Barrier (setting priorities) (non-legislative preference)	Barrier Description RCW 39.10, 39.04	,	Committee Recommednations  (vetted barriers and solutions)		Disparity Study/Study						
(x) = External Engagement Subcommittee Identification of barriers	NCW 35.10, 35.04	External Stakeholder Comments	Working Solutions/General Practices	(vetteu barriers and solutions)	Lead	DES/OMWBE	Local Govt (MRSC)	Sound Transit	Port of Seattle	WSDOT	City of Tacoma
						2019	2020	2020	2019	2017	2018
Section 1: Planning ("start early")  Outreach (external and internal, engagement, stakeholders) (1)			Standardize outreach definitions								
out can fewer in the internal, engagement, staticioners, (=)	Too many and inconsistent definitions and options for outreach,	We have found out that a few small businesses are looking for	Combine efforts between owners, professional								
	diverse businesses, and subcontractors, don't know where to put their valuable time and effort.	one place where everyone can go.	organizations, diverse business community		Irene/Linda	Х	х	X	х	х	х
	their valuable time and effort.		Good faith efforts separated from good business practices (see UW guidance to contractors)								
			Resources to increase network								
			Resources to access network								
Networking (network access, no "old boy network") (1)	Small, diverse businesses excluded from "inner circle" of	We agree and are still looking out how this can be resolved.	Similar # of representatives on boards and committees/decision making bodies (not one token		Chip						
	construction network. Long-standing partner peers.		diverse)								
			How to use professional organization and advocacy groups								
	Owner and prime contractor lack useable policies and		groups								
	intentional, actionable strategies for diverse business inclusion		Develop or highlight examples of SOPS								
	practices; observed few and far between, and inconsistent Owners often have conflicting procurement priorities that		2 Control or a city // links for a city in								
	make it hard for target markets to prepare (11)	We highly recommend that the owner/agency should adopt and	Central repository/links for existing								
Internal policies (SOPs, programming) (see also Inclusion Plans and Contract Language)		or develop accountability measurement plan.	<ol> <li>Professional training/consultants</li> <li>UNIWBE PUBLIC WORKS ACTION COMMITTEE GRATT</li> </ol>		Aleanna/Brenda	Х	Х	X	х	х	Х
			nolicies 5. City of Seattle								
			6. Sound Transit								
			7. Port of Seattle								
	Contract sizes and scopes, do not match the target diverse	We are not certain of any appropriate course of action on thisIt's	Develop advice on how to right-size contracts based on		Aleanna						
Contract Sizes and Scopes ("right-sizing", aka "unbundling") (4) (8)	business market	the business that needs to come up with parameters not	target audience and availability  Develop advice to Primes on GC/CM packaging and low-bid			x			х	х	x
		primes/owners - perhaps this can be a partnership/ teaming up or training item?	tips and tricks			^			•*	••	
	Work distribution confused with programming and funding	training items									
	Being on several rosters with dozens of other businesses yield very little opportunity to compete for small-work; would		Develop non-legislative tips for using rosters more								
	be easier on the paperwork and monitoring if all owner use the		effectively		Olivia/Van						
	same rostersby type  Rosters are not limited to small, diverse businesses, so										
Shared Rosters (consultant and small works)	diverse firms are still "competing" against large primes	This is common practice. Almost all are using OMWBE - perhaps get an update and identify more precise questions.	2. Encourage the use of MRSC for small works		MRSC		х				
	Statutes sill require all interested eligible firms to be on rosters, with very little room to limit firms on the roster or limit	See on apoute and identity more precise questions.	Discuss based on owner size								
	competition within a contracting program		3. Discuss pased on OWNER Size								
			4. Look at legislative changes that may help further the								
	There is not enough notice of upcoming work so diverse		efficiency of small works and A/E rosters.								
	businesses, and their partners have time to plan and team in a	This can also be a part of the item for Networking,	<ol> <li>Support Owners in standardizing their capital plans and budgets</li> </ol>								
Forecasting (4)	meaningful way	announcements and utilizing association platforms and OMWBE			Chip Tull						
			DES     Grant Seattle								
	Inclusion goals are generic and not thoughtful to the project,										I
Goal Setting	scope, size, and firm availability. The result is unrealistic inclusion										
	processes.  Many owner's and prime do not know how to set goals or are	sure this happens, set accountability measurements. Set the goal as part of the RPF and assign more points to it, having the portion			Aleanna/Brenda	х		x	х	х	х
	counseled not to	be 5-8% sends a weak message.	2. City of Seattle approach								
See legal comments	Many owner contracting and delivery teams are not trained and		3. Sound Transit Approach								
	do not know how to administer diverse business inclusion policies		1. City of Seattle								
	Many owners do not have contract compliance staff and therefore		2 Sound Transit								
Owner develops compliance team	and efforts or contract requirements are not enforced, in some cases not reviewed at all.	The team that is held accountable, include with above comments	2. Sound Transit		Aleanna	х					
		and get goals that are attainable and measurable.	3. King County				I				
			4. Port of Seattle								
			(all have compliance teams, gather position descriptions, governance structures, salaries, etc.)								
