



Propositions S & N Construction Bond Program Diversity Commitment

The San Diego Community College District (SDCCD) values diversity and encourages the participation of small and historically underutilized business enterprises in its \$1.555 billion Propositions S & N construction bond program. The bonds provide funding for new instructional and career training facilities, major renovations, parking and public safety enhancements, and infrastructure projects at City, Mesa, Miramar Colleges, and six Continuing Education campuses located throughout San Diego. A Contractor Outreach Program has been established to promote the increased utilization, capacity building and sustainability of small and historically underutilized businesses.

The Contractor Outreach Program includes a communications and technical assistance component to aid Small, Disadvantaged; Minority, Woman, and Disabled Veteran-owned Business Enterprises (S/D/M/W/DVBEs) in preparing for and pursuing Propositions S & N projects. (Definitions are available at the end of this document.) The outreach team, composed of the District's Facilities Management staff and consultants, monitors the participation of small and historically underutilized firms and workforce diversity on an ongoing basis. S/D/M/W/DVBE utilization statistics are regularly reported to the District's Board of Trustees and the Citizens' Oversight Committee for Propositions S and N.

PROGRAM COMPONENTS

Project & Trade-specific Bid Notifications – Propositions S & N construction bond program forecasts and bid information are posted on the SDCCD website and updated monthly. Interested contractors are encouraged to monitor these forecasts, while more targeted and strategic outreach is concurrently conducted.

Electronic bid notifications that include detailed information about bid opportunities and the respective project budgets and schedules are sent to firms meeting the following criteria:

- California Department of General Services (DGS) certified-Small, Microbusiness and Disabled Veteran-owned Business Enterprises
- California Unified Certification Program (CUCP)-certified Disadvantaged Business Enterprises; and State-certified Minority and Women-owned business Enterprises

The San Diego Contracting Opportunities Center (SDCOC) (<http://www.ptac-sandiego.org/>) – one of the District's outreach partners - is utilizing the federally-mandated *Central Contracting Registration* (CCR) database and the resources of the U.S. Small Business Administration (SBA) in identifying certified Small Business Enterprises (SBE) and Small Disadvantaged Business Enterprises (SDBE). The SDCOC notifies locally registered small businesses of bid opportunities, available training and technical assistance resources.

S/D/M/W/DVBE Certification – The SDCCD's commitment to transparency is guided by the District's Board of Trustees and the Propositions S & N Oversight Committee. To assure "best practices" regarding the accuracy of data being reported, an *S/D/M/W/DVBE Certification Verification Affidavit*, to be signed *under penalty of perjury*, has been developed for use on all Propositions S and N projects. The affidavit is a brief form used to collect certification information for firms that are currently certified; and for businesses asserting their eligibility for S/D/M/W/DVBE self-certification. The form includes detailed

eligibility criteria to make the certification verification process credible, efficient and user-friendly. The affidavit is intended to mitigate the impacts of reported delays in processing and securing Caltrans/CUCP certifications.

Firms wishing to secure Caltrans/CUCP and/or DGS certification may obtain information online at:

- CUCP Certification: http://www.dot.ca.gov/hq/bep/business_forms.htm
- DGS Certification: <http://www.dgs.ca.gov/pd/Programs/OSDS/GetCertified.aspx>

Prequalification – Contractors are required to complete the *Propositions S & N Prequalification Application* if bidding projects of \$500,000 or more. The application is available online at: http://public.sdccdprops-n.com/Contractor/Prequalification/FY2010-2011_SDCCD_PreQualApp_Fillable.pdf S/D/M/W/DVBE's are strongly encouraged to complete the prequalification application, and to pursue Propositions S & N contracting opportunities. The District's prequalification standards were established, in part, to encourage interested S/D/M/W/DVBE's to bid District projects. Prequalification is **not required** for bidding projects with values below the \$500,000 threshold; and Bonds are not required on projects with values of \$25,000 or less.

Technical Assistance Resources – The San Diego Contracting Opportunities Center (SDCOC) supports the District's outreach by providing potential bidders important technical support services and business development counseling. These services prepare firms to bid Propositions S & N projects and, when bidding, aid contractors in being competitive. By registering with the SDCOC, subcontractors are included in a comprehensive database used by prime bidders to identify and solicit subcontractors.

DEFINITIONS

Disadvantaged Business Enterprise (DBE)

- The firm must be at least 51% owned by one or more socially and economically disadvantaged individuals.
- The firm must be an independent business, and one or more of the socially and economically disadvantaged owners must control its management and daily operations.
- Only existing for-profit "Small Business Concerns," as identified by the Small Business Act and Small Business Administration (SBA), may be certified. DBE applicants are first subject to the applicable small business size standards of the SBA. Second, the average gross receipts for the firm (include its affiliates) over the previous three fiscal years must not exceed the U. S. Department of Transportation (DOT) cap of \$20.41 million.
- The Personal Net Worth (PNW) of each socially and economically disadvantaged owner must not exceed \$750,000, excluding the individual's ownership in interest in the applicant firm and the equity in his/her primary residence.

Socially and economically disadvantaged individual means any individual who is a citizen or lawfully admitted permanent resident of the United States and who is a member of the following groups:

- African American
- Hispanic American
- Native American
- Asian-Pacific American
- Subcontinent Asian American
- Women
- Any individual found to be social and economically disadvantaged on a case-by-case basis by certifying agency pursuant to the standards of the U.S. DOT 49 CFR Part 26.

Reference: California Department of Transportation

http://www.dot.ca.gov/hq/bep/downloads/Word/Application_for_Regular_DBEs_2.22.08.doc

Minority Business Enterprise (MBE)

"Minority-owned business" means (1) a business enterprise (a) that is at least 51% owned by a minority individual or group(s) or (b) if a publicly owned business, at least 51 % of the stock of which is owned by one or more minority groups, and (2) whose management and daily business operations are controlled by one or more of those individuals. The contracting utility shall presume that minority includes, but is not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, and other groups.

Reference: California Public Utilities Commission

http://162.15.7.24/PUBLISHED/GENERAL_ORDER/59939.htm

Service/Disabled Veteran-Owned Business Enterprise (S/DVBE)

- The firm must be at least 51% owned, managed and operated by one or more service disabled veterans, or
- In the case of a publicly owned business, at least 51% of the stock must be owned, and the business managed and operated by service disabled veterans.

Reference: Department of Veterans Affairs

<http://www4.va.gov/vetbiz/vip/eligible.htm>

Small Business Enterprise (SBE)

In order to be considered a "small business" as determined by the State of California, businesses must meet these eligibility requirements:

- Must be independently owned and operated
- Cannot be dominant in its field of operation
- Must have its principal office located in California
- Must have its owners (or officers in the case of a corporation) domiciled in California; and
- Together with its affiliates, be either:
 - A business with 100 or fewer employees and an average annual gross receipts of \$12 million or less (over the previous three tax years), or
 - A manufacturer with 100 or fewer employees.

Reference: California Department of General Services

<http://www.pd.dgs.ca.gov/smbus/sbcert.htm>

Women Business Enterprise (WBE)

A WBE is a business owned and controlled by one or more women. Owned and controlled means that at least 51 percent of the small business concern is owned by one or more women; and whose management and daily business operations are controlled by one or more women who own it.

Reference: California Department of Transportation

http://www.dot.ca.gov/hq/bep/downloads/Word/SMBE_Cert_App.doc