



**COMMISSION
AGENDA MEMORANDUM**

Item No. 7a

BRIEFING ITEM

Date of Meeting December 12, 2017

DATE: December 07, 2017
TO: Port of Seattle Commission
FROM: Aaron Pritchard, Commission Policy Manager
SUBJECT: Diversity in Contracting Policy Review: Amendment Updates

EXECUTIVE SUMMARY

Port of Seattle Commission will review Resolution No. 3737, a Resolution of the Port of Seattle Commission to establish a Diversity in Contracting Policy Directive. This briefing will highlight amendments that were discussed at First Reading.

DIVERSITY IN CONTRACTING AMENDMENT REVIEW

As part of the Diversity in Contracting briefing last week Commissioners identified several areas the need further review: certification/self-identified, data disaggregation, tying outreach to disparity, and broadening the application of the policy. The briefing will consist of a question and answer session to discuss these areas in order to provide context and discussion points for Commission to consider before second reading and in the development of amendments. The session will be moderated by Aaron Pritchard. Teresa Delicino will be able to answer questions as needed on the program elements and implementation. The session will include the following participants:

- 1) **Simranpreet Lamba, Port of Seattle Economic Development Analyst, Office of Strategic Initiative** (10 min)
 - Will demonstrate disaggregation capabilities and current data status
- 2) **Bob Armstead, Armstead & Associates; Board of Directors on National Association of Minority Contractors (NAMC); President, NAMC Washington State Chapter** (10 min)
 - Will speak in favor of including only certified WMBE's
 - Will discuss minority participation on Project Labor Agreements
- 3) **Dave Freiboth, Director, Port of Seattle Labor Relations**(10 Min)
 - Will discuss Labor perspective on language instructing WMBE inclusion as part of Project Labor Agreement Standard Language negotiation.
- 4) **Aaron Pritchard, Commission Policy Director**
 - Will discuss general purpose of other proposed amendments to be presented on the 19th, as needed.
- 5) **Teresa Delicino, Port of Seattle Small Business Development Director**
 - Will discuss program elements and implementation as needed.

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Below are the proposed amendments that have been prepared based on the discussion at the December 5th Commission meeting.

Proposed Amendments

Amendment 1

Purpose: Eliminate the phrase “covered contracts” to be explicit that this policy shall cover all contracts.

Amendment 2

Purpose: Raise profile of the five-year goals, move to first line of policy.

Amendment 3

Purpose 1: Create Appendix that graphically represents utilization/participation in three categories of contracts including: Disadvantaged Business Enterprise, Airport Concessions Disadvantaged Business Enterprise, and Women and Minority Business Enterprise. The appendix will show minority utilization in these three categories of contracts

Purpose 2: Explicit statement of Federal supremacy to define the contours of WMBE policy.

Amendment 3

Purpose: Tie outreach directly to disparity. This will require staff to conduct outreach to close disparity gaps identified by internal data and disparity study, including specific goals regarding outreach by division.

Amendment 4

Purpose: Add language that will require staff to try and increase WMBE certification through partnerships with other government entities.

Amendment 5

Purpose: Clarify how data will be disaggregated. Recommendation is to, at a minimum, use disaggregation reflected in Port disparity study, which is based on Federal Disadvantaged

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Business Enterprise standards, also clarifies that Port is collecting data with end goal of eliminating disparity.

Amendment 6

Purpose: To increase WMBE utilization in Project Labor Agreements by requiring WMBE utilization as a topic of standard language negotiations.

Amendment 7

Purpose: Broaden the scope of the Diversity in Contracting Policy to include leasing and other Port activities. This will be a substitute amendment.

Amendment 8

Purpose: Add whereas to highlight internal efforts to increase Diversity and Inclusion at the Port of Seattle and need to continually improve.

PREVIOUS COMMISSION ACTIONS OR BRIEFINGS *[For information and examples, follow this [link.](#)]*

December 5, 2017 – Diversity in Contracting First Reading

November 28, 2017 – Women and Minority Business Enterprise Policy Review

October 24, 2017 - Women and Minority Business Enterprise Policy Review

July 12, 2017 – Commission Budget Priorities, Building Economic Opportunity in Underserved Communities

March 28, 2017 – Small Business Development Update

March 22, 2016 – Small Business Utilization briefing

December 14, 2014 – Disparity Study briefing

August 19, 2014 – Small Business Utilization briefing

January 26, 2010 – Adoption of Resolution No. 3618 concerning small business utilization