

# DISADVANTAGED BUSINESS ENTERPRISE PROGRAM DISPARITY STUDY

## FREQUENTLY ASKED QUESTIONS

### What is a disparity study?

A disparity study determines if the Washington State Department of Transportation (WSDOT) has a sufficient basis for implementing race- and gender-conscious contracting goals. It also assists WSDOT in narrowly tailoring any race- and gender-conscious remedies it may implement. The study includes statistical analysis to determine if disparities exist between the availability of minority-, women-, and veteran-owned business enterprises and their utilization on Federal Highway Administration (FHWA), Federal Transit Administration (FTA) contracts, state-funded contracts, and related subcontracts.

The study will:

- Examine factors necessary for entrepreneurial success, such as access to business capital, bonding, networks, suppliers, etc.
- Gather anecdotal evidence of any continuing effects of past or present race and sex discrimination and the impact and effectiveness of WSDOT's Disadvantaged Business Enterprise (DBE) program.
- Review WSDOT's DBE program and activities and recommend future initiatives and enhancements.
- Determine the availability of veteran-owned businesses to further advance WSDOT's efforts toward reaching parity for Minority, Veteran, and Women's Business Enterprise participation.

All WSDOT construction and consultant contracts awarded between Oct. 1, 2017, and Sept. 30, 2021 (Federal Fiscal Years 2018 through 2021) will be evaluated to determine the availability versus utilization of minority-, veteran- and women-owned firms on these projects. According to current legal and regulatory standards, the study will provide WSDOT with sufficient information to implement its DBE Program, assist the agency in determining the overall DBE goals and assist in remedying disparate treatment on state-funded projects.

### Why are we doing this study?

Disparity studies are a legal requirement for WSDOT's DBE Program. Based on a 2005 decision by the 9th circuit court, often referred to as the Western States Paving decision, WSDOT is required to implement a narrowly-tailored DBE Program. To ensure the implementation of a narrowly-tailored DBE Program, WSDOT must have the information, both qualitative and quantitative, contained in a disparity study.

### What data is needed?

This study will analyze all FHWA, FTA, and state-funded construction and consulting contracts, including projects awarded by local agencies and other jurisdictions. The research will also include data from local agencies, prime contractors, as well as subcontractors.

### Who should participate in the study?

The participation of business owners and stakeholders (e.g., trade associations, advocacy groups, community organizations, etc.) is critical to the study's outcomes in two important ways. First, the study team will contact businesses to confirm specific contracts and/or receive additional contract information currently unavailable to WSDOT. With the support and assistance of business owners and stakeholders, the study will present an accurate analysis of WSDOT's contracting activities. Ensuring your Oct. 1, 2017, through Sept. 30, 2021 (Federal Fiscal Years 2018 through 2021) contract data is available to share will be beneficial to the study's accuracy and outcome.

Second, interested persons can assist in the anecdotal data collection in three ways: Participation in business owner interviews, attending the stakeholder sessions or submitting written comments to the study team about your experiences and observations.

## When will it start?

The study consultant will hold a public disparity study kickoff and informational session later this winter.

## When will the study be completed?

Due to the time necessary to conduct interviews, evaluate anecdotal data retrieved from focus groups, public hearings, surveys, and the time needed to analyze large amounts of data, we anticipate the study to be concluded in the winter of 2023.

## How will WSDOT share the study results?

Upon completion, the entire study will be posted on WSDOT's website and shared with all stakeholders and interested individuals.

## Who can I contact with questions?

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