



# Disabled Veteran Business Enterprise (DVBE) Subcontracting Report

## ❖ RESOURCE AND TRAINING

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Office of Small Business and Disabled Veteran Business Enterprise Services  
(OSDS)



## Introduction

- ❖ Mamta Srivastava - Reports Coordinator
- ❖ Carl Josephson - Compliance and Quality Assurance Manager
- ❖ Leslie Fritz - Training and Development Specialist
- ❖ Marc Anderson - Supervisor (Contracts Management Unit)

## TRAINING OUTLINE

- ▶ Background
  - ❖ Website Resources
  - ❖ Statutes & Regulations
- ▶ 2021 Legislation Impacting the Report
- ▶ DVBE Reporting Requirements
- ▶ DVBE Reporting Forms

## DVBE SUBCONTRACTING REPORT WEBPAGE

- ▶ Go To <https://www.dgs.ca.gov/>
- ▶ Search for “DVBE Subcontracting Report”
- ▶ Click on [File a DVBE Subcontracting Report](#)
- ▶ Information Available:
  - ❖ Steps in Reporting Process
  - ❖ Report Forms and Instructions
  - ❖ Training and FAQs

# DVBE SUBCONTRACTING REPORT RESOURCES

## Reports Forms and Instructions

- Prime Contractor's Certification - DVBE Subcontractor Report (STD 817), Formerly DGS PD 810P
- State Department's Contractor DVBE Subcontracting Consolidation Report (DGS PD 810D)

## Training and FAQ

- DVBE Subcontracting Training PPT
- DVBE Subcontracting FAQs

## STATUTORY AND REGULATORY REQUIREMENTS

- ▶ Military and Veterans Code Section 999.5(d), 999.55 and 999.7
- ▶ Government Code Section 14841
- ▶ Code of Regulations Section 1896.78(e)
- ▶ Consolidated State Contracting Manual (SCM) Volume 2 Chapter 12, Section 1203.1 [Link](#)
- ▶ [BB. No. P-05-21 - SUBJECT: New DVBE Contracting and Reporting Requirements](#)

## SCM Volume 2 Chapter 12

- ▶ Include the applicable DVBE Program Requirements in the solicitation (verbal or written) whenever the solicitation includes the DVBE participation requirements.
- ▶ Include contract language and specific payment provisions to describe the requirements including the Prime Contractor's Certification-DVBE Subcontracting Report
- ▶ The completed STD 817 is required to be submitted by the prime contractor to the contract manager.
- ▶ Withhold \$10,000, or full payment if less than \$10,000, from a prime contractor's final payment pending receipt of a complete and accurate STD 817. Do not withhold more than \$10,000 for the purposes of ensuring compliance with the STD 817 certification requirement.
- ▶ Receive and review STD 817 for completeness and accuracy.

## SCM Volume 2 Chapter 12

- ▶ Authorize payment of the withhold upon review and determination that the STD 817 received is accurate and complete.
- ▶ If the STD 817 is received but is found by the department to be incomplete or inaccurate, or if the STD 817 is not received by the final invoice, the department must send the prime contractor a cure notice allowing at least 15 calendar days, but not more than 30 calendar days to meet the certification requirements. The notice must inform the prime contractor of the consequence of a permanent deduction if the prime refuses to comply.
- ▶ Permanently deduct the withheld amount when the prime contractor refuses to comply with the STD 817 requirement after given opportunity to cure.
- ▶ The state department receiving the goods or services must retain in the procurement file all records related to the Prime Contractors' Certification- DVBE Contract Report (STD 817) submittal.



## 2021 Legislation Impacting the Report

- ▶ **AB 230 (Brough, Chapter 676, Statutes of 2019)** amended Section 999.5 of the Military and Veterans Code and Sections 14839 and 14841 of the Government Code and added Section 10230 to the Public Contract Code.
- ▶ **AB 1365 (Veterans Affairs Committee, Chapter 689, Statutes of 2019)** added Section 999.55 to the Military and Veterans Code.

## 2021 Legislation Impacting the Report

- ▶ SB 588 (Archuleta, Chapter 80, Statutes of 2020) added Section 999.7 to the Military and Veterans Code.

### **Important !**

**All departments must submit their Form DGS PD 810D to OSDS, even if they did not receive STD. 817 from prime contractors.**

DVBE Subcontracting Reports becomes an important compliance tool for departments and OSDS to identify prime contractors not meeting DVBE requirements and commitments!

On or before January 1, 2024, the Legislative Analyst Office shall complete a comprehensive assessment of the DVBE program and submit a report to the Legislature (MVC 999.7).

