



DISABLED VETERAN BUSINESS ENTERPRISE PROGRAM RULES AND PROCEDURES

1. Terms

In these rules and procedures:

- A. "Annual Goal" refers to the goal that 3% of the Superior Court of California, County of Los Angeles's (Court) total annual contract value be expended on goods or services provided by Disabled Veteran Business Enterprises (DVBE).
- B. "Bid" means a response to a competitive solicitation issued by the Court, regardless of the solicitation method used by the Court (e.g., IFB or RFP).
- C. "Bidder" means a person or entity that submits a response to a competitive solicitation issued by the Court, regardless of the solicitation method used by the Court (e.g., IFB or RFP).
- D. "Bidder Declaration" means the declaration completed by a Bidder seeking to claim the DVBE incentive.
- E. "BUP" refers to a business utilization plan.
- F. "DGS" refers to the California Department of General Services.
- G. "DVBE" refers to a DGS-certified disabled veteran business enterprise.
- H. "DVBE Declaration" means the declaration completed by each DVBE associated with a bid.
- I. "Incentive Goal" refers to the percentage of the contract goods and/or services that must be provided by a DVBE in order for a Bidder to receive the DVBE incentive.

2. Affected solicitations, waiver

The Court will offer a DVBE incentive for competitive solicitations over \$10,000, unless the DVBE incentive is waived by the Court's Chief Procurement Officer (CPO). When the DVBE incentive is waived, the Court will include a completed DVBE waiver form in the procurement file.

The Court may waive the DVBE incentive in any solicitation, upon approval of the CPO. Without limiting the foregoing, the Court may waive DVBE incentive in solicitations in which (i) few or no DVBE subcontracting opportunities exist, (ii) subcontracting a portion of the work is not normal for the industry, or (iii) the work is so specialized that there are few or no DVBEs that can perform the work.

3. Incentive Goal

For solicitations in which the DVBE incentive is offered, the Incentive Goal is 3%.¹ In other words, at least 3% of the contract goods and/or services must be provided by a DVBE in order for a Bidder to receive the DVBE incentive.

4. Determining if a Bidder is entitled to the DVBE incentive

Bidder must complete the Bidder Declaration and submit it with its bid. The information contained in the Bidder Declaration is used to determine whether a Bidder qualifies for the DVBE incentive. If a bid is disqualified on other grounds (e.g., it was late), there is no need to determine whether that Bidder would otherwise be entitled to the DVBE incentive.

A Bidder may qualify for the DVBE incentive in **three ways**. To qualify for the DVBE incentive, Bidder must meet the requirements in Section 4.A, Section 4.B, **or** Section 4.C below.

A. Bidder is a DVBE

The first way for a Bidder to qualify for the DVBE incentive is if Bidder itself is a DVBE. To qualify for the DVBE incentive in this manner:

- i. Bidder must complete both a Bidder Declaration and a DVBE Declaration.
- ii. Bidder's DVBE certification must be active as of the date that the bids are due.
- iii. Bidder must provide a copy of its DVBE certification approval letter issued by DGS.
- iv. Bidder must certify that it is not a broker or an agent by checking the first box in Section 2 of the DVBE Declaration. If this box is not checked, Bidder is not eligible to receive the DVBE incentive, and the amount spent on the contract does not count toward the Annual Goal.
- v. If Bidder will use subcontractors, the portion of the contract to be performed by Bidder itself must be at least 3%² of the contract value and must constitute a commercially useful function. (See Section 4.C.vii below for more information about commercially useful functions.)

¹ The Court may, for a specific solicitation, adopt (i) a lower Incentive Goal, (ii) a higher Incentive Goal, or (iii) a scaled Incentive Goal where bidders obtaining higher levels of DVBE participation qualify for greater incentives. If the Court adopts any of these for a specific solicitation, it will disclose details in the solicitation document.

² Although uncommon, a Bidder that is a DVBE could subcontract to other DVBEs. If Bidder subcontracts to DVBE subcontractors, (a) the combined work performed by Bidder and the DVBE subcontractors must meet the Incentive Goal, (b) Bidder must meet the requirements in Section 4.A.(i)-(iv) and (vi), and (c) Bidder and the DVBE subcontractors must meet the requirements in Section 4.C. The 3% amount assumes that the Incentive Goal for the solicitation is the standard 3%. If the Court has adopted a higher or lower Incentive Goal for a specific solicitation, this percentage must be adjusted accordingly.

