



Subcontractor Inclusion Plan Guidance

Summary:

Subcontractor Inclusion Plans require a prime consultant/contractor to show intent to use minority, women, veteran, and small businesses. Contract managers must consider the overall depth of the plan, the potential for the plan to be successful, whether past performance indicates a commitment to be successful, and whether the named team is committed and well-integrated.

Reviewing the Plan and Minority, Women, Veteran, and Small Business goal(s):

1. Is the goal reasonable and robust?
 - The goals should take availability of vendors that provide the goods or services into consideration; if there are many available certified businesses the prime should show intent to partner with several certified businesses.
 - The prime should list a goal for each of the categories (women, minority, veteran, or small), and the percentage of overall use should be a significant part of the work. Look for ample use of minority businesses for meaningful parts of core work. Minority (MBE) and Women (WBE) owned businesses should not just be in “non-core” work but part of the core scope.
 - The minority, women, veteran, and small businesses need to understand the importance of their work to the team. If the plan refers to an individual (e.g. their resume is in the group of resumes provided elsewhere in their solicitation response), then the individual should be named in the Diverse Business Subcontracting List.
2. Do they balance the use of minority businesses with those of women?
 - The state of Washington expects the use of minority businesses, not just those owned by white women. Some primes tend to use white women-owned businesses more than minority-owned businesses. This is reflected in Washington’s statewide public spending data. The Subcontractor Inclusion Plan should show the prime’s intent to use minority-owned businesses and not rely on women-owned businesses alone.



INCLUSION PLANS

Scoring:

1. Reject a plan that has no effort and no response. When you reject a plan as non-responsive, you are also rejecting the entire proposal. If the plan has “Not Applicable,” zero, or is simply not filled out, the bid is non-responsive.
2. A response that “we will self-perform” is non-responsive. Self-performance is not a substitute for an effort to use minority, women, veteran, and small businesses.

Negotiations:

1. The state of Washington has made a public commitment to scope projects so that minority, women, veteran, and small businesses can partner to every extent practicable and reasonable given your business needs. Consider unbundling, balancing the effort required to manage multiple contracts, to maximize opportunities for diverse businesses.
2. If you negotiate away a scope that was committed for minority, women, veteran, and small businesses, you should be able to provide a clear reason. More importantly, put yourself in the shoes of the subcontractor (or the Prime trying to support diverse businesses) as to whether any negotiated change you make would feel respectful of their skills, and that you have a reasonable explanation of why it was important to remove them. Pushback and concerns sometimes happen that can elevate up to the highest executive levels.
3. Consider the non-core work that is being proposed with minority, women, veteran, and small business partners as well, and try to use those scopes if they make sense to your business needs.

Past Performance:

1. Does the prime’s past performance suggest you can depend on them to achieve the minority, women, veteran, and small business use they have planned for or suggest in their goals? In this case, past performance can indicate likelihood of future success. Review the strategies in the inclusion plan with a critical eye to see if they offer specific ideas that make the minority, women, veteran, and small business on their team meaningful. Consider the prime’s relationship to the subcontractors; do they have long-term partnerships which suggest a real commitment to the business?



INCLUSION PLANS

2. An effective mentoring program is valuable, if the prime describes bringing in minority, women, veteran, and small business for long-term coaching and partnership opportunities. The program should give the impression of effectiveness, depth, and genuine opportunity.
3. Look for ways for the Prime to solicit a variety of minority, women, veteran, and small businesses early and that they give time to discuss a meaningful role.
 - a. The primes might describe how they try to teach long-term growth, viability and strength, while resolving barriers such as insurance or administrative skills.
 - b. Remember that a prime using good business judgment considers the subcontractor's capabilities, keeping in mind the use of minority, women, veteran, and small businesses so they are successful and not just listed to achieve a percentage. It is not helpful to list a business for work that is not their specialty or where they are not valuable.

Amendments:

1. When you amend the contract, use a critical eye. Consider if the purpose is to reduce costs or change the scope, then see if it is an opportunity to increase the goal. If the prime is replacing a subcontractor, consider opportunities to bring in a minority business, or a women, veteran, and small business.
2. If the prime is removing a minority, women, veteran, or small business, confirm that it is for one of the reasons allowed within the contract.