**PRIME CONTRACTOR'S  
CERTIFICATION - DVBE  
SUBCONTRACTOR  
REPORT (STD 817),  
FORMERLY DGS PD 810P**



## PRIME CONTRACTOR'S CERTIFICATION - DVBE SUBCONTRACTOR REPORT (STD 817)

### DGS PD 810P expanded to include requirements and renumbered to name (STD 817)

- ▶ Applicable to all contracts and POs with DVBE Subcontractors, awarded or amended on or after January 1<sup>st</sup>, 2021.
- ▶ Contract language should include DVBE Program Requirements.
- ▶ STD 817 must be fully completed by prime contractor.
- ▶ Due upon completion of contract and POs, where completion of contract may vary with each department.
- ▶ Departments to
  - ❖ Withhold \$10,000, or full payment if less than 10,000, from a prime contractor's final payment pending receipt of a complete and accurate STD 817.
  - ❖ Receive and review STD 817 for completeness and accuracy.

## PRIME CONTRACTOR'S CERTIFICATION - DVBE SUBCONTRACTOR REPORT (STD 817) Cont.

- ❖ Provide cure notice and allow 15-30 days to cure.
  - ❖ If prime contractors does comply, there is no withhold.
  - ❖ Permanently deduct the withheld amount if prime contractor does not comply.
  - ❖ Retain in the procurement file all records (supporting documents) related to the Prime Contractor's Certification - DVBE Contract Report (STD 817) submittal for a minimum of 6 years from date of receipt. (Per AB 1365)
  - ❖ Upon request, prime contractors are required to provide proof of payment to the DVBE subcontractors. (Per AB 230)
- ▶ Captures DVBE subcontracting information.
  - ▶ ONLY one contract per form.
  - ▶ Includes all DVBE subcontractors that performed work on this contract.
  - ▶ Multi-Year Contracts due at the end of the contract (not every year).



## PRIME CONTRACTOR'S CERTIFICATION - DVBE SUBCONTRACTOR REPORT (STD 817)- Cont.

**STD 817, Formerly DGS PD 810P includes the following columns:**

- ▶ Date Last Payment Received
- ▶ Date STD 817 Received (by the department)
- ▶ Total Contract Commitment Percentage to DVBE
- ▶ Percentage Paid to DVBE (F/Contract Received Amount)
- ▶ Comment section can be used to explain the difference between the DVBE commitment and what was the actual percentage and amount paid to DVBE.



# PRIME CONTRACTOR'S CERTIFICATION - DVBE SUBCONTRACTOR REPORT (STD 817)

State of California  
 Department of General Services - Procurement Division  
 Prime Contractor's Certification - DVBE Subcontractor Report  
 STD 817, Formerly DGS-PD-810P

Page 1 of 5

STATE DEPARTMENT AND CONTRACT INFORMATION					
State Department Information		Contract Information		Prime Contractor Information	
State Department Name:	Contract #:	Contract Supplier ID#:	Name:	DOB (State Use Only):	Date Received:
State Department Address:	Contract Expiration Date:	Address:	Address:		
Contract Manager Name:	Date Work Completed:	Phone #:	Phone #:		
Contract Manager Phone #:	Contract Award Amount:	Email:	Email:		
Contract Manager Email Address:	Contract Received Amount:	Contract Payment Received:	Contract Received Amount:		

SECTION 3 List all Disabled Veteran Business Enterprise firms involved with this contract.							
(A) DVBE Subcontractor(s) Name	(B) DVBE Subcontractor(s) Address	(C) DVBE Certification ID Number	(D) Total Contract Commitment Percentage to DVBE	(E) Total Contract Commitment Amount to DVBE	(F) Total Payment Amount to DVBE	(G) Difference in Amount Paid to DVBE (F - E)	(H) Percentage Paid to DVBE (F/Contract Received Amount)
Number of DVBE subcontractors			Grand Total	\$ 0.00	\$ 0.00	\$ 0.00	0.00%
1.			0.00%			0.00	0.00%
2.			0.00%			0.00	0.00%
3.			0.00%			0.00	0.00%
4.			0.00%			0.00	0.00%
5.			0.00%			0.00	0.00%
6.			0.00%			0.00	0.00%
7.			0.00%			0.00	0.00%
8.			0.00%			0.00	0.00%
9.			0.00%			0.00	0.00%
10.			0.00%			0.00	0.00%
11.			0.00%			0.00	0.00%
12.			0.00%			0.00	0.00%
13.			0.00%			0.00	0.00%
14.			0.00%			0.00	0.00%
(I) Comments/Explanations:							

Use both pages for additional lines

I certify under penalty of perjury under the laws of the State of California that all information submitted is true and correct.

Prime Contractor:	Print Name:	Date:
	Typed:	
	Signature:	

Business license compliance of contract

Amateurs with disabilities (ADA) notice: Persons with disabilities requiring alternative methods should contact the OSDS Report Coordinator at OSDSReport@dgs.ca.gov

## Leveraged Procurement Agreements with DVBE subcontractors- Departments

- ▶ LPAs that require a department Request For Offer (RFO)
  - ❖ California Multiple Award Schedules (CMAS), Master Service Agreements (MSA), Cooperative Agreements, and Software Licensing Program(SLP)
- ▶ Statewide contracts for big ticket items- requiring build out for heavy equipment, such as fire trucks, helicopters, etc.

