

Earl Key Joins WSDOT as the Director of the Office of Equal Opportunity



Following an extensive recruitment, the Washington State Department of Transportation is pleased to announce it has selected Earl Key to serve as the director of the Office of Equal Opportunity (OEO). Earl is an experienced lawyer, advisor and advocate who has been recognized for his work to improve minority representation, equal opportunity hiring and compliance. Earl's history includes starting his own law firm, and working for the Mayor of Niagara Falls as chief compliance

officer to evaluate, restructure and rebuild the city's equal opportunity policies and to investigate civil rights as legal counsel for the Human Rights Commission. Earl has also worked for the Washington State Attorney General's Office, representing more than 15 agencies regarding collective bargaining, contract interpretation, grievance procedures, investigations, discipline and unfair labor practices. Earl earned his Bachelor of Science in Criminal Justice and Juris Doctor from the University of Nebraska and his Master of Laws from the State University of New York at Buffalo.

"I am excited to be the director of the OEO and look forward to helping WSDOT create a culture of inclusion and equality for minorities, women and other socially and economically disadvantaged individuals." Earl has been in the OEO for just a short while, but has identified his priorities for 2016, they are:

- Increasing community involvement to create an atmosphere of collaboration and trust.
- Conducting a comprehensive, engaging and transparent Disadvantaged Business Enterprises Program Disparity Study.
- Providing more opportunities for minorities and women on all WSDOT projects, with a special emphasis on our new Connecting Washington Program.

If you have any suggestions on how WSDOT can continue to improve our DBE, or other civil rights programs, please let Earl know. He can be reached at KeyE@wsdot.wa.gov or 360-705-7095.

Upcoming community meetings

The OEO will be hosting community meetings, the first is scheduled for March 24th in Seattle. For more information, please visit: <http://bit.ly/160322OEO>

New tool to help small businesses

WSDOT is helping small businesses with a new [online payment reporting system](#) that reports when and how much prime contractors have been paid. This system allows businesses to monitor payments to prime contractors on WSDOT construction projects so they know when they can anticipate payment.

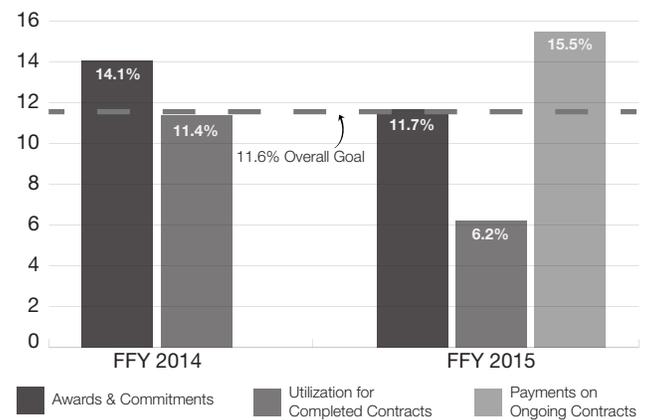
WSDOT has a \$16 billion transportation package over the next 16 years. For more information visit: www.wsdot.wa.gov/Projects/Funding/CWA

Because You Asked...

Question: *What is WSDOT's DBE participation for the last year?*

Answer: WSDOT exceeded two of three DBE performance goals during Federal Fiscal Year (FFY) 2015. The overall goal for each measure is 11.6%. Across the agency, 11.7% of work on WSDOT projects is committed to DBE firms. Utilization of completed contracts came in at 6.2%. Analysis determined that participation in the SR 104 Hood Canal Bridge Replacement Project, which began many years before WSDOT's increased efforts to utilize DBE firms, is the primary factor in the lower utilization for completed contracts. Payments on ongoing contracts, a newly-developed FHWA reporting requirement, were at 15.5% for FFY 2015. Because this is new, there are no figures for FFY 2014.

Disadvantaged Business Enterprise Program Goal



Agency-wide processes and procedures have been implemented to ensure the established DBE participation goals for current and future projects are in alignment with expectations as established in a conciliation agreement, regulations and internal processes and procedures.

Question: *What is the difference between the WSDOT DBE Disparity Study and the Statewide Disparity Study?*

Answer: *One study will analyze the Washington State Department of Transportation's DBE program and the other study will analyze state spending in non-transportation related construction and procurement:*

Agency	WSDOT Disparity Study	DES Statewide Disparity Study
Purpose	Evaluate availability compared to utilization of DBE on WSDOT federal aid and state funded construction and consulting projects to determine if disparity exists. Disparity has to be evaluated for each presumptive group to implement the DBE Program in a narrowly tailored fashion.	Evaluate availability compared to utilization for multiple types of state contracts and procurements. Scope is still being determined with help of an advisory group. Will provide a factual foundation that Washington can use to help ensure that all state agencies are using procurement policies and processes that result in fair and equitable outcomes.
Requirement	Legal Requirement	Commitment of Governor Inslee
Expected Outcome	Overall DBE Goal and DBE Program Implementation Improvements	Better insight into state spending patterns. Improved procurement practices and improved participation outcomes.
Status	Negotiating Contract	Developing Request For Proposals (RFP)
Consultant	Colette Holt & Associates	To Be Determined
Contact	DisparityStudy@wsdot.wa.gov	BusinessDiversity@des.wa.gov

Americans with Disabilities Act (ADA) Information: Accommodation requests for people with disabilities can be made by contacting the WSDOT Diversity/ADA Affairs team at wsdotlada@wsdot.wa.gov or by calling toll-free, 855-362-4ADA (4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

Title VI Statement to Public: It is the Washington State Department of Transportation's policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his or her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equal Opportunity. For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OEO's Title VI Coordinator at (360) 705-7082.