



## REQUEST FOR PROPOSAL Notice to Prospective Proposers

January 10, 2019

You are invited to review and respond to this Request for Proposal (RFP), entitled **CTA 18 025 Lake Tahoe Climate Adaptation Action Plan Graphic Design**. In submitting your proposal, you must comply with these instructions.

### BOARD MEMBERS

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*City of South Lake Tahoe*

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*U.S. Forest Service (ex-officio)*

**PATRICK WRIGHT**  
*Executive Director*

Note that all agreements entered into with the State of California will include by reference General Terms and Conditions and Contractor Certification Clauses that may be viewed and downloaded at Internet site

<http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx>.

In the opinion of the California Tahoe Conservancy, this RFP is complete and without need of explanation. However, if you have questions, or should you need any clarifying information, please submit your questions to the email shown below. All questions will be compiled and a full response to all bidders will be provided at <http://tahoe.ca.gov/rfp-lake-tahoe-climate-adaptation-action-plan-graphic-design/>.

Procurement/Contracts  
California Tahoe Conservancy  
530-543-6025  
procurement@tahoe.ca.gov

Please note that no *verbal* information given will be binding upon the State unless such information is issued in writing as an official addendum.

Sue Ewbank  
Procurement/Contract Analyst

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\* These documents can also be found on the internet at <http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx>.

These documents are not required with the Proposal submittal package but are required upon award of the contract.

## A) PURPOSE AND DESCRIPTION OF SERVICES

The California Tahoe Conservancy (Conservancy) is seeking the services of a consultant or firm to assist with **Lake Tahoe Climate Adaptation Action Plan Graphic Design**. Please refer to the attached Sample Contract (Standard Agreement - STD 213) and Exhibit A-1 Scope of Work Detail.

### 1. Timeframe

This is a six month contract. The contract is anticipated to begin February 14, 2019, with a completion date of August 31, 2019. This contract may be amended for up to, but no longer than one additional year.

### 2. Budget

The budget for this project is up to Twenty Five Thousand (\$25,000), contingent upon approval in the State Budget Act and authorization by the California Tahoe Conservancy Governing Board. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the Conservancy shall have the obligation to notify the Contractor in writing of such event and shall have the option to either cancel this Agreement with no liability occurring to the Conservancy beyond payment for services provided up to the date of said written notification or to offer an agreement amendment to Contractor to reflect the reduced amount subject to approval by the Contractor. This contract may be amended for up to an additional 30% (\$7,500) for a total contract amount not to exceed thirty two thousand five hundred dollars (\$32,500).

Per State Contracting Manual Volume 1, 5.81, this contract may provide for either an additional one year OR an additional 30%, but **does not allow for both**. The contract can only be amended once.

## B) MINIMUM QUALIFICATIONS

Proposers must have significant experience with graphic design, specifically developing infographics to communicate the important technical findings of the vulnerability assessment to the broader public and non-technical decision makers. The consultant would develop compelling and credible infographics to engage a lay audience.

## C) PROPOSAL REQUIREMENTS AND INFORMATION

The following elements are required in all proposals. Any proposal not meeting the minimum requirements **will not be considered**. Proposals shall be scored (as indicated) for each proposal that meets the minimum qualifications.

Proposers shall submit all questions to [procurement@tahoe.ca.gov](mailto:procurement@tahoe.ca.gov) no later than January 21, 2019 at 3:00 p.m. Responses to the questions shall be posted no later than January 24, 2019 at 3:00 p.m.

## 1. Key Action Dates

Time schedule: It is recognized that time is of the essence. All proposers are hereby advised of the following schedule and will be expected to adhere to the required dates and times.

<u>Event</u>	<u>Date</u>
RFP available to prospective proposers	January 10, 2019
Question Submittal Deadline	January 21, 2019 (3:00 p.m.)
Question Response Posted	January 24, 2019 (3:00 p.m.)
<b>Final Date for Proposal Submission</b>	<b>January 31, 2019 (4:00 p.m.)</b>
Proposal Review and Evaluation	February 5, 2019 (3:00 p.m.)
Proposed Award Date*	February 7, 2019

\*The Proposed Award Date indicates the end of the protest period. The contract start date will be the date the contract has been fully executed.

