

## Business Equity/Diverse Business Inclusion Committee Capital Projects Advisory Review Board

24 September 2021

Committee focus:

- Comprehensive review of RCW 39.10 with the lens of equity (include RCW 39.04 & 39.80).
- Create consistency in statutory language.
- Evaluate and bring forth effective strategies and opportunities for firms to compete.

<input checked="" type="checkbox"/> Olivia Yang	Washington State University	CPARB /Committee Member
<input checked="" type="checkbox"/> Santosh Kuruville	Exeltech	CPARB /Committee Member
<input checked="" type="checkbox"/> Lisa Van der Lugt	OMWBE	CPARB /Committee Member
<input type="checkbox"/> Bill Frare	DES	CPARB /Committee Member
<input checked="" type="checkbox"/> Irene Reyes	The Glove Lady	CPARB /Committee Member
<input checked="" type="checkbox"/> Janice Zahn	Port of Seattle	CPARB /Committee Member
<input type="checkbox"/> Jackie Bayne	WSDOT OEO	Committee Member
<input type="checkbox"/> Cheryl Stewart	Inland Northwest AGC	Committee Member
<input type="checkbox"/> Chip Tull	Hoffman Construction	Committee Member
<input checked="" type="checkbox"/> Aleanna Kondelis	Akana	Committee Member
<input checked="" type="checkbox"/> Brenda Nnambi	Sound Transit	Committee Member
<input checked="" type="checkbox"/> Linda Womack	MBDA	Committee Member
<input checked="" type="checkbox"/> Cathy Robinson	City of Lynnwood	Committee Member
<input checked="" type="checkbox"/> Shelly Henderson	Mukilteo School District	Committee Member
<input type="checkbox"/> Keith Michel	Forma	Committee Member
<input checked="" type="checkbox"/> Young Sang Song	Song Consulting	Committee Member
<input checked="" type="checkbox"/> Stephanie Caldwell	Absher Construction	Committee Member
<input type="checkbox"/> Bill Dobyns	Lydig	CPARB
<input checked="" type="checkbox"/> Bobby Forch	Forch Consulting	CPARB
<input type="checkbox"/> Lily Keefe	USDOT - Northwest SBTRC	
<input type="checkbox"/> Sarah Erdman	OMWBE	
<input checked="" type="checkbox"/> Van Collins	ACEC Washington	
<input type="checkbox"/> Cathy Ridley	Exeltech	
<input checked="" type="checkbox"/> Maja Huff	Washington State University	
<input type="checkbox"/> Jerry Vanderwood	AGC of Washington	
<input checked="" type="checkbox"/> Timolin Abrom	OMWBE	
<input checked="" type="checkbox"/> Charles Wilson	DES replacing Bill Frare	
<input type="checkbox"/> Melissa Van Gorkom	Senate Committee Services	
<input checked="" type="checkbox"/> Amy Stenvall		
<input checked="" type="checkbox"/> Cindy Magruder	University of Washington	
<input checked="" type="checkbox"/> Carrie Whitton	Forma	

## AGENDA

Item	Purpose	Start
Welcome and committee member introductions	Information	10:00 am
Review & approve agenda	Action	10:05 am
Review & approve 8/27/21 meeting minutes	Action	10:10 am
Invitation to the public to participate	-	10:15 am
Report from External Stakeholders Co-Chairs	Discussion	10:20 am
Report from Best Practices Co-Chairs	Discussion	10:45 am
Matrix	Action	11:00 am
Next Steps	Discussion	11:20 am
"Final word" (from committee members)	Discussion	11:40 am
Adjourn	Action	12:00 pm

## DIGITAL CONFERENCE ACCESS

The committee meeting will be conducted entirely by Zoom digital conferencing.

Online <https://wsu.zoom.us/j/97615048848>

Meeting ID: 976 1504 8848

Join by telephone

Dial: US: +1 253 215 8782 or +1 669 900 9128 or +1 646 558 8656

Meeting ID: 976 1504 8848

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Olivia Yang - Washington State University

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Santosh Kuruvilla – Exeltech Consulting

206 713 1241 [santosh@xltech.com](mailto:santosh@xltech.com)

## MINUTES

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### Item: **Welcome and committee member introductions**

- Call to Order
- Quorum confirmed
- Olivia, Santosh, Lisa, Irene, Janice, Aleanna, Brenda, Linda, Cathy, Shelly, Young, Stephanie, Charles (representing and replacing Bill).

Action by: BE/BDI Committee

Status: Approved and complete

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### Item: **Review & approve agenda**

- Agenda Approved.

Action by: BE/BDI Committee

Status: Approved and complete

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### Item: **Review & approve 8/27/21 meeting minutes**

- Minutes approved as written

Action by: BE/DBI Committee

Status: Approved with updates and complete

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### Item: **Public Comment**

- None.

