



Purpose

Due to the sun-setting of the white women waiver, the Washington State Department of Transportation will no longer set Under-utilized Disadvantaged Business Enterprise (UDBE) goals after September 30, 2020. WSDOT will be adding white women owned businesses back into the Federal Highway Administration race-conscious, or goals, portion of the DBE Program.

Beginning October 1, 2020, all Condition of Award goals set will be DBE, inclusive of white women owned businesses, or Federal Small Business Enterprise (FSBE). All existing contracts with UDBE or FSBE goals will remain the same and the implementation of the waiver will not be retroactive.

Guidance

For existing projects advertised with a UDBE goal, the prime will still be required to use UDBE certified firms in meeting COA requirements, this includes substitution and Good Faith Efforts, when required. Some projects advertised after October 1, 2020 will include a UDBE goal since the goal type depends solely on when the goal was set for the project.

Starting October 1, 2020, WSDOT will again begin setting DBE goals, inclusive of white women owned businesses. That means that for a few weeks, some contracts will have UDBE goals and others will have DBE goals. Please pay special attention to the type of goal listed in the Contract Provisions and the certification each firm has when monitoring for compliance (UDBE or DBE).

For projects with goals set after October 1, the contracts will contain DBE goals. This means prime contractors will be able to meet DBE goal requirements using any certified DBE firm provided they are certified for the scope of work they are being listed for in meeting Condition of Award commitment.

- Projects advertised after October 1 could include a DBE **or** a UDBE goal
- Projects with goals set before October 1 will be UDBE
- Projects with goals set after October 1 will be DBE

Design Project Engineers should make note that you will be receiving DBE goals and will need to include project-specific Special Provisions. You may contact your Region Plans Office for further instructions on how to incorporate these changes.

Background

The waiver that was granted by USDOT in 2016, which removed white-women-owned businesses from the race-conscious portion of the DBE Program, expires on October 1, 2020. After the waiver was approved, a Disparity Study was completed that demonstrated white women owned businesses again face disparity in WSDOT contracting. For that reason, WSDOT will be adding white women owned businesses back into the Federal Highway Administration race-conscious, or goals, portion of the DBE Program.

Starting October 1, 2020, all Condition of Award goals set will be DBE, inclusive of white women owned businesses, or FSBE. All existing contracts with UDBE or FSBE goals will remain the same and the implementation of the waiver will not be retroactive.

Training

A live webcast will be conducted on September 22, 2020, from 11:00 am to 12:00 pm. To register, please visit: <https://register.gotowebinar.com/register/2728574853153893135>.

A recorded training session will be made available by September 28.

Contact Information

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