- vi. If Bidder will provide equipment rental, Bidder must check both boxes in Section 3 of the DVBE Declaration. If either box is not checked, the dollar amount of the contract related to equipment rental (1) is excluded from the Incentive Goal when determining if Bidder is qualified for the DVBE incentive, and (2) does not count toward the Annual Goal.

B. Business Utilization Plan

The second way for a Bidder to qualify for the DVBE incentive is if Bidder has an approved business utilization plan (BUP) on file with DGS. To qualify for the DVBE incentive in this manner:

- i. The solicitation must be for non-IT goods or IT goods or services. A BUP may not be used to qualify for the DVBE incentive in a non-IT services solicitation.
- ii. Bidder's BUP must have been approved by DGS prior to the date that the bids are due.
- iii. Bidder's BUP must not be expired as of the date that the bids are due.
- iv. Bidder must provide a copy of its "Notice of Approved DVBE Business Utilization Plan" issued by DGS.

C. Bidder will use DVBE subcontractors

The third way for a Bidder to qualify for the DVBE incentive is using one or more DVBE subcontractors. To qualify for the DVBE incentive in this manner:

- i. Bidder must identify all DVBE subcontractors on the Bidder Declaration.
- ii. Each DVBE subcontractor's DVBE certification must be active as of the date that the bids are due.
- iii. Bidder must provide a copy of each DVBE subcontractor's DVBE certification approval letter issued by DGS.
- iv. Each DVBE subcontractor must complete a DVBE Declaration. Bidder must submit each completed DVBE Declaration along with its Bidder Declaration.
- v. Bidder must submit written confirmation from each DVBE subcontractor that, if Bidder is awarded the contract, the DVBE subcontractor will provide the applicable goods and/or services.
- vi. Each DVBE subcontractor must certify that it is not a broker or an agent by checking the first box in Section 2 of the DVBE Declaration. If this box is not checked, the value of the subcontract (1) is excluded from the Incentive Goal when determining if Bidder is qualified for the DVBE incentive, and (2) does not count toward the Annual Goal.
- vii. Each DVBE subcontractor must perform a commercially useful function. In other words, the DVBE subcontractor cannot be a mere extra participant

through which funds are passed in order to obtain the appearance of DVBE participation. See items III.9 and III.10 of the Bidder Declaration when determining whether the DVBE subcontractor is performing a commercially useful function. If the DVBE subcontractor is not performing a commercially useful function, the dollar amount of the subcontract (1) is excluded from the Incentive Goal when determining if Bidder is qualified for the DVBE incentive, and (2) does not count toward the Annual Goal. MVC 999 states that an entity performs a “**commercially useful function**” if the entity does all of the following: (a) is responsible for the execution of a distinct element of the work of the contract; (b) carries out the obligation by actually performing, managing, or supervising the work involved; (c) performs work that is normal for its business services and functions; (d) is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment; and (e) is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.

- viii. The percentage of the total bid price for the goods and/or services to be provided by DVBE subcontractor(s) is at least 3%.³ See items III.11 of the Bidder Declaration when determining whether Bidder has met this threshold.
- ix. If a DVBE subcontractor will provide equipment rental, the DVBE subcontractor must check both boxes in Section 3 of the DVBE Declaration. If either box is not checked, the dollar amount of the subcontract related to equipment rental (1) is excluded from the Incentive Goal when determining if Bidder is qualified for the DVBE incentive, and (2) does not count toward the Annual Goal.

Note: After the contract is completed, Bidder must complete and submit to the Court a post-contract certification form to verify that each DVBE subcontract was completed as promised. This certification form is required only when DVBE subcontractors are used.

³ If Bidder is also a DVBE, the percentage of the total bid price for the goods and/or services to be provided by Bidder and the DVBE subcontractor(s) is at least 3%. See footnote 2 above. If the Court has adopted a higher or lower Incentive Goal for a specific solicitation, this percentage must be adjusted accordingly.