## 2. Proposal Format including Cost Detail

Essential contextual information contained in Sample Contract Exhibit A-1, Scope of Work Detail.

The proposer will demonstrate their expertise in graphic design, specifically translating technical scientific and engineering information into creative, public-friendly, technically accurate infographics.

The proposal must respond to the State's Scope of Work Detail, which will be used to evaluate responsiveness to requirements. This includes identification of tasks (and subtasks, as necessary), deliverables, and timelines. The proposal must include the following components, as well as any additional information that the proponent deems necessary to explain how they intend to meet the State's requirements:

- 1) Narrative description of proposer's experience creating infographics that communicate technical topics, and how you would plan to complete this scope of work.
- 2) Portfolio of examples of previous infographics that communicate scientific and/or engineering concepts to lay audiences, including decision makers.
- 3) Two references from previous comparable work, including name, title, affiliation, telephone, and email, and short description of the work completed.

### Cost Detail:

The proposer must provide a cost proposal including the tasks and subtasks, or specific deliverables, by which progress can be measured and payments made. This should include staff and corresponding hourly labor rates and estimated labor hours, or a firm fixed price per task or subtask or deliverable.

The cost proposal should show the total contract costs (maximum \$25,000). **Sample Cost Proposal Worksheet (Attachment 3)** provides an example guide for preparing your proposal.

Keep the following in mind:

- The cost proposal must include an estimate of all labor, equipment, travel, materials and expenses.
- See Exhibit E, Eligible and Ineligible Expenses.
- Proposers must indicate any one-time costs and any services they expect the State to perform to complete the proposal.
- Travel related expenses may not exceed the state travel reimbursement rate. For details, see the Department of Human Resources (CalHR) Travel Reimbursements website at <http://www.calhr.ca.gov/employees/Pages/travel-reimbursements.aspx>. Additional information can be found at <http://www.dgs.ca.gov/travel/home.aspx>.
- Due to budget constraints and in the spirit of fiscal responsibility, all in-person meetings shall be located within a 100-mile radius of Lake Tahoe, California, unless approved in advance by the Conservancy. Any travel required by the Conservancy staff in relation to the production of work outside of the 100-mile radius shall be paid for by the Contractor unless specifically authorized. These travel costs shall include airfare, rental car and overnight accommodations, if necessary.

### **3. Submission of Proposal Package**

- a) Proposals should provide straightforward and concise descriptions of the proposer's ability to satisfy the requirements of this RFP. The proposal must be complete and accurate. Omissions, inaccuracies or misstatements may be cause for rejection of a proposal.
- b) All proposals and all required documents **must be submitted by email**, clearly labeled in the subject line to the department contact noted below no later than the date and time shown in Section C, Proposal Requirements and Information, Item 1) Key Action Dates. Proposals received after this date (email time stamp validation) will not be considered.

CALIFORNIA TAHOE CONSERVANCY  
CTA 18 025  
LAKE TAHOE CAAP – GRAPHIC DESIGN  
[procurement@tahoe.ca.gov](mailto:procurement@tahoe.ca.gov)

- c) If the proposal is made under a fictitious name or business title, the actual legal name of proposer must be provided.
- d) All proposals shall include the documents identified in Section E, Required Attachment Checklist. Proposals not including the proper "required attachments"

shall be deemed non-responsive. A non-responsive proposal is one that does not meet the basic proposal requirements.

