

# STATUTORY CONTRACT REPORTING REQUIREMENTS

## OVERVIEW

### Introduction

This document includes all the detailed requirements for statutory contract reporting.

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## **GENERAL INFORMATION**

### **Consolidated Report**

In accordance with Chapter 74, Statutes of 2005 (AB 139) Public Contract Code (PCC) § 10111 requires the Department of General Services (DGS) to publish an annual statewide contracting activity report that consolidates reports for:

- Small business (SB), Microbusiness (MB), and Disabled Veteran Business Enterprise (DVBE)
- Consulting Services
- SB/DVBE option and DVBE incentive
- Ethnicity, Race, Gender and Sexual Orientation (ERGSO) data

In accordance with Government Code (GC) § 14838.1(f), the DGS is also required to prepare the statewide report for all contracting activity funded by the Infrastructure Bond Acts of 2006.

- Infrastructure Bond Activity report

### **Reporting Entities**

All State of California agencies, departments, boards or commissions (“agencies” or “entities”) must report if they purchase or contract for:

- information technology (IT) goods or services,
- non-IT goods,
- non-IT (personal or consulting) services, including services for architectural and engineering (A&E) services, and
- construction of public works projects.

This includes purchases using all payment methods such as purchase orders, service contract agreements, grants, CAL-Card or other purchase credit card, as well as payments made in cash. It also includes emergency purchases. These are referred to herein as “contracts”.

Executive branch entities that awarded no contracts during the reporting period must still report indicating no contracting activity.

### **Due Date**

All agencies are required to provide their reports annually to the DGS Contract Reports Coordinator no later than close of business on August 1st.

**DGS Contract Reports Coordinator**

Reports must be mailed to the DGS Reports Coordinator, as follows:

Department of General Services  
Procurement Division  
Attn: Reports Coordinator  
707 Third Street, Room 1-400, IMS Z-1, MS 210  
West Sacramento, CA 95605

Telephone: (916) 375-4937      Facsimile: (916) 375-4950

Email: [OSDSReports@dgs.ca.gov](mailto:OSDSReports@dgs.ca.gov)

**Report Website**

Report forms and instructions are provided on the DGS website at:

[File Consolidated Annual Report for State Contracting](#)

## **SMALL BUSINESS/MICROBUSINESS REPORT**

### **Overview**

This document summarizes small business (SB)/microbusiness (MB) report requirements.

### **Goal**

The participation goal for SB/MB is at least 25%. The goal may be achieved by the direct participation of SB/MB in state contracts or on a contract where the winning non-small business bidder was determined eligible for the non-small business subcontracting preference.

### **Authority**

This report is required in accordance with:

- PCC §10111
- Governor's Executive Order S-02-06

### **Exemption from Reporting**

None known. Any entity with an exemption must provide the reference to the governing statute to the DGS by the report due date.

### **Form**

Form 810, Contracting Activity Report, is used to capture reporting statistics. Instructions for completing the report are provided on the DGS website identified on page three.

### **Special Instructions**

When compiling data for this report, contracts awarded to MBs are reported separately from those awarded to small businesses.

A firm that is certified by the DGS as both a Disabled Veteran Business Enterprise (DVBE) and a SB or MB may be counted for both the SB/MB report and the DVBE report.

If no contracts were awarded during the reporting period, a report is still required indicating no contract activity.

### **Improvement Plan**

Any entity that did not meet the 25% SB/MB participation goal in the reporting period must include an improvement plan with the report submittal. Instructions for completing the plan are provided on the DGS website identified on page three. The plan must be kept separate from any DVBE improvement plan.

# **DISABLED VETERAN BUSINESS ENTERPRISE REPORT**

## **Overview**

This document summarizes DVBE report requirements.

## **Goal**

The goal for DVBE is at least 3%. The goal may be achieved by awarding State contracts to DVBEs as prime contractors or when DVBEs are subcontractors on a State contract.

## **Authority**

This report is required in accordance with:

- PCC §10111
- Governor's Executive Order D-43-01

## **Exemption from Reporting**

The Department of Corrections and Rehabilitation exempts certain contracts from the total reportable contracts in accordance with PCC §10115.11. Other entities claiming exemption must provide the reference to the specific statute to the DGS.

## **Form**

Form 810, Contracting Activity Report, is used to capture reporting statistics. Instructions for completing the report are provided on the DGS website identified on page three.

## **Special Instructions**

Similar to SB reporting, Form 810 captures awards to DVBE prime contractors separate from DVBE subcontractor participation. If an awarding department is unable to segregate dollars for DVBE primes and subcontractors, note that in the comments.