5. DVBE incentive

A. Incentive amount

For solicitations that offer a DVBE incentive, the amount of the incentive is 3%.⁴ The way the DVBE incentive is applied depends on whether the contract will be awarded to the lowest responsible bidder or to the highest scored bid.⁵

B. DVBE incentive in lowest responsible bidder solicitations

For solicitations awarded to the lowest responsible bidder (e.g., IFBs), Bidder’s bid price is reduced by an amount equal to 3% of the lowest responsible bid.⁶ This reduction is for evaluation purposes only; the amount to be paid to Bidder if it wins the contract is not reduced by this amount.

Example 1: The Court issues a lowest responsible bidder solicitation and receives three responsive bids. The first bid is from AAA Corp (not eligible for the DVBE incentive) for \$98,000. The second bid is from BBB Corp (eligible for the DVBE incentive) for \$100,000. The third bid is from CCC Corp (eligible for the DVBE incentive) for \$110,000. The lowest responsible bid is AAA Corp’s bid for \$98,000, so the dollar amount of the DVBE incentive is \$2,940 (98,000 x 3% = 2,940). Bids submitted by entities eligible for the DVBE incentive are reduced by this amount, for purposes of evaluating the bids. The bid from BBB Corp is reduced by \$2,940 to \$97,060. The bid from CCC Corp is reduced by \$2,940 to \$107,060. In this scenario, the Court will award the contract to the BBB Corp; the amount of the contract will be \$100,000.

	AAA Corp	BBB Corp	CCC Corp
<i>Bid amount</i>	<i>\$98,000</i>	<i>\$100,000</i>	<i>\$110,000</i>
<i>Eligible for DVBE incentive?</i>	<i>No</i>	<i>Yes</i>	<i>Yes</i>
<i>Dollar amount of DVBE incentive</i>		<i>\$2,940</i>	<i>\$2,940</i>
<i>Adjusted bid amount (for purposes of evaluating the bids)</i>	<i>\$98,000</i>	<i>\$97,060</i>	<i>\$107,060</i>

⁴ The Court may, however, adopt a higher or lower incentive amount for a specific solicitation. If the Court adopts a higher or lower incentive amount for a specific solicitation, the Court will disclose this higher or lower amount in the solicitation document.

⁵ If a solicitation is for IT goods or services, the application of the DVBE incentive may be affected by the small business preference. For details regarding the interaction between the DVBE incentive and the small business preference, see the Court’s Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

⁶ If the Court has adopted a higher or lower incentive amount for a specific solicitation, this percentage must be adjusted accordingly.

The maximum dollar value of the DVBE incentive in a lowest responsible bidder solicitation is \$50,000, unless the Court’s CPO approves a higher maximum dollar value for a specific solicitation. If the Court adopts a higher maximum dollar value, the Court will disclose this higher amount in the solicitation document.

Example 2: The Court issues a lowest responsible bidder solicitation and receives three responsive bids. The first bid is from DDD Corp (eligible for the DVBE incentive) for \$4,200,000. The second bid is from EEE Corp (eligible for the DVBE incentive) for \$4,110,000. The third bid is from FFF Corp (not eligible for the DVBE incentive) for \$4,000,000. The lowest responsible bid is FFF Corp’s bid for \$4,000,000, so one might expect that the dollar amount of the DVBE incentive will be \$120,000 (4,000,000 x 3% = 120,000). However, the maximum dollar value of the DVBE incentive is \$50,000. A bid submitted by an entity eligible for the DVBE incentive is reduced by \$50,000 for purposes of evaluating the bids. The bid from DDD Corp is reduced by \$50,000 to \$4,150,000. The bid from EEE Corp is reduced by \$50,000 to \$4,060,000. In this scenario, the Court will award the contract to FFF Corp; the amount of the contract will be \$4,000,000.

	DDD Corp	EEE Corp	FFF Corp
<i>Bid amount</i>	\$4,200,000	\$4,110,000	\$4,000,000
<i>Eligible for DVBE incentive?</i>	Yes	Yes	No
<i>Dollar amount of DVBE incentive</i>	\$50,000	\$50,000	
<i>Adjusted bid amount (for purposes of evaluating the bids)</i>	\$4,150,000	\$4,060,000	\$4,000,000

C. DVBE incentive in highest scored bid solicitations

For solicitations awarded to the highest scored bid (e.g., RFPs), the evaluation criteria must account for the DVBE incentive. The DVBE incentive is 3% of the total possible available points. For example, if a solicitation has 100 total possible available points, 3 points would be allocated as the DVBE incentive.

