



CALIFORNIA

High-Speed Rail Authority



California High-Speed Rail Small Business Workshop

Catrina Blair
Chief of Program & Process
Development
Small Business Program
SBprogram@hsr.ca.gov

Workshop Agenda

Small Business Program Workshop

SMALL BUSINESS PROGRAM WORKSHOP

Wednesday, September 6, 2023

Agenda Item	Responsible Party
I. Introduction and Overview	Catrina Blair
II. Review of SB Presentation	Catrina Blair
III. Presentation on Compliance	Cyrita Pacheco
IV. Presentation on Federal Certifications	Department of Transportation (DOT)
V. Presentation on State Certifications	Department of General Services (DGS)
VI. Question & Answers	All

Small Business By the Numbers

30%
Goal Small Business
Participation

- **779 Small Businesses**
 - » **10% DBE**
(Disadvantaged Business Enterprises)
 - » **3% DVBE**
(Disabled Veteran Business Enterprises)

SMALL BUSINESS PARTICIPATION

as of June 30, 2023

779 Certified Small Businesses working on the high-speed rail program statewide

265 Certified Disadvantaged Business Enterprises
97 Certified Disabled Veteran Business Enterprises

NORTHERN CALIFORNIA:

271 Certified Small Businesses

CENTRAL VALLEY:

213 Certified Small Businesses

SOUTHERN CALIFORNIA:

267 Certified Small Businesses

OUTSIDE OF CALIFORNIA:

28 Certified Small Businesses

Commitment to Diversify

Small Business Certification Overview

Certifications That Count Toward the Overall Goal:

- **California Department of General Services**

- Small & Micro Businesses (SB / MB)
- Disabled Veteran Business Enterprises (DVBE)
- Small Business for Public Works (SB-PW)

state

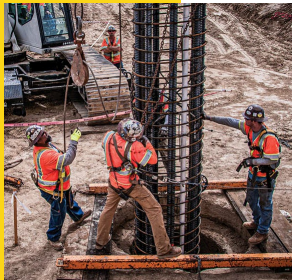
- **California Unified Certification Program**

- Disadvantaged Business Enterprises (DBE)

federal

- **US Small Business Administration**

- 8(a) Disadvantaged Business Program

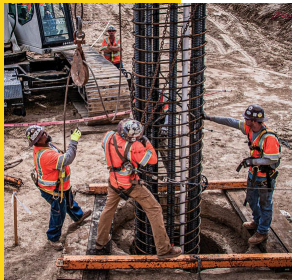


Small Business Teams

Exclusivity

Exclusivity

- » There is no prohibition against Subconsultants/Subcontractors being exclusive to one Offeror, however, exclusivity is strongly discouraged for SB/DBE/DVBE Subconsultants/Subcontractors



CONNECT HSR

High-Speed Rail Vendor Registry

Free Online Tool to Connect with Business Opportunities

Open to All Businesses, Large & Small

- **List Your Business:**
 - Type of Business
 - Services Offered or Supplies Sold
 - Service Counties
 - Certifications
- **Learn About:**
 - Future Contracting Opportunities
 - Trainings/Workshops
- **Register At:**
 - www.connecthsr.com



Small Business Compliance

Cyrita Pacheco
Small Business Compliance Manager



SB Program Reporting & Responsibility

Section V. Subpart E: Professional Services Provisions (PG 32)

Contractor Small Business Officer (SBO)

- Develop, implement & monitor SB Performance Plan
- Act as “lead” for contractor staff and subcontractors regarding SB Program goals/objectives
- Post SBs
- On-Site Monitoring
- Attend
 - Quarterly meetings with the SBCU regarding overall SB utilization and strategies to achieve the SB goals.
 - Attendance to at least two (2) Business Advisory Council (BAC) meetings per year.