- e) Proposals must be submitted for the performance of all the services described herein. Any deviation from the work specifications will not be considered and will cause a proposal to be rejected.
- f) A proposal may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. The State may reject any or all proposals and may waive an immaterial deviation in a proposal. The State's waiver of an immaterial deviation shall in no way modify the RFP document or excuse the proposer from full compliance with all requirements if awarded the agreement.
- g) Costs incurred for developing proposals and in anticipation of award of the agreement are entirely the responsibility of the proposer and shall not be charged to the State of California.
- h) An individual who is authorized to bind the proposing firm contractually shall sign the **Attachment 2**, Proposal/Proposer Certification Sheet. The signature must indicate the title or position that the individual holds in the firm. An unsigned proposal may be rejected.
- i) A proposer may modify a proposal after its submission by withdrawing its original proposal and resubmitting a new proposal prior to the proposal submission deadline as set forth in the Key Action Dates. Proposal modifications offered in any other manner, oral or written, will not be considered.
- j) A proposer may withdraw their proposal by submitting a written withdrawal request to the State, signed by the proposer or an authorized agent in accordance with i) above. A proposer may thereafter submit a new proposal prior to the proposal submission deadline. Proposals may not be withdrawn without cause subsequent to proposal submission deadline.
- k) The awarding agency may modify the RFP prior to the date fixed for submission of proposals by the issuance of an addendum to all parties who received a proposal package.
- l) The awarding agency reserves the right to reject all proposals. The agency is not required to award an agreement.
- m) Before submitting a response to this solicitation, bidders should review, correct all errors and confirm compliance with the RFP requirements.
- n) Where applicable, proposer should carefully examine work sites and specifications. No additions or increases to the agreement amount will be made due to a lack of careful examination of work sites and specifications.
- o) More than one proposal from an individual, firm, partnership, corporation or association under the same or different names, will not be considered.

- p) The State does not accept alternate contract language from a prospective contractor. A proposal with such language will be considered a counter proposal and will be rejected. The State's General Terms and Conditions are not negotiable.
- q) No oral understanding or agreement shall be binding on either party.

#### **4. Evaluation Process**

- a) At the time of proposal opening, each proposal will be checked for the presence or absence of required information in conformance with the submission requirements of this RFP.
- b) Proposals that contain false or misleading statements, or which provide references, which do not support an attribute or condition claimed by the proposer, may be rejected.
- c) Award, if made, will be to the highest scored responsible proposal.

#### **5. Evaluation Criteria**

Proposals will be evaluated based on the adequacy of the response to all the requirements of this RFP and must include all information specifically required in all sections of the RFP. Proposal format and minimum qualifications will be evaluated on a points basis. Proposals that meet the proposal format and minimum qualifications requirements will be judged on the following criteria (best value award):

Award of a contract resulting from this RFP will be based on a best value. RFPs will be evaluated using the following criteria and ratings:

- a) Thoroughness and quality of the narrative description (0-10 points)
- b) Portfolio of examples of previous infographics that communicate scientific and/or engineering concepts to lay audiences (0-20 points)
- c) Submission of two references from previous comparable work (0-10 points)
- d) Cost of proposed budget (0-10 points)

#### **6. Evaluation Standards**

Proposals will be evaluated using the consensus process. A committee will evaluate each proposal and collectively agree on a score for each proposal using the **Evaluation Criteria Score Sheet**.

The committee may conduct phone interviews with the top scored proposals. Prior to the interview, the State may contact each proposer to obtain additional information. The interview will provide the proposer the opportunity to elaborate on the written material previously submitted and give the State the opportunity to meet their key personnel and ask questions regarding any aspect of the proposal, background and other relevant topics.

## EVALUATION CRITERIA SCORE SHEET

Name of Proposer \_\_\_\_\_ Evaluator \_\_\_\_\_

Technical Proposal Evaluation		Maximum Possible Score	Score
I.			
	1. How well does the proposer's narrative description demonstrate understanding of the request and necessary expertise?	10 pts	
	2. How well do the proposer's references further substantiate their statement of qualifications?	10 pts	
	<b>SUBTOTAL – SECTION I</b>	<b>20 PTS</b>	
II.			
	1. How well does the proposer's portfolio demonstrate ability to perform the tasks identified in the RFP?	20 pts	
	<b>SUBTOTAL – SECTION II</b>	<b>20 PTS</b>	
	<b>TOTAL FOR TECHNICAL PROPOSAL</b>	<b>40 PTS</b>	
III.	<b>COST</b>	<b>10 PTS</b>	
	1. How well does the proposed budget demonstrate value for services provided?	10 pts	
	<b>SUBTOTAL- SECTION III</b>	<b>10 pts</b>	
	<b>FINAL SCORES</b>	<b>MAXIMUM POSSIBLE</b>	
	<b>TECHNICAL PROPOSAL      SECTIONS I and II</b>	<b>40 PTS</b>	
	<b>COST PROPOSAL                      SECTION III</b>	<b>10 PTS</b>	
	<b>TOTAL SCORE</b>	<b>50 PTS</b>	
	<b>SMALL BUSINESS PREFERENCE POINTS*</b>	<b>5% of the highest responsible bidder's total score</b>	
	<b>* If the highest scored proposal is from a non-certified small business or microbusiness, then 5% of the highest responsible bidder's total score is given to each certified small business bidder.</b>		