The DVBE incentive is awarded on an “all or nothing” basis. All 3 points are added to the score of an entity that qualifies for the DVBE incentive. None of the 3 points is added to the score of an entity that does not qualify for the DVBE incentive.⁷

Example 3: The Court issues a highest scored bid solicitation with the following evaluation criteria:

⁷ If the number of points is greater or lesser than 3 in a specific solicitation, the number of points in this paragraph must be adjusted accordingly.

Criterion	Possible points
Experience on similar assignments	12
Cost	50
Quality of work plan submitted	30
Acceptance of the Terms and Conditions	5
DVBE incentive	3

The Court receives two responsive bids, from GGG Corp and HHH Corp. GGG Corp is not a DVBE, and makes no commitment to use DVBE subcontractors. HHH Corp is a DVBE. The Court scores the bids as follows:

Criterion	GGG Corp	HHH Corp
Experience on similar assignments	12	12
Cost	48	47
Quality of work plan submitted	29	28
Acceptance of the Terms and Conditions	5	5
DVBE incentive	0	3
TOTAL	94	95

HHH Corp qualified for the DVBE incentive, and received all three points. GGG Corp did not qualify for the DVBE incentive, and received none of those three points. The Court will award the contract to HHH Corp, as its bid received the highest score.

6. Suspended or debarred bidders and subcontractors

The Court will not enter any contract with a Bidder suspended or debarred for violating PCC 10115.10 for the period of the applicable suspension or debarment. The Court will not award a contract to a Bidder utilizing the services of a subcontractor suspended or debarred for violating PCC 10115.10 for the period of the applicable suspension or debarment. DGS maintains a list of suspended and debarred entities at www.documents.dgs.ca.gov/pd/smallbus/SuspendList.pdf.

7. Replacement of DVBE subcontractors

With the Court's prior written approval, a vendor may replace a DVBE subcontractor identified in its bid with another DVBE subcontractor.

When requesting replacement of a DVBE subcontractor, the vendor must provide to the Court:

- i. Written explanation of the reason for the requested replacement.
- ii. New DVBE subcontractor name.
- iii. New DVBE subcontractor contact person.
- iv. New DVBE subcontractor address.
- v. New DVBE subcontractor phone number.
- vi. New DVBE subcontractor email.
- vii. New DVBE subcontractor DVBE supplier ID number.
- viii. New DVBE subcontractor DVBE certification active dates (from/to).
- ix. Other information as requested by the Court.

A court may not permit a vendor to use a subcontractor suspended for violating PCC 10115.10 for the period of the applicable suspension. To access a DGS list of suspended Bidders, search on <https://www.documents.dgs.ca.gov/pd/smallbus/Suspendedlist.pdf>.

8. General

A. Use of existing state resources

The Court will use existing state resources related to DVBEs. These resources include the database of certified DVBEs maintained by DGS, currently accessible at <https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx>.

B. Monitoring adherence to DVBE goals

- i. Incentive Goal. If Bidder receives the DVBE incentive by using DVBE subcontractor(s), Bidder must complete and submit to the Court a post-contract certification form to verify that DVBE subcontracting was completed as promised. The completed post-contract certification forms will be retained in the procurement file.
- ii. Annual Goal. The Court will track the total value of work awarded or subcontracted to DVBEs each year.



BIDDER DECLARATION

Solicitation Number:	
Contractor Name:	

Complete this form only if Bidder wishes to claim the DVBE incentive associated with this solicitation. Please review the “Bidder Declaration Instructions” prior to completing this form. If Bidder submits incomplete or inaccurate information, it will not receive the DVBE incentive.

SECTION I. COMPLETE IF BIDDER IS A DVBE

If Bidder is not a DVBE, skip this section.