Action by: N/A

Status: N/A

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### Item: **Subcommittee Report – Best Practices**

- Presented 8/23/21 Updated DBI Matrix.
  - Continues to be filled in with more discussion and clarity. A few responses to external stakeholders captured in the matrix.
  - Going to be reformatted to be clearer, and include tabs for responses to outreach.
  - Call to committee to provide feedback.
  - Next Steps: Another layer of engagement and socialization of the matrix.
- Presented Engagement Approach dated 8/23/2021
  - Have more intimate conversation around barriers, document collection, etc. Use Survey Monkey or draft plan; open to comments and feedback.
  - If committee members see a name that is missing – share that as well.

- Discussed collecting the information in a new tab in the DB Matrix. To include who talked, what was gathered or shared. Record preferred by survey or email.
- Looking to survey owners, primes, other organizations not covered by the Stakeholders Subcommittees efforts.
- Suggestion: Obtain list of Owners who have submitted applications to CPARB for 39.10 from Talia.

Action by: Aleanna to obtain Owners list from Talia, Committee members to provide feedback and recommendations of firms.

Status: Active

Item: **Subcommittee Report – Stakeholders**

- Seeking a gov agency to help seek out the info from the businesses.
- Concerns:
  - MBEs don't want to be identified for fear of retaliation.
  - Have to take time away from business.
  - Tend to ignore and resist surveys.
  - Has to be handled in a fair and anonymous manner – capture comments, but not names.
- Welcome input moving forward – email Irene and Linda Womack.
- Fact finding system needs to be developed.
- Want to get a diverse listing, truncated to tiers based upon establishment of business. Get a systematic approach.
- Call for suggestions on how to carefully meet with the firms impacted.
- Examples of why the deep dive is important:
  - Bait and switch, payment and retaliation.
- OMWBE new system will support monitoring of payment to subcontractors.
- Constructive conversation around Prompt Pay – complex issue, and an incredibly important issue, multiple perspectives discussed and debated. Highlights the importance of the conversation, input and debate beyond the disparity study results because each issue has many facets that need to be explored in order to determine best practices.

Action by: All committee members – recommendations for input and methodology ideas. Governmental Agencies – support or be spokes-agency for the survey. Maja and Olivia will follow up with Bobbie and Van on prompt pay to capture more of the conversation.

Status: Active

Item: **Next Steps**

- Revisited current Kanban dated 8/27/2021
- Keep CPARB in the loop.
- Between now and the June best practices report deadline – 45 minutes at every CPARB meeting will be dedicated to BE/DBI committee reporting to get them ready for the end of the report.
- Really plan ahead for each of these presentations so that they are extremely impactful.
- Owners – who have minority businesses on your projects – please reach out to Irene and Linda with firms/people to contact.
- Be sure we are as inclusive as possible.
- Santosh will reach out to Bob Armstad to make sure that he can get into future meetings.
- Timolin did not have an authorized email and WSU will look into the issue.

Action by: WSU – Zoom meeting.

Status: Active

Item: **Final Words**

- OMWBE has a response to the certification problem statement and will return it to the committee chairs.
- Certified versus non-certified firms. Further discussion around outreach may be needed. OMWBE is reaching out to the 9K Webs small business registered firms to encourage certification. It was recommended that they also reach out to the City of Seattle, and Port of Seattle for their self-certified lists. It was also recommended that the benefits of certification to be shared. For example to be able to tap into federal and local programs that MBDA can help with, firms need to be certified.
- OMWBE is building bigger outreach – major effort on behalf of the OMWBE.

- We see what is occurring, but we need to look though the full issue is to understand the why.
- Santosh shared TED Talk  
[https://www.ted.com/talks/derek\\_sivers\\_how\\_to\\_start\\_a\\_movement?utm\\_campaign=tedsread&utm\\_medium=referral&utm\\_source=tedcomshare](https://www.ted.com/talks/derek_sivers_how_to_start_a_movement?utm_campaign=tedsread&utm_medium=referral&utm_source=tedcomshare)

Action by: N/A

Status: Active

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Adjourn 11:40

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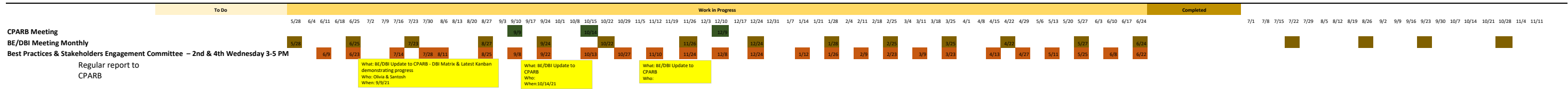
Zoom Meeting Recorded and available in BE-DBI Teams.

