

RESOLUTION NO. 3506

A RESOLUTION of the Port Commission of the Port of Seattle establishing a program to develop mutually advantageous business relationships with small businesses, and firms owned and operated by minorities, women and the disabled.

WHEREAS, a small business plan supports the Port of Seattle adopted Business Strategies for 2003-2007; and

WHEREAS, the success of small businesses, and firms owned and operated by minorities, women and the disabled is important to the region's overall economy, including the development of living wage jobs and social mobility in the Port District; and

WHEREAS, the Port is committed to developing mutually advantageous business relationships with small businesses and firms owned and operated by minorities, women and the disabled and currently purchases a broad range of products and services from diverse businesses; and

WHEREAS, it is in the Port's economic interest and economic justice is served by providing opportunities to encourage small business development;

NOW, THEREFORE, BE IT RESOLVED, by the Port Commission of the Port of Seattle that:

Section 1. Program Purpose. The Chief Executive Officer shall implement a Small Business Plan (Plan) under which guidance will be provided in the solicitation and use of small, minority, women enterprises, and emerging small businesses as vendors, suppliers, contractors and consultants across all Port operations. Opportunities will be expanded for small, minority, women-owned enterprises, and emerging small businesses (hereafter referred to as “qualified small businesses”) as vendors, suppliers, contractors, consultants and subcontractors to the Port.

Section 2. Scope. This Plan applies to all purchases transacted with Port funds and ensures equal access and opportunity to all firms which express a desire to provide products or services to the Port by creating and maintaining a formal method to attract and utilize qualified small businesses in all procurement and purchasing operations at the Port.

Section 3. Definitions.

- a. “Chief Executive Officer” means the Chief Executive Officer (CEO) of the Port of Seattle or his designee.
- b. Small Business Enterprise (SBE) – Businesses that meet the criteria of ownership to qualify as a small business as defined by the United States Small Business Administration (SBA) and are not dominant in their field. The regulations specifying size standards and governing their use are set forth in Title 13, Code of Federal Regulations, part 121 (13 CFR § 121), Small Business Size Regulations.
- c. Minority Business Enterprise (MBE) – Businesses that are at least 51% independently owned and operated (direct management and daily

business operations) by one or more socially disadvantaged persons, and certified as such by the Washington State Office of Minority and Women Business Enterprises or the Northwest Minority Business Council, and are not dominant in their field.

- d. Woman Business Enterprise (WBE) – Businesses that are at least 51% independently owned and operated (direct management and daily business operations) by one or more socially disadvantaged females and certified as women-owned by the Washington State Office of Minority and Women Business Enterprises or the Women’s Business Enterprise National Council, and are not dominant in their field.
- e. Emerging Small Business (ESB) – Businesses with 20 or fewer employees whose average annual gross receipts over the last three years do not exceed \$1,000,000 for construction companies and \$300,000 for non-construction related firms. An ESB must be properly licensed, legally registered and an independently owned and operated Washington business not dominant in its field. Firms qualified as ESBs will be classified as such for no more than three years, or until that point when their business operations exceed the defining criteria.

Section 4. Responsibilities. All Port personnel with purchasing, and/or procurement authority shall make every reasonable effort to ensure that qualified small businesses have equal opportunity to provide goods and services to all areas and departments of the Port. It is the responsibility of the applicable procuring department to comply with the

procedures established by this Plan for products and services that are not required to be purchased through Accounting & Procurement Services.

Section 5. General Provisions. Port personnel are expected to take action as deemed necessary and reasonable to increase contract awards to qualified small businesses, to increase the number of different firms participating in Port contracts, and to thereby foster a more competitive contracting environment. Port personnel shall strive to meet the Port's annual target of purchasing at least \$20 million or 10% of all goods and services from qualified small businesses. This target applies to the 2003 calendar year upon adoption of this resolution with future annual targets to be set by the CEO and approved by the Commission. All vendors, suppliers, contractors, consultants and subcontractors will comply with Port bid documentation requirements pertaining to SBE, MBE, WBE and ESB participation. Port vendors, suppliers, contractors, consultants and subcontractors shall not discriminate against, or grant preferential treatment to any firm based upon race, sex, color, ethnicity, or national origin in the performance of Port contracts and subcontracts.

Section 6. Monitoring and Reporting. Port managers shall take actions, as deemed necessary, to monitor the expenditures to qualified small businesses and increase the number of different firms participating in Port contracts. Port managers will assume accountability by documenting expenditures related to qualified small businesses by issuing quarterly reports to Executive Outreach.

Section 7. Business Development Assistance. Recognizing the distinctive challenges of small businesses, and firms owned and operated by minorities, women and the disabled that seek business opportunities, the Port will offer business development assistance

in the form of workshops, seminars and technical aid to interested firms, through its own initiatives and in combination with community-based organizations, educational institutions and professional development programs.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting held this 27th of May, 2003, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

Patricia Davis
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Port Commission

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