

MANAGEMENT MEMO

NUMBER:

21-06

EFFECTIVE DATE:

Apr 1, 2021

SUBJECT:

NEW – Annual Reporting Requirement for Marketing and Outreach Advertising Material Purchases Targeting Ethnic and LGBTQIA Communities

ISSUING AGENCY:

DEPARTMENT OF GENERAL SERVICES (DGS)

REFERENCES:

Assembly Bill (AB) No. 323, Chapter 341, Stats. 2020

Public Contract Code 11800 – 11804

Government Code 11000

SUPERCEDES:

None

Intended Audience All state entities identified in Section 11000 of the Government Code, including the California State University.

Purpose Inform state agencies and the California State University of the three-year annual reporting requirement due to the passing of AB 323 (Ch. 341, Stats. 2020) and implementation of Public Contract Code Section 11800 – 11804.

Policy Effective immediately and through April 30, 2023, all state agencies as identified in Section 11000 of the Government Code, and including the California State University, must track and annually report to DGS all dollars awarded and paid for the placement of marketing and outreach advertising materials and further identify those dollars targeting specific ethnic and LGBTQIA communities for the reporting periods identified herein. Each entity shall submit to DGS the required information by April 30th of each year, except for year one which is due to DGS by May 30, 2021. The required information will be used to complete DGS' annual report for posting on the DGS Internet website by July 1st each year.

The report must include the following information for each purchase of marketing and outreach advertising material, regardless of dollar value or exemptions to DGS oversight during the relevant reporting time period:

- Department name
- Procurement transaction ID/contract number
- Marketing or outreach advertising campaign name, if applicable
- Contract/procurement description
- Contract start and end date
- FI\$Cal vendor ID and vendor name, if applicable
- Total contract award dollars
- Total amounts paid against each awarded contract
- Selected media platforms (such as newspaper, radio, internet, print, etc.)
- Breakdown of dollars paid to target each identified community (Latino, African American, Pacific Islander, Middle Eastern, LGBTQIA, or other) for each contract

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- Subcontractor FISCAL vendor ID and subcontractor vendor name, if applicable
- Subcontractor selected media platforms, if applicable
- Breakdown of subcontractor dollars paid per identified communities, if applicable

Background

On September 30, 2020, AB 323 (Ch. 341, Stats. 2020) was passed and chaptered into law thereby establishing the requirement for DGS to post on its Internet website purchases related to marketing and outreach advertising materials for every state office, officer, department, division, bureau, board, and commission identified in GC 11000, and including the California State University. These purchases must be further disaggregated to show placement of marketing and outreach advertising material targeting communications with specific ethnic communities including but not limited to Latino, African American, Asian-Pacific Islander, Indigenous, Middle Eastern, and LGBTQIA communities, as outlined by Public Contract Code 11801-11804.

Process/ Procedures

Reporting entities must complete the DGS PD 323 Marketing and Outreach Advertising Materials Purchase Report form and submit to DGS' Procurement Division at: IAU@dgs.ca.gov by the following dates:

1st Report Due May 30, 2021

Covers a 6-month reporting period of October 1, 2020 through March 30, 2021

2nd Report Due April 30, 2022

Covers a 12-month reporting period of April 1, 2021 through March 30, 2022

3rd Report Due April 30, 2023

Covers a 12-month reporting period of April 1, 2022 through March 30, 2023

One report for each reporting period for each state agency (including the California State University) that awarded a contract and/or paid for placement of marketing or outreach advertising material during the reporting periods, is required on or before the due dates noted above.

The required report form "DGS-PD 323 Marketing and Outreach Advertising Materials Purchase Report" is available on the [California Statewide Forms Directory website](#).

Each report must be signed by the state agency's highest ranking executive officer such as department director or designee.

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State agencies that did not award a contract or pay for placement of marketing or outreach advertising material pursuant to a contract during a reporting period do not need to submit a report.

Contact

eProcurement Business Strategies Section (eBISS) at: IAU@dgs.ca.gov

Signature



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