	Need for support way before any solicitations hit the street		1.1 Federal programs		1						
	1. Labor		1.2 MBDA		Bobby (?)						
Pipeline and Business Development (13)	2. Training	Include this on networking and outreach.	1.3 UW Ascend								
	Availability (ready, willing, able)     Capabilities		1.4 Prime programs								
	4. Capabilities 5. Strategy										
Federal Programming		Lump with Roadshow - education/awareness	Maybe some tips on navigating federal inclusion programs		Lily	1					<u></u>
	Various owners with various legal interpretations of laws and		State AG guidance collection? (DES, OMWBE)								
Legal interpretations/disproportionate legal representation	advise on what is allowable, etc.		Legal advice rendered regarding BDEI		Aleanna						
Section 2: Engagement ("transpages")			Various Owner legal interpretations								I
Section 2: Engagement ("transparency")	Diverse and new businesses to the market lack the resources										
Technical Assistance (9)	to understand and navigate the bureaucracy of public owner		1. Tabor 100								
	processes 2. Diverse and new businesses lack the support/overhead to										
	hire staff to produce all the paperwork throughout contracts and		2. MBDA								
	projects.	recommend Linda due to the DBE Support Services experience and			Shelly	х		x	х	x	х
	Support understanding bid forms     Support with weakly consting and audit protocols.	feedback.	3. PTAC								
See also mentor-protégé	Support with weekly reporting and audit protocols		4. SME's 5. WSDOT								
occusion mento, protege			6. City of Seattle								
						. 3					Ŧ

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Access to contracting information (7)	It is hard to navigate all the contracting opportunities in the state, feels like every owner and prime uses a different medium, a different approach, different requirements, time frames, etc.  Also, very few owners post past bids and contracts for review by	Make this part of the item for Networking.	1. Statewide contracting program			x		x	x		
	those trying to compete.		Recommend advertisement locations     WEBS     Contract posting best practices		Shelly						
Access to decision makers (4)	Firms that have never worked with owner teams or owner decision makers are not provided access and opportunities to establish a report with decision makers.	Coaching opportunity - training business owners on proper business etiquette or professionalism. "Demeanor/ Proper Etiquette Training" is recommended.	Prior to approval capital portfolios are socialized and presented by decision makers to the community for feedback and meet n greets. Part of the budget process.		Aleanna/Brenda						
Certification (5)	Public procurement laws point to state certification for inclusion, yet because of I-200 there can be no material advantage to winning contracts.     There are other professional organizations/owners that offer certification or registration programs, but perceived as a conflict of interest with OMWBE which leads to multiple certifications and more work for diverse businesses with little     Not all diverse firms are registered or certified, and it leads to lack of awareness by primes and owners	Coaching opportunity - training business owners on proper business etiquette or professionalism. "Demeanor/ Proper Etiquette Training" is recommended.	Highlight the various opportunities and values/opportunities created with each.		Aleanna	Х					
Mentor-Protégé	Not a barrier, a recommendation  Sponsored programs where developing firms get to partner with more established firms or primes for specific jobs  Sponsored programs where developing firms "shadow" established firms on various phases of public works.	A lot of information to how this program is operating, we need to gather more information and expand.	WSDOT		WSDOT/Chip Tull	X		х		x	x
Owner staff training	Owner and Prime project delivery and contracting staff are not aware of SOPs and tools for inclusion, monitoring and enforcement	This is a Outreach item if we just want to share the information or this a training item for owners/agencies.  Get instructors that know what they are doing	"Road Show", training of staff prior to delivery of the capital program, team development of inclusion strategies and goals by project. Tips and Tricks for training.		Aleanna	x		х	x	x	х
Vendor Rotation See also Rosters	On-call and roster pools are established but internal utilization policies do not lend themselves to equal/equitable utilization and rotation of firms on the rosters.	From Young: From a Prime's POV: "on call list" is established with vendors that is main focused around personal service and favors. It is my opinion that most business owners do not practice proper business development. That is the reason they are not on the list. On the other hand: how are we going to encourage or mandate this to happen? I do not know of a net to catch this creature. We recommend that we strike this item - we can't do anything about it for right now.	Policy/SOP examples and suggestions		Olivia/Van	Х					