## **7. Award and Protest**

- a) Notice of the proposed award shall be posted in a public place in the office of the California Tahoe Conservancy for five (5) working days prior to awarding the agreement.
- b) If any proposer, prior to the award of agreement, files a protest with the California Tahoe Conservancy and the Department of General Services, Office of Legal Services, 707 Third Street, 7<sup>th</sup> Floor, Suite 7-330, West Sacramento, CA 95605, on the grounds that the (protesting) proposer would have been awarded the contract had the agency correctly applied the evaluation standard in the RFP, or if the agency followed the evaluation and scoring methods in the RFP, the agreement shall not be awarded until either the protest has been withdrawn or the Department of General Services has decided the matter. It is suggested that you submit any protest by certified or registered mail.
- c) Within five (5) calendar days after filing the initial protest, the protesting proposer shall file with the Department of General Services, Office of Legal Services and the California Tahoe Conservancy a detailed statement specifying the grounds for the protest.
- d) Upon resolution of the protest and award of the agreement, Contractor must complete and submit to the awarding agency the Payee Data Record (STD 204), to determine if the Contractor is subject to state income tax withholding pursuant to California Revenue and Taxation Code Sections 18662 and 26131. This form can be found on the Internet at [www.osp.dgs.ca.gov](http://www.osp.dgs.ca.gov) under the heading FORMS MANAGEMENT CENTER. No payment shall be made unless a completed STD 204 has been returned to the awarding agency.
- e) Upon resolution of the protest and award of the agreement, Contractor must sign and submit to the awarding agency, *page one (1)* of the Contractor Certification Clauses, which can be found on the Internet at <http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx>

## **8. Disposition of Proposals**

- a) Upon proposal opening, all documents submitted in response to this RFP will become the property of the State of California, and will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public.
- b) Proposal packages may be returned only at the proposer's expense, unless such expense is waived by the awarding agency.

## **9. Agreement Execution and Performance**

- a) Performance shall start on the express date set by the awarding agency and the Contractor, after all approvals have been obtained and the agreement is fully executed. Should the Contractor fail to commence work at the agreed upon time, the awarding agency, upon five (5) days written notice to the Contractor, reserves the right to terminate the agreement. In addition, the Contractor shall be liable to the State for the difference between Contractor's proposal price and the actual cost of performing work by another contractor.
- b) All performance under the agreement shall be completed on or before the termination date of the agreement.

## **D) PREFERENCE PROGRAMS**

### **1) Small Business Preference**

For information on becoming a Certified Small Business go to:  
<http://www.dgs.ca.gov/pd/Programs/OSDS.aspx>

Certified small businesses or microbusinesses can claim the five percent (5%) preference when submitting a bid on a state contract. The method used in determining the successful bidder for an RFP Secondary follows:

- a. Calculate the "earned" score for all bidders.
- b. If the highest scored proposal is from a non-certified small business or microbusiness, then:
  - i. Calculate five percent (5%) of the highest responsible bidder's total score.
  - ii. Add the amount of the calculated above to the score of each of the certified small business or microbusiness. This new amount is the total score.
  - iii. Award of the contract must go to the bidder with the highest point count.

### **2) Disabled Veteran Business Enterprise (DVBE) Requirements – This contract requires a DVBE component.**

**Contractor is required to provide proof of compliance with the requirement per Military and Veterans Code §999.2.**

An explanation of the Disabled Veteran Enterprise Program (DVBE) requirements can be found at the Internet web site [www.pd.dgs.ca.gov/dvbe](http://www.pd.dgs.ca.gov/dvbe). Select "DVBE Resource Packet" under "Quick Links".

## **E) REQUIRED ATTACHMENTS**

Refer to the following pages for additional Required Attachments that are a part of this Request for Proposal.

**ATTACHMENT 1**

**REQUIRED ATTACHMENT CHECK LIST**

A complete proposal package will consist of the proposal and the items identified below.