Reports and Submission

- Prepare and submit

- *Monthly (Due the 15th of each month)*
 - *Form 103*
 - *Prompt Payment and Retainage Report*
 - *Monthly SB Narrative Reports*
- *Annually (Due August 1st)*
 - *Annual Report - Due annually, 1st August*
- *As Needed*
 - *Request to Add, Request to Substitute & Terminate*
 - *SB Subcontract Agreements and SB purchase orders (POs)*
 - *Submitted within 14 working days*
 - *Payment Language*
 - *Change Orders (CO)*



Thank You and Questions



CALIFORNIA

High-Speed Rail Authority



Disadvantaged Business Enterprise (DBE) Certification Overview



Learning Objectives

- Disadvantaged Business Enterprise (DBE)
Program Overview
- Benefits of Certification
- Eligibility Requirements
- FAQ and Resources



Disadvantaged Business Enterprise (DBE):

A for-profit small business concern where socially and economically disadvantaged individuals own at least a 51% interest, control management and daily business operations.



Disadvantaged Business Enterprises (DBE) Program Objectives:

A legislatively mandated program implemented by the states as a condition of receiving federal funds via the Federal Highway Administration (FHWA), Federal Transportation Administration (FTA) and Federal Aviation Administration who oversees the program for their respective areas.



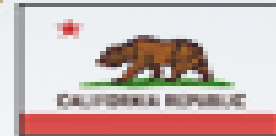
Disadvantaged Business Enterprises (DBE) Program Objectives:

- Ensure nondiscrimination in the award and administration of United States Department of Transportation (US DOT) assisted contracts
- Create a level playing field on which DBEs can compete fairly.
- Ensure that the Department's DBE program is narrowly tailored in accordance with applicable law
- Ensure that firms that meet eligibility standards in the Code of Federal Regulations, 49 CFR 26.



Benefits of DBE Certification

- DBE/ACDBE certifications are recognized by subrecipient local agencies in California.
- Expands opportunities to participate on federally-funded contracts.
- Become accessible to prime contractors needing to fulfill DBE participation goal requirements.
- Listing on the official CUCP database.
- Increases opportunities to network at events such as procurement fairs and pre-bids.



UNIFIED CERTIFICATION PROGRAM



California
Unified
Certification
Program
(CUCP)

Unified
Certification
Program
49 CFR §26.81

- As mandated by the United States Department Of Transportation (US DOT), California's Unified Certification Program (CUCP) is an agreement between multiple certifying agencies.
- The CUCP provides a public database to find DBEs. You can also view competitors profile information.



CUCP CERTIFYING AGENCIES

- California Department of Transportation (Caltrans)
- Bay Area Rapid Transit (BART)
- City of Fresno
- City of Los Angeles
- Los Angeles County Metropolitan Transportation Authority (METRO)
- San Francisco Municipal Transportation Agency (SFMTA)
- San Mateo County Transit District (SAMTRANS)
- San Diego County Regional Airport Authority (SDCRAA)
- San Francisco International Airport (SFO)
- Santa Clara Valley Transportation Authority (VTA)



DBE ELIGIBILITY REQUIREMENTS





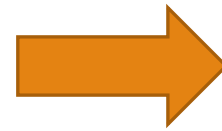
DBE Eligibility Overview

- Socially and Economically Disadvantaged
- Ownership
- Control
- Independence
- Personal Net Worth (PNW 1.32 million)
- Business Size as defined by the Small Business Administration (SBA)





Social and Economic Disadvantage

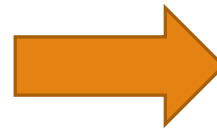


- Asian Pacific
- African American
- Hispanic
- Native American
- Subcontinent-Asian
- Women

Note: If you are not in one of the six groups that has a presumption of social and economic disadvantage, you may still be eligible for DBE certification. Refer to 49 CFR 26, Appendix E.



Ownership



To be a DBE, a firm must be at least 51% owned by socially and economically disadvantaged individual(s)

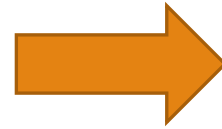


Control

51% owner(s)
must be able to
have the ability
and power to
make decisions
on
management,
policy and
operations



Independence



Only an
independent
business may
be certified as a
DBE



Personal Net
Worth (PNW)



The 51%
majority
owner(s) must
not exceed
PNW of \$1.32
million

Note: There may be some cases in which an individual whose PNW is less than \$1.32 million may not be regarded as economically disadvantaged. Refer to 49 CFR 26.67.



