

Engrossed Substitute Senate Bill 5689

Small Business Enterprise Set-Aside Report

This report is in response to Section 218 (4) of the 2021-2023 Supplemental Transportation Budget, Engrossed Substitute Senate Bill (ESSB) 5689. This section provided that Washington State Department of Transportation (WSDOT) small works roster projects awarded under RCW 39.04.155 may be limited to firms certified by the Washington State Office of Minority and Women's Business Enterprises as Small Business Enterprise (SBE) to bid on the contract.

WSDOT implemented this small works roster SBE set-aside pilot in July of 2022. Since its implementation, WSDOT has evaluated four small works roster projects for SBE set-aside:

- Two projects were evaluated and bid via the standard small works roster process:
 - One was an emergency project and not appropriate for the small works roster set-aside process.
 - One project was for Washington State Ferries, and due to the nature of work and availability of firms in that scope, it was not appropriate for the small works roster set-aside process.
- Two projects were evaluated and bid via the small works roster set-aside process:
 - One was set aside for SBE participation but had no bidders and was re-bid and awarded to a non-certified firm.
 - One was set aside for SBE participation and awarded to a Disadvantaged, Minority, and Small Business Enterprise.

The above pilot demonstrated that allowing WSDOT to set small works roster projects aside for SBEs allows SBE firms to compete as prime contractors. This tool also helps to increase under-represented business participation.

If you have any questions about this report, feel free to reach out to Earl Key, Senior Director of Transportation Equity, at 360.705.7095 or KeyE@wsdot.wa.gov.