1. DGS Supplier ID number: _____
2. DVBE Certification active from _____ to _____
3. Will Bidder subcontract any portion of the contract work to subcontractors? _____

If yes:

A. State the percentage of the contract work Bidder will subcontract: _____

B. Describe the goods and/or services to be provided by Bidder itself in connection with the contract: _____

C. Explain how Bidder is performing a “commercially useful function” for purposes of this contract. (Please see the instructions for the definition of “commercially useful function.”) _____

4. The disabled veteran owners and managers of Bidder must complete and sign the **DVBE Declaration** (a separate document). Bidder must submit the completed DVBE Declaration along with this Bidder Declaration.
5. Bidder must submit a copy of its DVBE certification approval letter along with this Bidder Declaration.

SECTION II. COMPLETE IF BIDDER HAS A DVBE BUSINESS UTILIZATION PLAN

Skip this section if (i) Bidder does not have an approved DVBE Business Utilization Plan (BUP) on file with DGS, or (ii) this solicitation is for non-IT services.

1. Date BUP was approved by DGS: _____
2. Date through which BUP is valid: _____
3. Bidder must submit a copy of its “Notice of Approved DVBE Business Utilization Plan” issued by DGS along with this Bidder Declaration.

SECTION III. COMPLETE IF BIDDER WILL USE DVBE SUBCONTRACTORS

Enter the total number of DVBE subcontractors (DVBE Subcontractors) that Bidder will use for this contract: _____

If the total number of DVBE Subcontractors Bidder will use is zero, skip this section.

Provide the following information or materials for **each** DVBE Subcontractor that Bidder will use for this contract. Attach additional sheets if necessary.

1. DVBE Subcontractor name: _____
2. DVBE Subcontractor contact person: _____
3. DVBE Subcontractor address: _____
4. DVBE Subcontractor phone number: _____
5. DVBE Subcontractor email: _____
6. DVBE Subcontractor’s DGS Supplier ID number: _____
7. DVBE Subcontractor DVBE Certification active from _____ to _____.
8. Bidder must submit a copy of the DVBE Subcontractor’s DVBE certification approval letter along with this Bidder Declaration.
9. Describe the goods and/or services to be provided by the DVBE Subcontractor in connection with the contract:

10. Explain how the DVBE Subcontractor is performing a “commercially useful function” for purposes of this contract. (Please see the instructions for the definition of “commercially useful function.”)

11. Enter the percentage of the total bid price for the goods and/or services to be provided by the DVBE Subcontractor: _____%
12. Provide written confirmation from the DVBE Subcontractor that it will provide the goods and/or services identified above if Bidder is awarded the contract.
13. The disabled veteran owners and managers of the DVBE Subcontractor must complete and sign the **DVBE Declaration** (a separate document). Bidder must submit the completed DVBE Declaration along with this Bidder Declaration.

SECTION IV. CERTIFICATION

I, the official named below, certify that the information provided in this form is true and correct. I am duly authorized to legally bind Bidder to this certification. This certification is made under the laws of the State of California.

<i>Company Name (Printed)</i>	<i>Tax ID Number</i>
<i>Address</i>	<i>Telephone Number</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County of _____ in the State of _____</i>

BIDDER DECLARATION INSTRUCTIONS

General Instructions

In this form, (i) “DGS” refers to the Department of General Services; (ii) “Bidder” refers to a person or entity that submits a response to a competitive solicitation issued by the Superior Court of California, County of Los Angeles, including both IFBs and RFPs; and (iii) “bid” refers to a response to a competitive solicitation issued by the JBE, including both IFBs and RFPs. Pursuant to Military and Veterans Code section 999, a person or an entity is deemed to perform a “commercially useful function” if a person or entity does all of the following: (a) is responsible for the execution of a distinct element of the work of the contract; (b) carries out the obligation by actually performing, managing, or supervising the work involved; (c) performs work that is normal for its business services and functions; (d) is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment; and (e) is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices. Note: a person or entity will not be considered to perform a “commercially useful function” if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of DVBE participation.

If Bidder wishes to claim the DVBE incentive in a solicitation where a DVBE incentive is offered, it must complete the Bidder Declaration. If no DVBE incentive is offered, or Bidder does not wish to claim the DVBE incentive, Bidder should not complete the Bidder Declaration.