Business
Size



3-year average
gross receipts
cannot exceed
\$30.40 million
(varies by
industry)



APPLYING FOR DBE CERTIFICATION



Application Process Overview



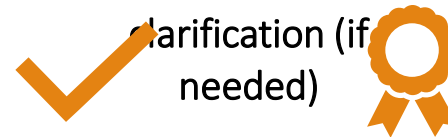
Application is assigned to a certification analyst



Analyst conducts review for missing documentation and requests further clarification (if needed)



Site visit is scheduled and conducted



Analyst to conduct final review for eligibility recommendation

Certification determination completed

www.californiaucp.dbesystem.com/

California Unified Certification Program

Welcome to the California Unified Certification Program Certification Portal! The CAUCP is responsible for DBE certification in the state of California and provides firms with "one-stop" shopping.

To apply for DBE certification you may contact any one of the ten CUCP Certifying Partners - Los Angeles County Metropolitan Transit Authority (LA Metro), San Diego County Regional Airport Authority (SDCRAA), San Francisco Bay Area Rapid Transit District (BART), San Francisco International Airport (SFO), San Francisco Municipal Transportation Agency (SFMTA), San Mateo County Transit District (SAMTrans), Santa Clara Valley Transportation Authority (VTA), City of Los Angeles, City of Fresno, California Department of Transportation (Caltrans) - by clicking on their logo.

Vendor Certification

Search our database of DBE/ACDBE certified vendors

Find a California
Certifying Agency

System Training

Learn how to fully utilize our system with a live trainer

Training

California Work Codes

Click the link below to view the California Work Codes Guide

Work Code Guide

UCP Members

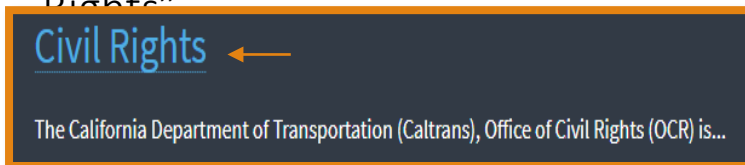




1. Start at Caltrans Website (<https://dot.ca.gov/>), then click “Programs”



2. Click “Civil Rights”



3. Click “California Unified Certification Program”

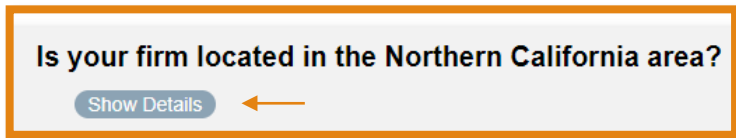


4. Click “Find a Certifying Agency”





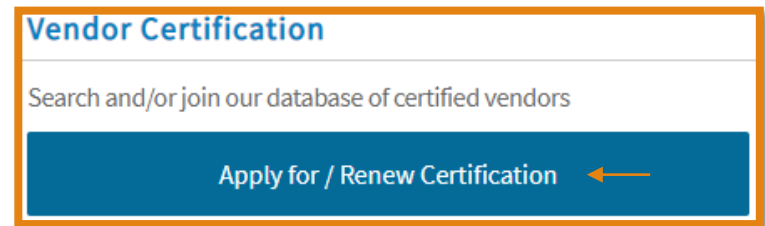
5. The Online Certification screen will populate, click “show details” under the “Is your firm located in the Northern California area?”



