Small Business Enterprise
Program Information

Jackie Bayne
Business Development and Compliance Consultant

Brenda R. Nnambi
Director, Office of Equal Opportunity

Lynn Peterson
Secretary of Transportation

June 2013
Equal Opportunity Construction Programs Separation

• **Disadvantaged Business Enterprise (DBE) Goals:**
  - Federally funded projects that support a DBE goal.
  - Race-Conscious or Condition of Award DBE goals.

• **Small Business Enterprise (SBE) Goals:**
  - Federally funded projects without a DBE Goal.
  - Voluntary 10% Goals placed on federally funded Federal Highway Administration, Federal Transit Administration, and Federal Aviation Administration projects.

• **Minority and Women’s Business Enterprise (M/WBE) Goals:**
  - State funded projects that support a voluntary M/WBE goal.
Visual Representation of Program Separation for Design-Bid-Build

Federally Funded

- DBE Condition of Award
- SBE Voluntary Goals
- DBE Race-Neutral Requirements

State Funded

- M/WBE Voluntary Goals
- No Requirements

Or

Or

And

Note: Use of firms certified only as SBE firms to fulfill DBE requirements will result in bid rejections.
Small Business Enterprise Program Overview

• New requirement (49 Code of Federal Regulation Part 26.39) of USDOT’s Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and Federal Aviation Administration (FAA).

• The Washington State Office of Minority and Women’s Business Enterprises (OMWBE) will now certify firms as Small Business Enterprises (SBE). The certification criteria of SBEs are similar to that of DBEs except there is no regard to race, ethnicity or gender. The other criteria (small business, control, independence, personal net worth, etc.) remain similar. For more information contact OMWBE at www.omwbe.wa.gov or call (360) 664-9750.

• Voluntary 10% SBE goals will now be placed upon federal-aid contracts without Disadvantaged Business Enterprise (DBE) Goals.
Small Business Enterprise Program Overview (continued)

• Prime Contractors will be required to submit SBE Participation Plans on projects with 10% voluntary SBE goals.
  
  – The 10% goal is voluntary but the SBE outreach and recruitment efforts to increase small business participation are not.
  
  – The Plan will be submitted prior to work beginning.
  
  – There is no pass/fail, non-responsiveness, or other impact to bid award.
  
  – The WSDOT Office of Equal Opportunity (OEO) will review all the SBE Participation Plan and notify the PE Office or Local Agency that the Plans is acceptable or the areas that can be improved on future submittals.
  
  – WSDOT has developed SBE Participation Plan Tips and Guidelines to assist you in developing the Plan. Which will be available at:  [www.wsdot.wa.gov/equalopportunity/](http://www.wsdot.wa.gov/equalopportunity/). If you have questions, please email smallbusiness@wsdot.wa.gov
Small Business Enterprise Program Overview (continued)

• Once your company (the prime contractor) has completed the plan, you need to submit it to the PE Office or Local Agency. The PE Office or Local Agency will then submit the plan to the WSDOT OEO.

• Please note, the SBE requirement does not remove the DBE No Goal General Special Provision. Race-Neutral (voluntary) DBE Participation still needs to be recorded and submitted.

• SBE is NOT the same as DBE. When you are completing the DBE Certification Utilization Form and Written Confirmation Documents you need to ensure the firm is DBE Certified. If you do not check to ensure the firm is DBE certified your bid may/will be considered non-responsive and be rejected.