Advertisement and solicitations (4)	Short solicitations times     Confusing processes     Not enough information for new firms to understand the process or how to be responsive     Inconsistent advertising policies     No consistency in posting bids and opportunities	Language that should be placed in RFP - Owner will need to provide guidelines of the process or the prime must provide their best foot forward with measurements of accountability and IMPOSE penalties and consequences. Perhaps assign a consultant/Auditor appointed by Owner to make sure Prime does their job. Give that department/agent to give Non Conformance (NC) to a prime. Need to hit them where its going to get attention. Accountability and Consequences.	solicitations by contract type and size.		Keith/Carrie						
Section 3: Contract Requirements			2 · · · · · · · · · · · · · · · · · · ·								
Panding (0)	Diverse firms not able to hand not project spec	Road Show	Sample contract flow-down provisions		Olivia/Van	х	x	x	х	х	х
Bonding (9)	Diverse firms not able to bond per project spec  Diverse firms not able to insure per project spec, state and federal requirements may be in conflict, there is nuance by delivery method.		Town-hall with bonding companies Sample contract flow-down provisions Town-hall with insurance companies		Olivia/Van	x	x	x	x	x	x
Indemnification	Firms asked to indemnify design and owner beyond available underwriting.	Road Show/Training/Mentorship/Support Services	Sample language per contract type, with description of what and how to adjust  -education and training		Olivia/Van						ā
inclusion Plans (EEO)	Not all owners are using Inclusions Plans and know how to use them Primes are not using them for larger packages No enforcement of Inclusion Plans	Make it part of the proposal/RFP: assign point value: give it weight. S-8% sends a weak message.	Samples and SOPS  1. WSDOT  2. City of Seattle  3. DES  4. Sound Transit  5. King County  6. Port of Seattle		Aleanna	Х					
Solicitation Times (4)	Solicitation times are too short and overlap other deliverable timeframes.     Unfair advantage to incumbents that can dust off their previous winning submission.	Road Show/Networking	Guide and policy samples based on type of response needed and how many scopes are involved.		Kieth/Carrie	x	X	х	X	x	x
(See Advertisement and solicitations)	,		and now many scopes are involved.								
Prompt Pay/Quick Pay (change orders?) (12)	Lower tier subs are often waiting 120 days+ to receive payments because of the layers of flow from owner to prime and so on. This puts a large constraint on businesses at lower tier to essentially fund the work on credit.	Require the Prime to operate the DBE/MBE on each pay app. Make it a point that the owner assigns a special agent to pay attention to MBE/DBE companies expediting an advanced approval so the MBE/DBE is not stuck riding along a CO. Break it in two payout/month.	Statute support – 30 days, interest     Federal requirements     Prime pays regardless of being paid by the Owner (City of Seattle)     Lower tiers pay-when-paid (not 7 days)     ACH leverage		Olivia/Van	X	x	x	x	x	x
Experience Requirements (4)(10)	Experience requirements are unrealistic unless you already have contracts with an agency. Incumbents the only ones who can win (e.g. 5 years' experience with a public agency of "x" size, etc.) Flow-down provision misunderstanding	Recommend doing a detailed study to see what is available prior to making standards.	Draft experience guidelines that are scalable given the risk of the contract.  1. City of Seattle 2. University of Washington 3. Port of Seattle		Aleanna	X					
"Bid Shopping"/bait n switch (14)	During bid/solicitation phase firms are courted and asked to provide works and contributions; then upon Award of contract Prime seeks other firms, rebids, claims pricing problems, etc.  Also, teaming agreements (we hired you to dotrack it, perform.)	Special Investigative Team to be Created with Attorney assistance, there is a compliance audit available and paid by owner. As activities like this happen - we must get to the bottom of it and	Teams agreements and inclusion plans required as part of the process     No changes unless approved by the owner		Olivia/Van						

: w.		i start calling out individuals and not companies. Her a hig hammer	•	=	=	=				=	
		start calling out individuals and not companies. Use a big hammer	<ol><li>Any inclusion plan names are conditions of award</li></ol>								
		with this one. Again accountability measurements and consequences like penalties.	City of Seattle has a process						1		
		consequences like penalties.	5. Federal Programs has a process						-		
	Scoring not consistent with solicitations and appears the										
	"favorite" was picked.		Samples								
	Often debriefs are not helpful to non-successful firms on	RFP has to have more stringent requirements and language. Use									
	how to really improve.	words like requirement not goal. Give this department more	<ol> <li>City of Seattle</li> </ol>						1		
Scoring and Debriefs (4)	now to really improve.	points/value. More value must be assigned or the primes will not	2 104/		DES						