The JBE will determine whether Bidder is eligible to receive the DVBE incentive based on information provided in the Bidder Declaration. The JBE may, but is not obligated to, verify or seek clarification of any information set forth in the Bidder Declaration. If Bidder submits incomplete or inaccurate information, it will not receive the DVBE incentive.

Instructions for Section I

Skip this section if Bidder is not itself a DVBE.

1. Provide Bidder’s DGS Supplier ID number. This number is in Bidder’s DGS Supplier Profile, accessible at: <https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx>
2. Provide the applicable dates. These dates are listed in Bidder’s DGS Supplier Profile, accessible at: <https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx>
3. If Bidder will subcontract any portion of the contract work, answer “yes” and complete subparts A-C. If Bidder will not subcontract any portion of the contract work, answer “no” and skip subparts A-C.
Subpart A: This percentage is equal to the amount to be paid by Bidder to all subcontractors divided by Bidder’s total bid price, multiplied by 100. Enter a percentage; do not enter a dollar amount. For example, if the amount to be paid by Bidder to subcontractors is \$35,000 and Bidder’s total bid price is \$125,000, enter “28%” ($35,000 \div 125,000 = 0.28$; $0.28 \times 100 = 28$).
Subpart B: Provide a detailed description of the goods and/or services the Bidder itself will provide for the contract. In other words, provide a detailed description of the goods and/or services that will not be subcontracted. Attach additional sheets if necessary.
Subpart C: Provide an explanation of how the Bidder’s goods and/or services constitute a “commercially useful function” for purposes of the contract. Attach additional sheets if necessary.
4. The DVBE Declaration is separate from the Bidder Declaration. Bidder must submit along with the Bidder Declaration a DVBE Declaration completed and signed by the disabled veteran owners and managers of Bidder.
5. Each entity certified as a DVBE by DGS will have received a DVBE certification approval letter. Bidder must submit a copy of its DVBE certification approval letter.

Instructions for Section II

Skip this section if (i) Bidder does not have an approved Business Utilization Plan (BUP) on file with DGS, or (ii) this solicitation is for non-IT services.

1. Provide the date on which DGS approved Bidder's BUP.
2. Provide the date through which the BUP is valid.
3. Bidder must provide a copy of its "Notice of Approved DVBE Business Utilization Plan" issued by DGS. This copy must be provided along with the Bidder Declaration.

Instructions for Section III

A DVBE Subcontractor is any certified DVBE (whether a person, firm, corporation, or organization) contracting to perform part of Bidder's contract.

Enter the total number of DVBE Subcontractors that Bidder will use for the contract. If the number is zero, skip to Section IV. Otherwise, provide complete information (items 1-13 of Section III) for each DVBE Subcontractor.

1. Provide the full legal name of the DVBE Subcontractor.
2. Provide the name of a contact person at the DVBE Subcontractor. The contact person must be able to verify the information provided in the Bidder Declaration regarding that DVBE Subcontractor.
3. Provide the full address of the DVBE Subcontractor.
4. Provide the DVBE Subcontractor's phone number, including area code.
5. Provide the DVBE Subcontractor's email address. If the DVBE Subcontractor does not have an email address, insert "N/A."
6. Provide the DVBE Subcontractor's DGS Supplier ID number. This number is in the DVBE Subcontractor's DGS Supplier Profile, accessible at: <https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx>
7. Provide the applicable dates. These dates are in the DVBE Subcontractor's DGS Supplier Profile, accessible at: <https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx>
8. Each entity certified as a DVBE by DGS will have received a DVBE certification approval letter. Bidder must submit a copy of the DVBE Subcontractor's DVBE certification approval letter.
9. Provide a detailed description of the goods and/or services the DVBE Subcontractor will provide for the contract. Attach additional sheets if necessary.
10. Provide an explanation of how the DVBE Subcontractor's goods and/or services constitute a "commercially useful function" for purposes of the contract. Attach additional sheets if necessary.
11. This percentage is equal to the amount to be paid by Bidder to the DVBE Subcontractor divided by Bidder's total bid price, multiplied by 100. Enter a percentage; do not enter a dollar amount. For example, if the amount to be paid by Bidder to the DVBE Subcontractor is \$6,600 and Bidder's total bid price is \$75,000, enter "8.8%" ($6600 \div 75000 = 0.088$; $0.088 \times 100 = 8.8$).
12. Bidder must submit a written confirmation from the DVBE Subcontractor indicating that, if Bidder is awarded the contract, the DVBE Subcontractor will provide the required goods and/or services.
13. The DVBE Declaration is a separate form from the Bidder Declaration. Bidder must submit along with the Bidder Declaration a DVBE Declaration completed and signed by the disabled veteran owners and managers of the DVBE Subcontractor.