A firm that is certified by the DGS as both a DVBE and a SB or MB may be counted for both the SB/MB report and the DVBE report.

If no contracts were awarded during the reporting period, a report is still required indicating no contract activity.

## **Improvement Plan**

Any entity that did not meet the 3% DVBE participation goal in the reporting period must include an improvement plan. Instructions for completing the plan are provided on the DGS website identified on page three. The plan must be kept separate from any SB/MB improvement plan.

## **SB/DVBE OPTION AND DVBE INCENTIVE REPORT**

### **Overview**

This document summarizes the SB/DVBE Option and DVBE Incentive report requirements.

### **Goal**

There is no goal.

### **Authority**

This report is required in accordance with:

- PCC §10111
- Government Code §§14838.5(a) and 14838.7(a)
- Military and Veterans Code § 999.5

### **Exemptions from Reporting**

None known. Entities claiming exemption must provide the reference to the governing statute to the DGS.

### **Form**

Form 810S, SB/DVBE Option and DVBE Incentive Report, is used to capture reporting information. Instructions for completing the report are provided on the DGS website identified on page 3.

### **Special Instructions**

This report captures the total number and value of all contracts awarded pursuant to GC §§14838.5(a) and 14838.7(a) or M&VC § 999.5.

If no contracts were awarded during the reporting period, a report is still required indicating no contract activity.

### **Improvement Plan**

Not required.

## **INFRASTRUCTURE BOND ACTIVITY REPORT**

### **Overview**

This document summarizes the Infrastructure Bond (I-Bond) Activity report requirements.

### **Goal**

The participation goal for SB/MB is at least 25%.

### **Authority**

This report is required in accordance with:

- GC §14838.1(f)
- PCC § 10115(b)(3)(c)

### **Exemptions from Reporting**

None known. Entities claiming exemption must provide the reference to the governing statute to the DGS.

### **Form**

Form 810A, Infrastructure Bond Activity Report, is used to capture reporting information. Instructions for completing the report are provided on the DGS website identified on page three.

### **Special Instructions**

A firm that is certified by the DGS as both a DVBE and a SB or MB may be counted for both the SB/MB report and the DVBE report.

If no contracts were awarded during the reporting period, a report is still required indicating no Infrastructure Bond Act of 2006 funding was received.

### **Improvement Plan**

Any entity that did not meet the 25% SB/MB I-Bond participation goal in the reporting period must include an improvement plan with the report submittal. As a result, there may be two SB improvement plans required.

## **CONSULTING SERVICES REPORT**

### **Overview**

This document summarizes the Consulting Services report requirements.

### **Goal**

There is no goal or maximum amounts. The use of consultants or “contracting out” is restricted by GC §19130, except in limited instances.

### **Authority**

This report is required in accordance with:

- PCC §10111

### **Exemptions from Reporting**

None known. Entities claiming exemption must provide the reference to the governing statute to the DGS.

### **Form**

Form 810C, Consulting Services Report, is used to capture reporting information. Instructions for completing the report are provided on the DGS website identified on page 3.

### **Special Instructions**

This report captures all contracts awarded, amended or ended in the reporting period and captures information about the initial award, the competitive nature of the contract and other non-statistical information.

If no consulting service contracts were awarded during the reporting period, a report is still required indicating no contract activity.

### **Improvement Plan**

Not required.

## **ETHNICITY, RACE, GENDER AND SEXUAL ORIENTATION (ERGSO) REPORT**

### **Overview**

This document summarizes the ERGSO report requirements.

### **Goal**

There is no goal.

### **Authority**

This report is required in accordance with:

- PCC §10111

### **Exceptions from Reporting**

None known. Entities claiming exemption must provide the reference to the governing statute to the DGS.

### **Form**

Form 810E; Ethnicity, Race, Gender and Sexual Orientation Report, is used to capture and summarize reporting information voluntarily submitted by contractors. Instructions for completing the report are provided on the DGS website identified on page three.

### **Special instructions**

State entities must send the Voluntary Statistical Data Sheet to all contractors, but the completion of this form is strictly voluntary. If the form is returned, must retain it and compile data from all forms and report annually to the DGS. The data returned by contractors may not be retained in contract files.

If no Voluntary Statistical Data Sheet(s) were received during the reporting period, a report is still required indicating there was no VSDS received.

Departments are required to maintain the anonymity of respondents.

### **Improvement Plan**

Not required.