Inclusion Plan Guide & Template

This document includes:

- Pages 1-2: A guide for public agencies on how to use inclusion plans as part of bidding requirements to increase equitable contracting opportunities.
- Pages 3-5: An inclusion plan template form with instructions for the bidder. Bidders submit the plan as part of their bid package when your agency requires inclusion plans on bids.

Feel free to tailor the instructions and template to the needs of your agency and the type of procurement involved. The <u>Inclusion Plan FAQ</u> provides more information on plans and when it makes sense to require them.

Inclusion plans

Public agencies should require bidders to submit the following inclusion plan template as part of the procurement process when requiring inclusion plans. Along with the form, bidders should submit a list of the contractors they intend to work with. The bidder should proactively consider the small and diverse businesses they will subcontract with on the project before submitting their bid. This consideration also allows agencies to monitor the bidder's performance by checking if the listed businesses actually received work consistent with the plan. Your agency should include the inclusion plan instructions and template in the solicitation and incorporate the bidder's responses into the contract with the successful bidder. This allows your agency to hold the successful bidder accountable in following through with their commitments. Requiring bidders to state their plans and practices allows public agencies to hold bidders accountable to follow through on what they commit to, including the small and diverse businesses they plan to work with.

Failure to submit a plan

When requiring inclusion plans, consider bidders non-responsive if they fail to submit a plan, or non-responsible if the inclusion plan provides no actions intended to support diverse participation. Refer to your Assistant Attorney General (AAG) or legal counsel if you have questions on contract language or requiring inclusion plans.

Inclusion goals

Public agencies should also set aspirational inclusion goals for each project they require an inclusion plan for. This can generally be done in one of two ways: pass along the agency's overall goal amount from OMWBE to every project (simplest way), or set goals based on the availability of small and diverse businesses for the type of project that help the agency meet its overall target (best practice).





Inclusion Plans

Inclusion goals are aspirational. While no minimum level of OMWBE certified, Veteran Owned, or Washington Small Business participation will be required as a condition for receiving a contract; the plan must include the actions the contractor will take to increase subcontracting opportunities for those business types. If a project truly has no small and diverse business participation opportunities, agencies should not request inclusion plans for that project. Public agencies can also contact OMWBE for assistance in locating small and diverse businesses.

The following pages are to be used as the Inclusion Plan Template.

Remove Pages 1-2 and the headers/footers from your final Inclusion Plan.

Replace [Bracketed Text] with your agency's information.



Inclusion Plan Instructions

To be responsive, a bidder must submit this Inclusion Plan Template as part of their proposal. The Inclusion Plan Template is incorporated into the contract if awarded to the bidder. The bidder must also include an anticipated list of small and diverse subcontractors or suppliers who may provide services on the project. Responses should reflect the bidder's genuine efforts for small and diverse business inclusion. Businesses listed in the plan should be certified by OMWBE or DVA, or registered in WEBS as a small business. If a business is not certified or registered but may be eligible for certification, the bidder should encourage the business to become certified.

[Public Agency] aspirational goals for small and diverse business spending for this procurement:

- ✓ [OMWBE goal]% Business certified by the Washington State Office of Minority and Women's Business Enterprises
- ✓ **[VOB goal]**% Veteran Owned Business certified by the Washington State Department of Veterans Affairs
- ✓ [Small goal]% Washington Small Businesses self-identified in the Washington Electronic Business Solution

The State of Washington promotes participation in all of its contracts by OMWBE certified businesses under Chapter 39.19 RCW, DVA certified businesses under Chapter 43.60A.200, by Washington small businesses under Chapter 39.26.005.

Inclusion goals are aspirational. No preference is given for inclusion plans or goals in the evaluation of bids. While no minimum level of OMWBE certified, Veteran Owned, or Washington Small Business participation will be required as a condition for receiving an award, the plan must include the actions the contractor will take to increase subcontracting opportunities for those business types.

[Public Agency] currently considers bidders non-responsive if they fail to submit a plan.
[Public Agency] currently considers bidders non-responsive if the inclusion plan has a zero diverse participation amount.



Tools for Equity in Public Spending

Inclusion Plans

Certified Business

Bidders can search the following directories for certified businesses. They may also contact the organizations for more information:

- OMWBE
 - o <u>Directory of Certified Firms</u>
 - o Contact at https://omwbe.wa.gov/about-omwbe/contact-us-directions
 - o (360) 664-9750
- DVA
 - Search for Veteran Owned Businesses
 - o Contact at https://www.dva.wa.gov/doing-business-washington-state
 - o (360) 725-2169
- DES
 - o https://pr-webs-vendor.des.wa.gov/VendorSearch.aspx
 - Contact at https://des.wa.gov/services/contracting-purchasing/doing-business-state/webs-registration-search-tips
 - o (360) 902-7400

Please include the below identified "Inclusion Plan Template" for this Proposal.



Inclusion Plan Template

Inclusion Plan Criteria

Aspirational goals for small and diverse business participation: (Of the total contract work, what is the percentage of diverse business participation proposed for this project?)

1. Anticipated Certified Diverse Business Participation (Goals)

State certification category	Project Goals	Anticipated Percent of Contract Amount
OMWBE certified businesses	[OMWBE Goal]%	
Veteran-owned business	[VOB Goal]%	
Small/mini/micro business	[Small Goal]%	

- 2. The firm's "Diverse Business Subcontracting list"
- 3. Planned efforts by the firm to meet or exceed the aspirational inclusion goals. To include, but not limited to the following:
 - a. General Description, including any applicable policies and procedures,
 - b. Mentoring, Training and Capacity Building Programs
 - c. Prompt Payment, Retainage and Dispute Resolution
- 4. A description of firm's planned efforts at outreach to the small and diverse business community
- 5. A description of firm's process for ensuring small businesses have enough time and information to provide your firm with bids
- 6. An explanation of how firm ensures small businesses understand the bid and specifications and are able to learn ways to improve if they are not selected (i.e. pre-bid meetings, debriefing, etc.)
- 7. A description of how firm considers small business in the development of bid packages
- 8. Who will be the firm's "Diversity Expert"?
- 9. A list of projects (5 max.) with diverse business participation in the last five (5) years
- 10. Acknowledgement of firm's awareness and commitment to reach out to diverse businesses and helping Washington State meet or exceed the state's diverse businesses utilization goals
- 11. Acknowledgement that proposing firm has education and training programs to communicate to your employees your firm's expected employee behaviors and performance relative to implementing the Diverse Business Inclusion Plan
- 12. Any additional information the firm would like to include as a part of their plan.

The [Public Agency] will review the submitted inclusion plan for the genuine efforts involved and the maximum opportunity to contribute toward the [Public Agency]'s aspirational goals.