Instructions for Section IV

Provide Bidder's full legal name, tax ID number, address, and telephone number in the appropriate boxes. The certification must be signed by an authorized Bidder representative in the box labeled "By (Authorized Signature)." Provide the name and title of the authorized Bidder representative, and the date, county and state where that person signed the certification, in the appropriate boxes.



DVBE DECLARATION

Solicitation Number:	
Contractor Name:	

SECTION 1. MUST BE COMPLETED BY ALL DVBEs

Disabled Veteran Business Enterprise (DVBE) name: _____

DGS Supplier ID number: _____

SECTION 2. MUST BE COMPLETED BY ALL DVBEs

Check only one box in Section 2 and provide original signatures of all disabled veteran (DV) owners and managers of the DVBE.

I (we) declare that the DVBE is not a broker or agent, as defined in Military and Veterans Code (MVC) section 999.2(b), of the goods and/or services provided by the DVBE in connection with the solicitation identified above.

Pursuant to MVC 999.2(f), I (we) declare that the DVBE is a broker or agent for the following principal. *(attach additional sheets if more than one principal)*
Principal Name: _____ Principal Phone: _____
Principal Address: _____

Disabled veteran owners and managers of the DVBE: *(attach additional sheets if necessary)*

<i>Printed Name of DV owner/manager</i>	<i>Date signed</i>
<i>Signature of DV owner/manager</i>	

<i>Printed Name of DV owner/manager</i>	<i>Date signed</i>
<i>Signature of DV owner/manager</i>	

<i>Printed Name of DV owner/manager</i>	<i>Date signed</i>
<i>Signature of DV owner/manager</i>	

SECTION 3. MUST BE COMPLETED BY DVBEs THAT PROVIDE RENTAL EQUIPMENT AND ARE NOT BROKERS/AGENTS

Skip this section if (i) the DVBE is not providing rental equipment or (ii) the DVBE indicated in Section 2 that it is a broker or agent.

Check applicable boxes below 3 and provide original signatures of all DV owners and managers of the DVBE.

- Pursuant to MVC 999.2 (c), (d) and (g), I am (we are) the DV(s) with at least 51% ownership of the DVBE, or DV manager(s) of the DVBE. The DVBE maintains certification requirements in accordance with MVC 999 et seq.
- The undersigned owner(s) own(s) at least 51% of the quantity and value of each piece of equipment that will be rented in connection with this solicitation. I (we), the DV owner(s) of the equipment, have submitted to DGS my (our) personal federal tax return(s) at time of certification and annually thereafter as defined in MVC 999.2 (c) and (g).

Disabled veteran owners of the DVBE: (attach additional sheets if necessary)

<i>Printed Name of DV owner</i>	<i>Tax ID Number of DV owner</i>
<i>Address of DV owner</i>	<i>DV owner Telephone Number</i>
<i>Signature of DV owner</i>	<i>Date signed</i>

<i>Printed Name of DV owner</i>	<i>Tax ID Number of DV owner</i>
<i>Address of DV owner</i>	<i>Telephone # of DV owner</i>
<i>Signature of DV owner</i>	<i>Date signed</i>

Disabled veteran managers of the DVBE: (attach additional sheets if necessary)

<i>Printed Name of DV manager</i>	<i>Date signed</i>
<i>Signature of DV manager</i>	

<i>Printed Name of DV manager</i>	<i>Date signed</i>
<i>Signature of DV manager</i>	

DVBE DECLARATION INSTRUCTIONS

General Instructions

In this form, (i) “DGS” refers to the Department of General Services; (ii) “Bidder” refers to a person or entity that submits a response to a competitive solicitation issued by the Superior Court of California, County of the Los Angeles (Court), including both IFBs and RFPs; and (iii) “bid” refers to a response to a competitive solicitation issued by the Court, including both IFBs and RFPs.

