



How Can we Improve DBE/MSVWBE Inclusion on Consultant Contracts?

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LEARNING OBJECTIVES

- Objective 1 - Review common DBE/MSVWBE requirements in consulting contracts
- Objective 2 - Discuss challenges for DBE/MSVWBE inclusion from an agency and consulting perspective
- Objective 3 - Develop ways to improve the process

Panel Format

- Audience participation is encouraged
- Questions for each learning objective will tee up three aspects of this topic
- Please feel free to raise your hand at any time if you have a question or answers!



Definitions-State MSVWBE

- Minority Business Enterprise (MBE) – A minority owned business meeting the requirements of RCW 39.19 and WAC 326-20 and certified by the Washington State Office of Minority & Women’s Business Enterprises.
- Small Business (SBE) – A business meeting the Washington State requirements for a “Small business”, “Minibusiness” or “Microbusiness as defined in RCW 39.26.010 and included on the WSDOT Office of Equal Opportunity list of Small Businesses
- Veteran Business (VBE) – A veteran owned business meeting the requirements of RCW 43.60A.010 and included on the WSDOT Office of Equal Opportunity list of Veteran Businesses
- Women Business Enterprise (WBE) – A women owned business meeting the requirements of RCW 39.19 and WAC 326-20 and certified by the Washington State Office of Minority & Women’s Business Enterprises.



Definitions-Federal DBE

- USDOT program that applies to Federal-aid highway dollars expended on federally-assisted contracts
- DBEs are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations



Upcoming Changes – Safe Harbor / ICR

- WSDOT is raising the Safe Harbor Indirect Cost Rate to 120% and the field rate to 90%
- Current WSDOT agreements: work with WSDOT's Contract Services Office to add your updated Safe Harbor rate to your ANTE (rate) tables at your next annual rate update
- Local agency agreements: reach out to your local agency to update your rates

Questions about the Safe Harbor Program should be directed to:

Jarron Elter

Pronouns: He/Him/His

WSDOT Internal Audit

Agreement Compliance Audit Manager

Phone 360 705 7799

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<https://wsdot.wa.gov/business-wsdot/audit>



Upcoming Changes – PWSBE & PW Roster

- **Public Works Small Business Enterprise (PWSBE)** – new certification by OMWBE
- Race and gender neutral; limits to personal net worth & gross receipts
- WA State Certification (not federal)
- **New statewide small works roster** starting July 1, 2024; administered by MSRC
- PWSBE used by local agencies and moves firms to the top of the list on the small works roster
- Direct contracting for projects under \$150k



More info: <https://washingtonapex.org/public-works-changes/>

Consultant focus

- We are going to focus on consultant contracts and DBE/MSVWBE requirements today
- We had a construction focus last fall in Wenatchee



DBE/MSVWBE Requirements

- What are common DBE/MSVWBE requirements for consultant contracts?
- Do they vary by funding source, agency, and project size?



DBE/MSVWBE Challenges

- What challenges have you encountered with DBE/MSVWBE inclusion for consultant projects?
- Do you see different challenges in different regions?



DBE/MSVWBE Improvements

- How can we improve DBE/MSVWBE consultant inclusion?
- Are there certain types or sizes of projects that work better for DBE/MSVWBE consultants?



Audience Questions

- What questions do you have?
- What has been your experience with DBE/MSVWBE consultants and inclusion?



Resources

DMCS user manuals

- [DMCS WSDOT automated compliance audit process for prime contractors \(PDF 1.83MB\)](#)
- [DMCS Subcontractor manual for confirming payments reported by Prime Contractors \(PDF 588KB\)](#)

[Washington State Office of Minority and Women's Business Enterprises](#)





Thank You