

Date: December 5, 2017

Time: 1:30 - 4:00 p.m.

Location: Department of Consumer Affairs, Conference Room, HQ2

The Meeting was called to order at approximately 1:35 P.M.

Welcome- Michael Aguillio

DGS Updates- Angel Carrera

- DGS recognizes and appreciates all the hard work done by the SB/DVBE Advocates.
- The Consolidated Annual Report, (CAR Report), Late Payment Penalties' Paid Report, and SB/DVBE Participation in State Contracting FY 2016-2017 (SB/DVBE Dashboard) will be out at the end of December 2017.
- DGS strongly encourages Departments to develop SB/DVBE First Policies and wants to assist advocates in the development of policy.
- Recognition of Janet LaPerle for her service as an SB/DVBE Advocate and congratulations on her retirement.
- SB Program Video- What did your Management think of the video?

Legislative Updates - Jordan Aquino

- AB 657- In the event that there is a vacancy in the SB/DVBE Liaison (Advocate) position, the department must notify both The Governor's Office of Business and Economic Development (Go-Biz) and DGS of the vacancy within 15 days. The department then has 3 months to fill the position.
- SB 605- Increasing the dollar threshold definitions for SBs and MBs to \$15 Million for SBs and \$5 million for MBs for Public Works Contracts Starting 01/01/2019
- SB 103- Transportation Trailer Bill (CALTrans) The transportation budget trailer bill contained provisions related to small business participation and outreach efforts by the Department of Transportation; questions about this bill should be directed to that department.
- AB 547 (number?) VETOED- Prompt Payment Act (PPA) will not include DVBE businesses.
- AB 961 Quirk-Silva (Vetoed)- require an awarding department to maintain all records of the information provided by the prime contractor pursuant to those provisions and to retain the records for a minimum of 6 years after collection.
-

Governor's Office of Business and Economic Development (GO-Biz) Update- Jesse Torres

- Highlighted SB First Video to be used as a tool to encourage management to implement a SB First Policy.
- If Advocates need backing to encourage their departments management to allow Advocates to attend outreach events, please contact Jesse.
- Highlighted and thanked participating departments for participating in the Local Business Assistance Centers during the LNU Complex Fires.
- Noted the new federally granted CASCADE Program, whose goal is to increase California Supplier Diversity especially concerning Technology Defense.
- In accordance with SB 350 GO-Biz is working with DGS on Green Living and contracting and encouraging participation of SBs in Green Procurement Contracts.
- Highlight the iHub networks and innovation centers that are funded by GO-Biz through SBIR Funding
- GO-Biz is here as your resource.

SB/DVBE Advocate Program Update- Caesar Gutierrez

- Mentioned creation and status of SB/DVBE Advocate Program path.
- Acknowledged the four volunteers that participated in reviewing the SB Pathways Pilot: Nina Martinez (CDCR), Tracy Bowen(CHP) Andrea Pina (DCA), and Michael Aguillo (DGS).
- Currently working on the next steps and revisions.
- Working with CAL PCA and DGS's Outreach Division on publishing the Pathway online and Learning Management System (LMS)- estimated implementation is mid-January for the program path to appear on the Outreach website and summer of 2018 for program path to appear on the Cal PCA LMS portal.
- When posted feedback is requested. Need Senior Advocates comments.
- Comment: Per Michael Aguillo, This is a tool for Advocates to have a better understanding of responsibilities. A certificate will be generated for participants upon completion of the training .
- Caesar offered assistance with any vendor who is struggling with the application process to become certified. His information is as followed:

Caesar Gutierrez

Caesar.Gutierrez@fire.ca.gov

916-375-4931

California Multiple Awards Schedule (CMAS)- Amanda Towers

- CMAS is a streamlined best value process that is Non-Competitively Bid by the State of California. Bids are evaluated and awarded at the Federal level.
- CMAS is available to all State Agencies and Local Government Agencies
- Does not allow protests

- Agencies need to solicit a minimum of 3 Request for Offers (RFO) one of which needs to be from a SB/DVBE
- A CMAS Contractor/ Supplier can Piggyback off of another company's ~~the~~ Federal GSA schedule or utilize their own Federal GSA schedule as the base for the Agreement
- Vendors are awarded through direct solicitation.
- Suppliers can apply for the CMAS program with a simple application process which is available online.
- There are no fees to apply for the CMAS program
- To find out more information or to apply for a CMAS agreement:

cmas@dgs.ca.gov

916-375-4365

Commercially Useful Function (CUF)- Carl Josephson

- DGS/OSDS is not responsible for ensuring that when a vendor becomes certified that they are CUF Compliant.
- Program abuse is defined as:
 - Fraudulently obtaining or attempting to obtain public monies or contract awarded by the state to which a person is not entitled.
 - Fraudulently representing SB/DVBE participation in order to obtain or retain a bid preference or a state contract.
 - Fraudulently representing a CUF in order to obtain or retain a bid preference or state contract.
- A vendor Preforms CUF when completing all of the following:
 - Executes a distinct element of the contract work including supplying of goods/ Services.
 - Preforms manages or supervises the work including supplying of goods/services.
 - Preforms work that is normal for the firm's business services and functions.
 - Is responsible with respect to products, inventories, materials, and supplies required for the subcontract, for negotiating price, determining quality and quantity, ordering, installing, and paying for the material.
 - Does not subcontract a portion of the work greater than expected by industry practices.
 - DGS does not supply a list of "industry standards"
- Highlighted CUF Determination Worksheet
 - Not a standardized form, it is up to the department to determine their tracking system.

Events- Tracy Bowen

- Comment: Anthony Lewis demonstrated where the DGS new path for the Outreach events are located.
- Comment: Michael Aguilio, State Agency Recognition Awards on Wednesday, January 24, 2018

Open Forum-

Closing- Michael Aguilio