

STATE ALLOCATION BOARD CONTRACTS

Disabled Veteran Business Enterprise Participation

When a lease-purchase contract or emergency portable building project contract of over \$10,000 is funded in whole or in part by state bonds, the District shall comply with disabled veteran business enterprise participation requirements established by the State Allocation Board.

Upon request, the District shall provide bidders with information to help them identify such businesses.

Bidders for contracts of over \$10,000 under California lease-purchase or emergency portable building laws shall provide certification of one of the following:

1. That at least three percent of the dollar amount of the contract will be performed by a certified disabled veteran business enterprise. Approval letter(s) from the Office of Small and Minority Business shall be included with the certification.
2. That they have made a good faith effort to comply with disabled veteran business enterprise participation requirements for such contracts. To demonstrate a good faith effort, the bidder shall submit documentation of all of the following:
 - a. Contact with the District to identify disabled veteran business enterprises
 - b. Contact with the Office of Small and Minority Business and local disabled veteran business organizations to identify disabled veteran business enterprises
 - c. Advertising published in trade papers and papers focusing on disabled veteran business enterprises
 - d. Submission of bid invitations to potential disabled veteran business enterprises
 - e. Consideration given to available disabled veteran business enterprises

Bidders are encouraged to advertise at least 14 calendar days prior to bid/proposal opening, or for as many days as possible. The only exception arises when time constraints imposed by the District prohibit the bidder from advertising; all bidders shall be notified of this exception.

STATE ALLOCATION BOARD CONTRACTS

The Superintendent or designee shall use the above documentation to evaluate bidders' efforts to seek out and consider disabled veteran business enterprises as potential subcontractors or suppliers of material or equipment. This evaluation shall be submitted for review by the Office of Public School Construction (OPSC). Bidders shall be eligible for the award of a District contract if they meet the participation goal or are found to have made a good faith effort to meet the goal.

(cf. 3311 - Bids)

Legal References:

COURT DECISIONS

Richmond v. J. A. Croson Co. (1989) 488 U.S. 469, 109 S.Ct. 706

Management Resources:

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Disabled Veteran Business Enterprise Forms and Information Package