**Note:** Follow the user instructions. The departments are to follow the withholding requirements per MVC §999.7 and SCM Volume 2 → Socioeconomic Programs → Prime Contractor's Certification on DVBE Subcontractors and Payment Withhold

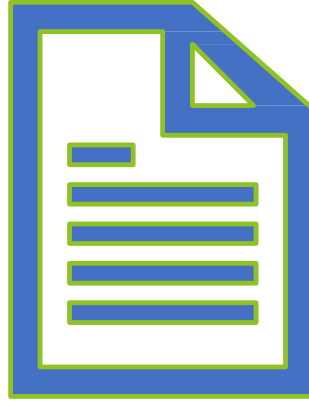


## Leveraged Procurement Agreements with DVBE subcontractors- Department of General Services (DGS)

- ▶ All other Statewide contracts
- ▶ How will DGS ensure compliance with MVC 999.7.
  - ❖ PD captures DVBE subcontracting information throughout the term of the contract
  - ❖ DGS will use the information to provide an opportunity to cure, if needed.

**Note:** See SCM Volume 2, Chapter 12, Section 1203.1 for more information about alternative mechanisms when utilizing LPAs for the reporting SB 588 withholds.

**STATE DEPARTMENT'S  
CONTRACTOR DVBE  
SUBCONTRACTING  
CONSOLIDATION REPORT  
(DGS PD 810D)**





## STATE DEPARTMENT'S CONTRACTOR DVBE SUBCONTRACTING CONSOLIDATION REPORT (DGS PD 810D)

- ▶ The report is due annually to OSDS on November 1<sup>st</sup>
- ▶ Compiles information from all contracts/PO with DVBE requirements completed in the fiscal year, even the ones where a Prime Contractors' Report (STD 817) was not received.
- ▶ Include contracts issued by DGS or any other department on behalf of your department.

**Exceptions:** For statewide commodities contracts, Prime contractors report that information to DGS.

## STATE DEPARTMENT'S CONTRACTOR DVBE SUBCONTRACTING CONSOLIDATION REPORT (DGS PD 810D)

- ▶ Each line represents **ONE** prime contractor's report.
- ▶ Additional lines are available on separate tabs.
- ▶ On the upper right field, enter the total Number of Contracts/PO with DVBE requirements completed during the fiscal year.
- ▶ No longer limited to the STD 817 received from prime contractors
- ▶ Include one line for each STD 817 sent to the prime contractor if received or not.
- ▶ All contracts/PO with DVBE requirements must be reported.
- ▶ Supports electronic signature.
- ▶ Email to [OSDSReports@dgs.ca.gov](mailto:OSDSReports@dgs.ca.gov)

## STATE DEPARTMENT'S CONTRACTOR DVBE SUBCONTRACTING CONSOLIDATION REPORT (DGS PD 810D)

**DGS PD 810D includes** the following columns:

- ▶ Prime Contractor FI\$Cal Supplier ID
- ▶ Withhold Amount for STD 817 (see requirements in MVC § 999.7)
- ▶ Date STD 817 Received from the prime contractors
- ▶ Permanent Deduction Amount for STD 817 Noncompliance
- ▶ Comment section can be used to explain the difference between the DVBE commitment and what was the actual percentage and amount paid to DVBE.



## REPORTING REQUIRED!

- ▶ All Agencies/Departments must report.
- ▶ Includes all contracts with DVBE commitments awarded no earlier than July 1, 2014, and completed during the fiscal year 2022-2023.
- ▶ If you did not receive any STD 817 from prime contractors, fill out the information for the contracts and POs with DVBE commitment completed during the fiscal year.
- ▶ Permanently deduct the withheld amount when the prime contractor refuses to comply with the STD 817 requirement after given an opportunity to cure.
- ▶ If no contracts/POs with DVBE subcontractors were completed during the fiscal year, enter 0 in the number of contracts completed field and enter in comment section "Nothing to report".

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

**DUE DATE  
NOVEMBER 1<sup>st</sup>**

**Note: Do NOT include the Prime Contractor's DVBE subcontracting reports (STD 817) with this report. SAVE these reports in your records!**





For questions on the DVBE  
Program Requirements email:  
[SB.DVBEcompliance@dgs.ca.gov](mailto:SB.DVBEcompliance@dgs.ca.gov)

For reporting questions email:  
[OSDSReports@dgs.ca.gov](mailto:OSDSReports@dgs.ca.gov)

Contact  
Information:

**THANK YOU!**

**Questions?**

