

## **FINAL STATEMENT OF REASONS (FSOR)**

This Final Statement of Reasons (FSOR) has been prepared by the Office of Small Business and DVBE Services (OSDS), Procurement Division, Department of General Services as part of the Small Business and Disabled Veteran Business Enterprise rulemaking process. It follows up on the Initial Statement of Reasons (ISOR) dated August 15, 2022 (incorporated by reference) specific to the regulatory adoption published in the California Regulatory Notice Register on September 2, 2022 (Register 2022, No. 35-Z, pages 993-997). A mandatory initial 45-day public comment period commenced September 2, and closed with a public hearing on October 17, 2022.

During this period, there were no comments submitted to DGS to justify changing or adding to the regulatory content as originally posed and published.

### **Post-Notice Modifications or Addenda to the ISOR:**

- There are no post-notice modifications or additions to information contained in the ISOR. No new technical, theoretical, or empirical material or document has been additionally relied upon or should have been made available for public review prior to the close of the public comment period. Anticipated fiscal impacts remain only to be incurred by prime contractors that contract with the state and are not compliant with Military and Veterans Code Section 999.7, as already documented.
- The initial determination contained in the published Notice of Proposed Rulemaking (page 995) regarding whether the regulations impose a mandate upon local agencies/school districts is unchanged: There is no such mandate imposition.

### **Public Comment Overview:**

Solicitation for public comment, in addition to publication in the Regulatory Notice Register, entailed a public hearing on Monday, October 17, 2022; internet postings on September 2 and October 17; two direct electronic notifications of more than 63,000 which includes firms in the certification database, broadcast bulletin subscribers, contracting agents, advisory council members and SB/DVBE advocates; along with public counter availability. This was preceded by several informal opportunities that afforded select stakeholders a preview of the proposed changes.

### **Summary of and Responses to Comment Received during the Initial Public Comment period:**

No comments or statements were submitted during the 45-day public comment period.

### **Alternatives Determination:**

The Department of General Services finds, as Government Code (Gov. Code) Section 11346.5(a)(10) requires be stated, that no reasonable alternative considered by the agency, including those posed during Gov. Code Section 11346(b) and Gov. Code Section 11346.45(a) opportunities, were more effective in carrying out the purpose for which the regulation was proposed, would have been as effective and less burdensome to affected private persons than the adopted regulation, or would have been more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. There are no revisions to the ISOR Alternatives Determination as originally set forth on page 6. There were no comments submitted in

the course of the public comment period that would have lessened any adverse economic impact on small businesses. All other requirements of Gov. Code Section 11346.9 have been satisfied in the content of the Notice of Proposed Action on Regulations published in the California Regulatory Notice Register on September 2, 2022, incorporated by reference.