

September, 2020

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 on consultant contracts 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, goals set on consultant contracts will be DBE, inclusive of white women owned businesses. All existing consultant contracts with UDBE 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 goal 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 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 consultants 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 the 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

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, goals set on consultant contracts will be DBE, inclusive of white women owned businesses. All existing contracts with UDBE goals will remain the same and the implementation of the waiver will not be retroactive.