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Type	Location	Name	Lead	Contact	Target Deliverable (on top of general matrix review)	
Owner	West	City of Seattle	Aleanna	Miguel Beltran, Elise Young	Inclusion Plan, Contract Language	
Owner	All	DES	Aleanna	Charles Wilson, Erin Lopez	Inclusion Plan, Contract Language	*who are their contacts are in the other parts of the state
Owner	West	Sound Transit	Brenda	Brenda Nnambi	Inclusion Plan, Contract Language, Federal	*Lily???
Owner	West	Port of Seattle	Brenda	Mian Rice	Inclusion Plan, Contract Language, Federal	
Owner	All	WSDOT	Brenda	Jackie Bayne (Local Programs??)	Inclusion Plan, Contract Language, Federal	*perhaps we could get a contact list
SME	All	OMWBE	Brenda	Lisa van der Lugt	Policies and best practices	
SME	All	Bobby Forch	Brenda	Bobby Forch	Inclusion Plans, Contract Language, BP	
SME	All	GCCM BP	Aleanna	Nick Datz	Best Practices	
SME	All	MRSC	Aleanna	John	Barriers	
Owner	West	King County	Brenda	Sandy Hanks	Inclusion Plan, Contract Language	
Owner	West	UW	Aleanna	Cindy Magruder/Steve Tatge	Inclusion Plan, Contract Language	*contracts requirements group
Owner	West	City of Lynnwood	Aleanna	Cathy Robinson	Approach	*on the DBI Committee
SME	East	AGC	Aleanna	Cheryl Stewart	Approach	
SME	West	AGC	Brenda	Brenda, Linda - Diversity Committee	Outreach and networking	
Owner	East	WSU	Aleanna	Olivia Yang/ Maja Huff	Approach	
SME	All	NWMMSDC	Aleanna	Fernando Martinez	Best Practices	
SME	All	CDE	Brenda	Jacob Erbes (HP), Eleanor Oshitoye	Approach	*Construction and Design Entrepreneurs
Prime	All	Absher	Aleanna	Stephanie Caldwell	Approach	
Prime	All	Hoffman	Aleanna	Chip Tull	Approach	
Prime	All	Lydig	Aleanna	Bill Dobyns	Approach	
Prime	All	Granite	Aleanna	Andy Thompson	Approach	
SME	All	WSDOT	Brenda	John Ho, Kyle McKeon	Approach	*Resources for East and South concerns
SME	All	Consultant	Aleanna	Darling Nava	Approach	
Owner	South	City of Vancouver		Anna Vogel, Procurement Manager	Approach, Inclusion, Best Practices	
Owner	East	City of Spokane	Aleanna	Alex Gibilisco, Connie Wahl, Purchasing	Approach, Inclusion, Best Practices	
Owner	East	Spokane County	Aleanna	Victor Leamer, Sr. Buyer	Approach	
Prime	East	Burton Construction	Aleanna	Evan Benjamin, Jim Anderson (JOC)	Approach	
Prime	All	Kiewit	Brenda	Dennis Ahl		
Prime	All	Turner	Brenda	Janelle Boyd, Tamaka Thornton		
Prime	All	Skanska	Brenda	Jackie Guilfucci, DBE Compliance Officer		



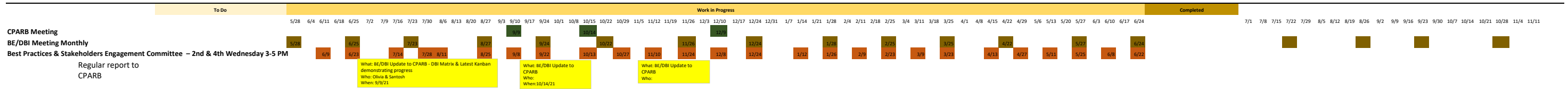
Stakeholders Engagement (Chairs - Irene Reyes and Linda Womack)	Identify groups/associations and point person	Identify and Gather Barriers	Identify and Gather Working Solution/Best Practices	Committee Recommendations for Vetted Barriers and Solutions	Gather KRAs and KPIs?
	<p>What: Ongoing Communication and Recruitment Plan Who: When:</p>	<p>What: Invite and Gather BE/DBI Community (DMWB, DES DEE, community stakeholders, advocates and SMEs) Who: Irene and Linda When: Ongoing</p>	<p>What: Consider the barriers to participation; 2019 Disparity Study? Who: What: Consider/Address Local Government Public Works Contracting Report by MSRC ?? Who:</p>	<p>What: See DBI Matrix Who: Irene, Linda, Aleanna &amp; Brenda When: 9/9/21</p>	<p>What: See DBI Matrix Who: Irene, Linda, Aleanna &amp; Brenda When: 10/14/21</p>
		<p>What: Consider the barriers to participation; 2019 Disparity Study? Who: What: Consider/Address Local Government Public Works Contracting Report by MSRC ?? Who:</p>	<p>What: Consider the barriers to participation; 2019 Disparity Study? Who: What: Consider/Address Local Government Public Works Contracting Report by MSRC ?? Who:</p>	<p>What: See DBI Matrix Who: Irene, Linda, Aleanna &amp; Brenda When: 10/14/21</p>	<p>What: See DBI Matrix Who: Irene, Linda, Aleanna &amp; Brenda When: 12/9/21</p>
					<p>What: Identify Key Result Areas (KRAs) and Key Performance Indicators (KPIs) Who: When: What: Who monitors KRAs and KPIs? Who:</p>
		<p>What: Confirm BE/DBI Community Key Result Areas (KRAs) and Key Performance Indicators (KPIs) Who: Irene &amp; Linda When: Ongoing</p>			