		take it seriously.	2. OW								
		take it seriously.	Sound Transit		1						
			4. DES (?)								
Section 4: Monitoring, Reporting, Tracking				<u> </u>		1				·····I	
			1 OMMUNE (DDMC (One Westigates			4					
Data Collection System (BDMS, B2G)	No one is collecting inclusion data consistently and accessible to		OMWBE/BDMS/One-Washington		Aleanna/Brenda	х	х	х	x	х	х
	the public		<ol><li>PRC/CPARB summaries</li></ol>								
	Many diverse firms are asked to "team" during solicitation to get										
	diversity points, asked to be named on teaming agreements and	Special Investigative Team to be Created with Attorney assistance,	Substitution requirements extend to teaming agreements, and		-				1		
	inclusion plans and then once work is won are told by primes that	there is a compliance audit available and paid by owner. As	must use evidence-based to remove or substitute team						1	I	
	the budget or project must go with another approach or firm, etc.	there is a compliance again available and paid by owner. 75	members or risk termination						-	I	
Enforcement (even "private" terms) (5)	5 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				Olivia/Van	х			1		
		start calling out individuals and not companies. Use a big hammer	1 Fodoral								
		with this one. Again accountability measurements and	1. Federal								
		consequences like penalties.	2. WSDOT		1				1		
			3. City of Seattle						į		
									1		
	For Inclusion Plans to be material to award and contracting, there		1 5-4						1		
	must be evaluation and enforcement programs with scoring		Federal programs						1		
Contractor Performance/Evaluation Programs (5)	and/or consequence to not making the grade (Bobby Forch:				Olivia/Van						
	influencing the tipping point of culture)										
	initialiting the appling point of culture)		2. City of Seattle		-				1		
			3. UW		-				1		
			J. 0W								
	The State might bget more data if there were sample reports and								1		
Reporting Type	types of reporting protocols that Owners/Primes could follow	we are looking forward to this	Samples and examples		Keith/Carrie				1		
	types of reporting protocols that Owners/Primes could follow								1		
		:		•		1					
Durings County Manitoring (0)	No metrics/reports are available for understanding if diverse	What are we going to do with that information? Should we spend									
Business Growth Monitoring (9)	business inclusion is working and diverse businesses are growing.	the money and time if we don't know how we are going to use the									
		the money and time if we don't know now we are going to use the	(Testimonial – Adept Mechanical)		BDEI Committee				x		х
	We need to know the "best practices" are working.	data? I see this item as a great marketing/promotional/road show									
	· · · · · ·	support material.									
See also, inclusion and utilization monitoring											
	Recommendation that owner's wanting to use alternative public									•	
CPARB/PRC Application	works and/or be certified to use the tools should show internal		Application language should be suggested, and PRC process		Aleanna; Janice Zahn/Bill					•	
er and/i ne application	controls and increasing evidence of diverse business inclusion in		revisited.		Dobyns					•	
	their capital portfolio.										
Data Collection Process	No internal controls or practices for collecting data		See other similar topics		Aleanna/Brenda	X	X	Х	X	х	X
Section 5: Discrimination and Harassment				***************************************							***************************************
							j				
		What is the committee's end goal? Share the information or are	Port of Seattle							•	
Women-owned firm inequity (2)	Women/minority-owned firms are less likely to receive awards	looking to boost WBE's revenue? Desires should be part of the RFP								•	
	over their white and male counterparts.	- put it in writing.	2. Sound Transit						1		
		pacient witting.	3. City of Seattle						1		
					 	1					
		From Young: This is 100 % true: I had to appear in King County							1		
	5	Court as a Walsh Area Manager to protect African direct labor	Site safety protocols						1		
Workplace Safety (antiharassment, violence) (3)	Employees of color and women often are victims of violence,	force from assaults in Seattle. Long story short and 15K later - a			City of Seattle (?)						
	harassment, hazing and other forms of inappropriate treatment	resident near the project was put under a special forced							1		
		separation order enforced by SPD.	2 See comothing say comothing						1		
		Separation order emoreca by or b.	2. See something say something								
					·						
	When complaints are filed regarding bid processes, etc.										
Retaliation and Retribution (4)	businesses that complain are "black-balled" or ignored and	No experience, no comment	Federal processes, federal laws							•	
···	labeled as a nuisance; left out of processesor much worse		• • • •			1			1		
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Other resources:

Good Faith Efforts v. General Business Practices UW Guide