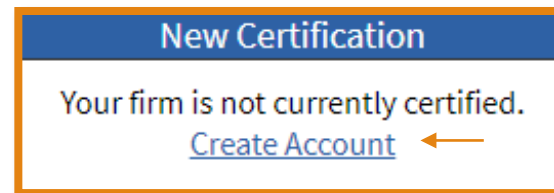
6. Click “California Department of Transportation”



7. Click “Apply for/Renew Certification”



8. The Online Certification screen will populate, click “Create Account”





Online Certification Account

- Tax ID
- Business Information
- Contact Information
- Company Contact Person





Key Reminders

- Complete application within 90 days
- DBE Application and Personal Net Worth Statement (PNW) must be signed and notarized
- Upload required documents
- You may use the direct link to access the system:
<https://caltrans.dbesystem.com/>





FREQUENTLY ASKED QUESTIONS (FAQ)



Is there a fee for Applying?

No, the only cost associated with the DBE certification is to notarize your application and PNW statement.

Can I mail my application?

At this time, all applications are to be submitted online at <https://caltrans.dbesystem.com/>.

How long does it take to get a response after I submit my application?

After Caltrans receives all complete and necessary paperwork, it can take up to one month.



CALTRANS RESOURCES





DBE Specific Resources

Certification “Analyst of the Day”

Monday-Friday
8:00AM – 5:00PM

(916) 324-1700

DBE.certification@dot.ca.gov

- US DOT DBE Program
<https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise>
- DBE Federal Program
<https://www.fhwa.dot.gov/civilrights/programs/dbe/>



Q & A Session



The End

CALIFORNIA DEPARTMENT OF GENERAL SERVICES



Office of Small Business
and Disabled Veteran
Business Enterprise Services

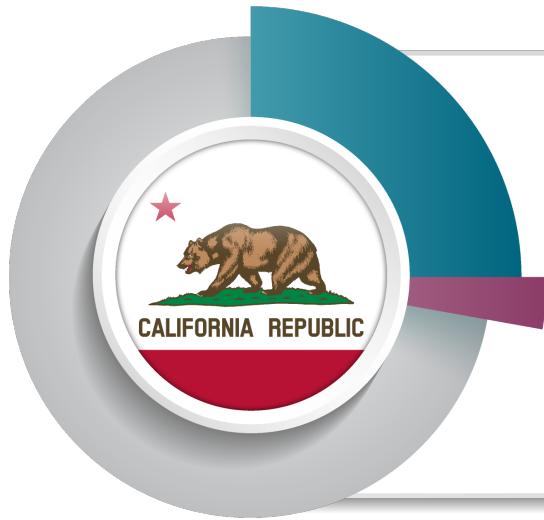
Instructor

Joshua Howk

Business Outreach Liaison
Office of Small Business and DVBE Services
California Department of General Services

(279) 799-4273

Joshua.Howk@dgs.ca.gov



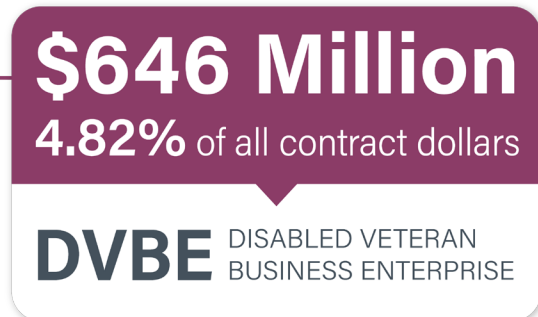
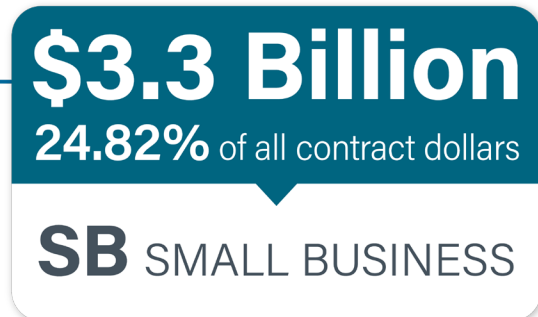
STATEWIDE PARTICIPATION GOAL

Small
Business

(SB) 25%

Disabled Veteran
Business Enterprise

(DVBE) 3%



2021-22 Fiscal Year



State Certifications

- ◆ Small Business (SB)
- ◆ Small Business for the Purposes of Public Works (SB-PW)
- ◆ Disabled Veteran Business Enterprise (DVBE)