Still being developed.....  
Comments are welcome!

Best Practices (Chairs - Aleanna Kondelis and Brenda Nnambi)	General
	<p>What: Review Best Practices Manual Outline Who: BE/DBI Committee Outline: SECTION 1: PLANNING Themes: "start early" SECTION 2: ENGAGEMENT Themes: "transparency" SECTION 3: CONTRACTING Themes: "clear, consistent, careful" SECTION 4: MONITORING/REPORTING Themes: "follow through, gather data, share"</p>
	<p>What: Finalize Best Practices Manual Sections &amp; Assign to Work Groups Who: BE/DBI Committee Sections: SECTION 1: PLANNING Themes: "start early" Outreach Networking, Mentor-Protégé Market Analysis (target market) Forecasting (strategic sourcing principals) Pipeline and Business Development Owner Policy and Program Development -SOPs "right-sizing" work (aka unbundling) Team building Training (owner and community) SOPs Federal Program (e.g. DBE Program Plan) Risk SECTION 2: ENGAGEMENT Themes: "transparency" Outreach Networking Technical Assistance Access to Information -shared electronic options including bidding and solicitation approaches Access to Decision Makers Advertisement/Solicitation Timing -Advanced Notice -Length of solicitation Goal setting -General Inclusion strategies SECTION 3: CONTRACTING Themes: "clear, consistent, careful" Language -Inclusion and Expectations -Synergy with other social equity themes in contracts -Experience requirements -"flow down" Key Topics -Insurance -Bonding -Prompt Pay/Quick Pay -Indemnification -"Risk" Performance programs Rosters (pros-cons) Sample Forms and Contract Language SECTION 4: MONITORING/REPORTING Themes: "follow through, gather data, share" Inclusion Enforcement Data Collection Processes Data Collection Systems Who, When, What to report Diverse business growth monitoring Alternative (30.10) intent and best practice</p>
	<p>What: Develop Draft Best Practices Manual - Combine Work Group Sections?? Who: BE/DBI Committee When:</p>
	<p>What: Develop Finalize Best Practices Manual &amp; Publish ?? Who: BE/DBI Committee When:</p>

Still being developed.....  
Comments are welcome!

Best Practice Manual Work Group Activity
<p>What: Work Groups developing Problem Statements Who: Olivia, Aleanna, Maja, Scott, Van, Keith, Amy, Cathy, Cindy Topics: o Contract Issues - Rosters - Olivia/Amy/Cathy - Insurance - "Risk" - Olivia/ Cindy - Bonding - Scott Middleton - Prompt Pay/Quick Pay - Keith Michel - Indemnification - Van Collins - Teaming Agreements (accountability) - Olivia /Van o Subcontracting o Tracking/Reporting o Performance programs - Find out about - Olivia / Cindy o Access to Rosters - o Engagement "Transparency" Advertisement &amp; Solicitations - o Legal Interpretations</p>
<p>What: Work Group - Finding and connecting diverse firms with Designers &amp; GCs Who: Lily &amp; Chip Topics:</p>
<p>What: Work Group -On the project?? Who: Topics: On the project</p>



- o Pipeline & Business Development
- o Owner Training
- o Contract Sizes (unbundling, right sizing)
- o Goal Setting
- o Outreach
- o Owner/Prime Policies for Inclusion
- o Access to Decision Makers
- o Inclusion Compliance
- o Data Collection - Monitoring & Reporting
- o Sample Forms and Contract Language - Leave for Later

- As prime vs ss sub
- Front end mobilization funding
- Statute change if prime
- Prompt pay
- Pay app
- Changed work
- Release of retainage

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