If Bidder wishes to claim the DVBE incentive in a solicitation where a DVBE incentive is offered, it must submit a DVBE Declaration completed by each DVBE that will provide goods and/or services in connection with its bid. If Bidder is itself a DVBE, it must complete the DVBE Declaration itself. If Bidder will use one or more DVBE subcontractors, each DVBE subcontractor must complete a DVBE Declaration.

If no DVBE incentive is offered, or Bidder does not wish to claim the DVBE incentive, Bidder should not submit a DVBE Declaration. In addition, if Bidder wishes to claim the DVBE incentive using a DVBE Business Utilization Plan (BUP) on file with DGS, Bidder should not submit a DVBE Declaration. Note that a BUP cannot be used to qualify for the DVBE incentive in a non-IT services solicitation.

The Court will determine whether Bidder is eligible to receive the DVBE incentive based on information provided in the DVBE Declaration. The Court may, but is not obligated to, verify or seek clarification of any information set forth in the DVBE Declaration. If Bidder submits incomplete or inaccurate information, it will not receive the DVBE incentive.

Instructions for Section 1

Provide the full legal name of the DVBE, and its DGS Supplier ID number. This number is in the DVBE’s DGS Supplier Profile, accessible at: <https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx>

Instructions for Section 2

Check only one box. If the DVBE is not a broker or agent, check the first box. If the DVBE is a broker or agent, check the second box and provide the name, address, and phone number of the principal for which the DVBE is an agent or broker. Military and Veterans Code section 999.2(b) defines “broker” or “agent” as an individual or entity that does not have title, possession, control, and risk of loss of materials, supplies, services, or equipment provided to [a court], unless one or more of the disabled veteran owners has at least 51-percent ownership of the quantity and value of the materials, supplies, services, and of each piece of equipment provided under the contract.

All disabled veteran owners and managers of the DVBE must sign and date Section 2. If there are insufficient signature blocks for all disabled veteran owners and managers to sign, attach additional sheets.

Instructions for Section 3

The DVBE must complete Section 3 only if both of the following are true (i) the DVBE will provide rental equipment in connection with the contract, and (ii) the DVBE checked the first box in Section 2, indicating that it is not a broker or agent.

If (i) the DVBE will not provide rental equipment in connection with the contract, or (ii) the DVBE checked the second box in Section 2, indicating that it is a broker or agent, the DVBE should not check a box in Section 3 or provide the signatures in Section 3.

Check each box in Section 3 if the corresponding statement is true.

All disabled veteran owners of the DVBE must sign and date Section 3, in the signature blocks designated for disabled veteran owners. Each disabled veteran owner of the DVBE must also provide his or her tax ID number, address, and telephone number in the signature block. If there are insufficient signature blocks for all disabled veteran owners, attach additional sheets.

All disabled veteran managers of the DVBE must sign and date Section 3, in the signature blocks designated for disabled veteran managers. If there are insufficient signature blocks for all disabled veteran managers, attach additional sheets.



DVBE POST-CONTRACT CERTIFICATION FORM

Agreement Number:	
Contractor Name:	

The contractor identified above (Contractor) entered into the agreement identified above (Agreement) with the Superior Court of California, County of Los Angeles. Pursuant to Military and Veterans Code section 999.5(d), Contractor must provide and certify the information below. **Please return this form to the JBE within sixty (60) days of receiving final payment under the Agreement.** Failure to return this form as required constitutes a breach of the Agreement.

Total amount of money Contractor received under the Agreement	
Name and address of each disabled veteran business enterprise (DVBE) subcontractor to which Contractor subcontracted work in connection with the Agreement	
Total amount of money and percentage of work Contractor committed to provide to each DVBE subcontractor	
Total amount of money each DVBE subcontractor received from Contractor in connection with the Agreement	

Contractor certifies that (i) the information above is accurate, and (ii) all payments under the Agreement have been made to the applicable DVBE subcontractor(s).

<i>Contractor (Printed)</i>	<i>Date Executed</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	

Send completed form to:

**Theresa Jauregui, Procurement Administrator
 Superior Court, County of Los Angeles
 312 North Spring Street, Room 910
 Los Angeles, California 90012**