

## PORT OF SEATTLE – RECERTIFICATION FOR DB & GC/CM

### Professional Services contracts:

1. What is your WMBE participation on professional services contracts?
  - a. What percentage of those contracts have been primed by the WMBEs?

Our data for WMBE participation is not tracked and reported separately for our DB and GC/CM contracts. The Port is exploring the establishment of separate WMBE goals for our alternative project delivery projects. Our first pilot is the Interim Westside Fire Station, where we set separate WMBE goals for design and construction. For reference, the information provided in the table below reflects Q3 2019 data and is a summary of all service agreement contracts at the Port. Of our total 270 overall contracts, 25.6% were primed by WMBEs.

|                             |                 |
|-----------------------------|-----------------|
| Contract Count              | 270             |
| Port Spend                  | \$30,997,807.45 |
| Contracts with WMBE Prime   | 69              |
| Prime WMBE Contract Percent | 25.60%          |
| Prime WMBE Spend            | \$5,505,796.47  |
| WMBE Spend Percent          | 18.78%          |
| WMBE Spend                  | \$5,822,646.95  |

2. Have you had complaints from any WMBEs working on your contracts?

Yes. Our Diversity in Contracting department has addressed complaints from WMBEs on Port contracts. At our project kick-off, our staff notifies all our WMBE firms about the support the Port provides to them during the life of the project.

- a. How did you resolve those complaints?

Our dispute resolution process steps are:

- **Quality Intake:** Ensuring that those directly involved are providing the information.
- **Communication:** Ensuring the WMBE firm has an advocate and that all voices involved will be heard. All parties are independently interviewed for fact finding. Our Diversity in Contracting staff asks each party for suggested remedies.
- **Internal Review:** The Port reviews its internal process to determine our impact/role in the dispute

**CAPITAL PROJECTS ADVISORY REVIEW BOARD**

**PROJECT REVIEW COMMITTEE**

**QUESTIONS RE: APPLICATION**

Meeting Date: January 23, 2020

- **Authority Execute:** The Diversity in Contracting Department has the authority to escalate complaints as needed. Though most issues are resolved with improved communication and clarity of expectations.
- **Attempt to Maintain Relationship:** Upon resolution we ask both parties the impact the disputes caused and ask all parties to agree to no retaliation.

b. What steps did you implement to ensure those complaints would not happen again?

- Diversity in Contracting team follows up periodically to ensure commitments are being upheld
- Review Port process to determine if the agency is a barrier
- Improved WMBE compliance with more touch point though the project
- Developing a Mentor Protégé program to provide a better support infrastructure in 2020

3. What is the ratio of Port of Seattle WMBE dedicated support staff to WMBE contracts?

The Diversity in Contracting Department currently has a Staff of 5 (2 more FTE's scheduled for 2020). Every contract is assigned a Contract Administrator.

**Construction/Design-Build contracts:**

1. Do you use inclusion managers to assist WMBEs navigate the Design-Build process and/or Construction contracts?

Yes. Through the Prime's dedicated WMBE liaison officer, and the Port's Diversity in Contracting staff.

Recognizing that project teams are formed very early, especially on D/B projects, the Port uses a training/workshop/informational program called "PortGen" which provides WMBE businesses project information months prior to the official pre-proposal or pre-bid meetings to discuss the project and contract types (GC/CM or D/B).

During the PortGen events, WMBE businesses have opportunities with staff to understand the design and construction process, and to strategize teaming partnerships with potential primes (or prime-sub) that are in attendance or signed-up on the Port's plan holders list.

2. Since the Port uses Project Labor Agreements. Does the Port have a dual benefit reimbursement process to level the playing field for WMBEs and Open shop contractors? (*See Sound Transit, City of Seattle and King County for examples of the Dual Benefit Reimbursement process.*)

No. We do monitor this provision used by other public agencies.