

1 (May 5, 2014)

2 **Minority and Women's Business Enterprise (M/WBE) Participation**

3 **General Statement**

4 In accordance with the legislative findings and policies set forth in Chapter 39.19  
5 RCW the State of Washington encourages participation in all of its contracts by  
6 M/WBE firms certified by the office of Minority and Women's Business Enterprises  
7 (OMWBE). Participation may be either on a direct basis in response to a  
8 solicitation/invitation or as a subcontractor to a Bidder/Proposer. No preference will  
9 be included in the evaluation of bids/proposals, no minimum level of M/WBE  
10 participation shall be required as a condition for receiving an award and  
11 bids/proposals will not be rejected or considered non-responsive on that basis.  
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13 **Voluntary M/WBE Goals**

14 Voluntary numerical M/WBE participation goals shall be established for all  
15 solicitation/invitations where applicable. These goals are voluntary, but  
16 achievement of the goals is encouraged. No preference will be included in the  
17 evaluation of bids/proposals, no minimum level of M/WBE participation shall be  
18 required as a condition of award or completion of the contract work, and  
19 bids/proposals will not be rejected or considered non-responsive on that basis.  
20 Bidders may contact OMWBE at 360-753-9693 to obtain information on certified  
21 firms.  
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23 **Required M/WBE Participation Plan**

24 Prime Contractors shall submit an M/WBE Participation Plan as part of  
25 responsibility, before work begins. Although the goals contained within each  
26 Contract are voluntary, that is, award of the contract is not conditioned upon  
27 attainment of the voluntary M/WBE goals, the outreach efforts to provide M/WBEs  
28 maximum practicable opportunities are not. For M/WBE Participation Plan Drafting  
29 Guidelines, please visit: <http://www.wsdot.wa.gov/equalopportunity>  
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31 **Required M/WBE Reporting**

32 The Prime Contractor shall submit a Monthly Report of Amounts Paid to M/WBEs  
33 to the Project Engineer each month between Execution of the Contract and  
34 Physical Completion of the Contract using the application available at:  
35 <https://remoteapps.wsdot.wa.gov/mapsdata/tools/dbeparticipation>. The monthly  
36 report is due 20 calendar days following the end of the month. A monthly report  
37 shall be submitted for every month between Execution of the Contract and Physical  
38 Completion regardless of whether payments were made or work occurred. After  
39 Execution of the Contract, the Prime Contractor shall send an e-mail to  
40 DBEPAdmin@wsdot.wa.gov containing the following information: the first and last  
41 name, e-mail address, title and phone number of the person that will be submitting  
42 the above documents for their company. The e-mail shall include the WSDOT  
43 contract number they will be reporting on. After receipt of this information by  
44 WSDOT, the contractor will receive an e-mail containing their username and  
45 password for the application and a link to the application. Reporting instructions are  
46 available in the application.  
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48 **Non-discrimination**

49 Contractors, Bidders, and Proposers shall not create barriers to open and fair  
50 opportunities for all businesses including M/WBEs to participate in all State  
51 contracts and to obtain or compete for contracts and subcontracts as sources of  
52 supplies, equipment, construction and services. In considering offers from and

1 doing business with subcontractors and suppliers, the Contractor shall not  
2 discriminate on the basis of race, color, creed, religion, national origin, sex, age,  
3 nationality, marital status, or the presence of any mental or physical disability in an  
4 otherwise qualified disabled person.

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6 The Contractor shall make the M/WBE Participation General Statement cited  
7 previously in this Special Provision a part of all subcontracts and agreements  
8 entered into as a result of this contract.

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10 **Definitions**

11 When referred to in this contract, the terms Minority, Minority Business Enterprise  
12 (MBE), and Women's Business Enterprise (WBE) will be construed to have the  
13 following meanings:

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15 Minority means a person who is a citizen or lawful permanent resident of the  
16 United States and who is:

- 17  
18 (a) Black: having origins in any of the black racial groups of Africa;  
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20 (b) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South  
21 American, or other Spanish or Portuguese culture or origin,  
22 regardless of race;  
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24 (c) Asian American: having origins in any of the original peoples of the  
25 Far East, Southeast Asia, the Indian subcontinent, or the Pacific  
26 Islands; or  
27  
28 (d) American Indian or Alaskan Native: having origins in any of the  
29 original peoples of North America.

30  
31 Minority Business Enterprise, Minority-owned Business Enterprise, or MBE  
32 means a business organized for profit, performing a commercially useful  
33 function, which is owned and controlled by one or more minority individuals or  
34 minority business enterprises. Owned and controlled means a business in  
35 which one or more minorities or MBE's own at least fifty-one percent (51%), or  
36 in the case of a corporation at least fifty-one percent (51%) of the voting stock,  
37 and control at least fifty-one percent (51%) of the management and daily  
38 business operations of the business.

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40 M/WBE means a minority owned business enterprise, a women-owned  
41 business enterprise, and/or a combination minority and women's business  
42 enterprise certified by the Office of Minority and Women's Business  
43 Enterprises (OMWBE) of the State of Washington.

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45 Women's Business Enterprise, Women-owned Business Enterprise, or WBE  
46 means a business organized for profit, performing a commercially useful  
47 function, which is owned and controlled by one or more women or women's  
48 business enterprises. Owned and controlled means a business in which one  
49 or more women or WBE's own at least fifty-one percent (51%) or in the case of  
50 a corporation at least fifty-one percent (51%) of the voting stock, and control at  
51 least fifty-one percent (51%) of the management and daily business operations

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of the business. The women owners must be United States citizens or lawful permanent residents.

Minority/Women's Business Enterprise means a minority owned business enterprise, a women-owned business enterprise; and/or a combination minority and women's business enterprise certified by the OMWBE of the State of Washington.

**MBE/WBE Status**

A consolidated list of firms accepted as certified by OMWBE is available via the WSDOT Home Page, ([WWW.WSDOT.WA.GOV](http://WWW.WSDOT.WA.GOV)) and a hard copy is available at nominal cost from the OMWBE.

**MBE/WBE Goals**

The Contracting Agency has established a voluntary goal in the amount of:

\*\*\* 10% MBE / 6% WBE \*\*\*

**Further Information**

If further information is desired concerning Minority Business Enterprise/Women's Business Enterprise participation, inquiry may be directed to:

External Civil Rights Branch  
Office of Equal Opportunity  
Washington State Department of Transportation  
Transportation Bldg., PO Box 47314  
Olympia, WA 98504-7314  
or telephone - (360) 705-7085  
Fax (360) 705-6801