Certification Benefits

- ◆ 5% bid preference for SBs
- ◆ Up to 5% incentive for DVBEs
- ◆ Exclusive contract opportunities
- ◆ Prompt Payment
- ◆ Reciprocity Partners
- ◆ Working with prime contractors



Bidding Preferences

Bidder A

Not a Certified SB

Bids \$100,000

$$\begin{array}{r} \$100,000 \\ \times \quad .05 \text{ (5\%)} \\ \hline \$ \quad 5,000 \end{array}$$

Bidder A Bid
= \$100,000

Bidder B

Is a Certified SB

Bids \$102,000

$$\begin{array}{r} \$102,000 \\ - \quad 5,000 \\ \hline \$ \quad 97,000 \end{array}$$

Adjusted Bidder B Bid
= \$97,000

Bidder B wins the contract

for the original amount of \$102,000

It pays to get certified!

Small Business Eligibility Requirements

- ◆ Independently owned and operated
- ◆ Not dominant in field of operation
- ◆ Principal office located in California
- ◆ Owners (or officers for a corporation) domiciled in California
- ◆ 100 or fewer employees
- ◆ Gross Annual Receipts (GARs) less than \$16 million (with affiliates)
- ◆ *If a manufacturer, 100 or fewer employees and no GARs cap





Small Business – Public Works Eligibility Requirements

Same as SB requirements except...

- ◆ 200 or fewer employees
- ◆ Gross Annual Receipts (GARs) less than \$37 million (with affiliates)

SB and SB-PW

- ◆ Get one certification, not both
- ◆ Same benefits
- ◆ SB-PW is *only* for public works
- ◆ SB is for everything, *including* public works





DVBE Eligibility Requirements


- ◆ At least 10% service disabled
- ◆ Be at least 51% owned by disabled veterans (100% for LLCs)
- ◆ Veteran owner(s) must reside in California
- ◆ Managed and operated by disabled veterans
- ◆ Headquarters in US



Cal
eProcure
caleprocure.ca.gov



Cal eProcure

- ◆ Register your business
 - ◆ Apply for Certification
 - ◆ Find solicitations and contracts
 - ◆ Receive solicitation notifications
 - ◆ Appear in searches by state buyers
 - ◆ Post ads seeking prime or subcontracting
 - ◆ Access public procurement information
 - ◆ Get training and resources
 - ◆ No cost
- 



Supplier Diversity Information

- ◆ Ethnicity, Race, gender, sexual orientation
- ◆ Voluntary
- ◆ Change or remove any time
- ◆ No contracting preference
- ◆ Displayed on certification profile
- ◆ www.dgs.ca.gov/PD-Supplier-Diversity-Program



SB/DVBE Emergency Registry

- ◆ Separate from Cal eProcure
- ◆ List of state certified businesses
- ◆ Used by state department buyers
- ◆ Businesses must be ready for emergency contract work
- ◆ Predetermined categories of goods and services

Emergency Registry Categories

- ◆ Base camp operations
- ◆ Debris removal
- ◆ Facilities maintenance/repair
- ◆ Fire protection
- ◆ Information technology
- ◆ Logistics/Transportation
- ◆ Medical
- ◆ Roadway maintenance
- ◆ Traffic control
- ◆ And more!



SB/DVBE Emergency Registry

To register you will need:

- ◆ Certification number
- ◆ Emergency categories
- ◆ Description of products/services
- ◆ Business address
- ◆ Contact information – both primary and emergency (after hours)



Schedule a Consultation

- Introduction to state contracting
- Cal eProcure registration and certification
- Update Cal eProcure profiles
- Find contract opportunities



CALIFORNIA DEPARTMENT OF GENERAL SERVICES



Office of Small Business
and Disabled Veteran
Business Enterprise Services

Instructor

Joshua Howk

Business Outreach Liaison
Office of Small Business and DVBE Services
California Department of General Services

(279) 799-4273

Joshua.Howk@dgs.ca.gov