in a state other than Maryland must first seek certification reevaluation through their home states. If your firm is recertified by your home state, you may then rely on DBE/ACDBE interstate certification procedures to recertify in Maryland.

2. Can OMBE simply decertify all currently certified DBEs/ACDBEs without completing the reevaluation process?

No. The IFR requires OMBE to identify each currently certified DBE/ACDBE and provide each identified firm with the opportunity to submit documentation demonstrating its eligibility under the standards described at 49 CFR § 26.67. OMBE will notify each DBE and ACDBE of its process for reevaluation and its goal to complete reevaluation before the close of the 2026 calendar year (December 31, 2026).

3. What is the acceptable method for submitting Personal Narratives?

Documentation, including personal narratives, must be uploaded through B2G. B2G uploads are the only acceptable method of submission. The Reevaluation Application may be accessed by doing the following:

1. Login to Maryland B2G system
2. Under "Key Actions," select "Renew/Apply for Certification"
3. Select "You are an Existing DBE and you would like to submit for reevaluation"
4. Select "Submit a 2026 Reevaluation Application"

4. What should my Personal Narrative include?

Pursuant to new federal guidelines, OMBE will holistically consider specific experiences you have encountered that may demonstrate social and economic disadvantage, including:

- Education – factors such as denial of equal access, compared to all similarly situated persons, to institutions of higher education and vocational training, exclusion from social and professional association with students or teachers, denial of educational honors rightfully earned, and social patterns or pressures that discouraged the individual from pursuing a professional or business education.
- Employment – factors such as unequal treatment compared to all similarly situated persons in hiring, promotions and other aspects of professional advancement, pay and fringe benefits, and other terms and conditions of employment; retaliatory behavior by an employer or labor union; and social patterns or pressures that have channeled the individual into non-professional or non-business fields.
- Business history – factors such as unequal access, compared to all similarly situated persons, to credit or capital, acquisition of credit or capital under commercially unfavorable circumstances, unequal treatment in opportunities for government contracts or other work, unequal treatment by potential customers and business associates, and exclusion from business or professional organizations.

Personal narratives must state how and to what extent these and other impediments caused the owner to be socially and economically disadvantaged.

PLEASE NOTE: Consistent with USDOT guidance, OMBE does not and will not use race- or gender-based presumptions of social and economic disadvantage. That is, identifying your race, sex, or association with a certain demographic group is not enough to show social and economic disadvantage. Specific, individual experiences of discrimination—including instances of discrimination based on race, sex, or association with a historically disadvantaged group—may support a claim of social and economic disadvantage, but it is important that the narrative relate those specific, individual experiences, and not rely simply on group association.

5. How will each DBE and ACDBE firm's current Personal Net Worth Statement be evaluated?

OMBE will evaluate current Personal Net Worth Statements using the requirements in 49 CFR 26.68, which currently establishes a personal financial threshold of \$2.047 million for each qualifying owner. The form will be available for download and submission in B2G. Firms must also include all necessary supporting documentation (e.g., bank statements, brokerage, retirement, mortgage, car note statements, and homeowners' insurance) in their submissions.

6. What can I do as a currently certified Maryland DBE and/or ACDBE firm to make sure we are recertified as soon as possible?

Please read all OMBE guidance carefully. Complete a Personal Narrative and a current Personal Net Worth Statement. Once you have completed those documents, submit your reevaluation application, with the required supporting documentation, as early as January 23, 2026, and no later than April 3, 2026, to ensure your application is among the first reviewed by OMBE.

7. What if the DBE/ACDBE firm has more than one qualifying owner?

All qualifying individuals who make up 51% majority ownership of a firm must provide their individual Personal Narrative and a current Personal Net Worth Statement, including the required supporting documentation.

For example, if your firm is a corporation owned by 5 people who each own 20%, then at least 3 of those owners must submit a Personal Narrative and current Personal Net Worth Statement, including the required supporting documentation, showing that each of the 3 are socially and economically disadvantaged. By contrast, if your firm is a corporation owned by 2 people, one of whom owns 49% and one of whom owns 51%, only the 51% owner is required to submit the Personal Narrative and current Personal Net Worth Statement.

8. How will a DBE/ACDBE firm know if it has been recertified or decertified through Maryland's certification reevaluation process?

Upon completion of OMBE's certification reevaluation for each applicant, DBE/ACDBE firms that have met the new eligibility standards will receive a Recertification Letter via B2G and email. This letter can be used for interstate purposes.

Should a firm be decertified, a notice of decertification will be sent through B2G and email, including information regarding the right to appeal to USDOT.

D. Certification Reevaluation Appeals

1. Can a firm that is decertified through the OMBE certification reevaluation process appeal the decision to OMBE?

No. Firms that are decertified following their certification reevaluation may not appeal directly to OMBE.

However, pursuant to federal regulations outlined in 49 CFR § 26.111, a firm is entitled to appeal a decertification by OMBE to USDOT under the procedures described in 49 CFR § 26.89.

E. Interstate DBE & ACDBE

1. What is the certification reevaluation process for interstate DBEs/ACDBEs?

At this time, interstate DBE/ACDBEs will be delisted by OMBE. Maryland will require a recertification notification from the DBE/ACDBE's jurisdiction of original certification (home state) before recertification in Maryland. If your home state has already started the certification reevaluation process and you have been recertified, you may submit the home state's letter via B2G at any time.