Washington State
**DEPARTMENT OF
ENTERPRISE SERVICES**

Q&A for October 24, 2023, Lunch 'n Learn Meeting

1. Question: Who is the policy for? Is it for suppliers or state employees?
   DES Response: This policy is for state employees/state agencies.

2. Question: Just to clarify - Goods - Does this include Software? just checking.
   DES Response: Yes, IT goods and services are a separate category of delegated authority that is within the scope of this policy.

3. Question: For federal funding - that would also mean that we can't add language that we will award a small or veteran owned business for contracts under $150,000, correct?
   DES Response: That is correct!

4. Question: Are there any strategies from the policy (i.e., outreach, forecasting) that *would* be permitted, even when federal funds are used?
   DES Response: Yes, agencies are permitted to use all or appropriate portions of the Supplier Diversity Policy as long as there are no prohibitions on the use of federal funds.

5. Question: While not related to exceptions - are you seeing solicitations that are giving preference points for small/diverse subcontractors (vs. just the main contractor)?
   DES Response

   Yes, but with a caveat. Some solicitations are giving preference points for using small contractors, which are permitted under Supplier Diversity Policy section C7(b), Using Subcontractor Inclusion Plans. However, preference points are available only for small or veteran-owned businesses. FAQ #2 for that section states:

Q: Can I score the subcontractor inclusion plan?

A: Yes, a subcontractor inclusion plan may include veteran-owned businesses and any of the three types of small businesses as defined by statute:

- By number of employees (may be scored)
- By gross revenue (may be scored)
- By OMWBE certification (may not be scored)

This is permitted under the Constitution because small- and veteran-owned businesses are race and gender-neutral categories.