Complete this checklist to confirm the items in your proposal. Place a check mark or “X” next to each item that you are submitting to the State. **For your proposal to be responsive, all required attachments must be returned.** This checklist must be returned with your proposal package.

<b><u>Attachment</u></b>	<b><u>Name/Description</u></b>
_____ Attachment 1	Required Attachment Check List
_____ Attachment 2	Proposal/Proposer Certification Sheet
_____ Attachment 3	Cost Proposal Work Sheet
_____ Attachment 4	Disabled Veteran Business Enterprise Participation Forms and Instructions STD 840
_____ Attachment 5	Bidder Declaration GSPD-05-106
_____ Attachment 6	Proposer References
_____ Attachment 7	Darfur Contracting Act Certification
_____ Attachment 8	Payee Data Record (STD 204)

**ATTACHMENT 2**

**PROPOSAL/PROPOSER CERTIFICATION SHEET**

This Proposal/Proposer Certification Sheet must be signed and returned along with all the "required attachments" as an entire package, in duplicate, with original signatures. The proposal must be transmitted in a sealed envelope in accordance with the RFP instructions.

**Do not return Section C, Proposal Requirements and Information or the "Sample Agreement (STD-213)" at the end of this RFP.**

- A. Place all required attachments behind this certification sheet.
- B. I have read and understand the DVBE Participation requirements and have included documentation demonstrating that I have met the participation goals.  
\_\_\_\_\_ (initial here)
- C. The signature affixed hereon and dated certifies compliance with all the requirements of this proposal document. The signature below authorizes the verification of this certification.

**An Unsigned Proposal/Proposer Certification Sheet May Be Cause for Rejection**

1. Company Name	2. Telephone Number ( )	2a. Fax Number ( )
3. Address	City	State      Zip Code
Indicate your organization type:		
4. <input type="checkbox"/> Sole Proprietorship	5. <input type="checkbox"/> Partnership	6. <input type="checkbox"/> Corporation
Indicate the applicable employee and/or corporation number:		
7. Federal Employee ID No. (FEIN)	8. California Corporation No.	
9. Indicate applicable license and/or certification information:		
10. Proposer's Name (Print)	11. Title	
12. <b>Signature</b>	13. Date	
14. Are you certified with the Department of General Services, Office of Small Business Certification and Resources (OSBCR) as:		
a. California Small Business? No <input type="checkbox"/> Yes <input type="checkbox"/>		
<input type="checkbox"/> If yes, enter certification number: _____ <span style="margin-left: 100px;">b. Disabled Veteran Business Enterprise No <input type="checkbox"/></span>		
<input type="checkbox"/> Yes <input type="checkbox"/> If yes, enter your service code below: _____		
<b>NOTE:</b> A copy of your Certification is required to be included if either of the above items is checked Date application was submitted to OSBCR, if an application is pending: _____		

## Completion Instructions for Proposal/Proposer Certification Sheet

Complete the numbered items on the Proposal/Proposer Certification Sheet by following the instructions below:

Item Numbers	Instructions
1, 2, 2a, 3	Must be completed. These items are self-explanatory.
4	Check if your firm is a sole proprietorship. A sole proprietorship is a form of business in which one person owns all the assets of the business in contrast to a partnership and corporation. The sole proprietor is solely liable for all the debts of the business.
5	Check if your firm is a partnership. A partnership is a voluntary agreement between two or more competent persons to place their money, effects, labor, and skill, or some or all of them in lawful commerce or business, with the understanding that there shall be a proportional sharing of the profits and losses between them. An association of two or more persons to carry on, as co-owners, a business for profit.
6	Check if your firm is a corporation. A corporation is an artificial person or legal entity created by or under the authority of the laws of a state or nation, composed, in some rare instances, of a single person and his successors, being the incumbents of a particular office, but ordinarily consisting of an association of numerous individuals.
7	Enter your federal employee tax identification number.
8	Enter your corporation number assigned by the California Secretary of State's Office. This information is used for checking if a corporation is in good standing and qualified to conduct business in California.
9	Complete, if applicable, by indicating the type of license and/or certification that your firm possesses and that is required for the type of services being procured.
10, 11, 12, 13	Must be completed. These items are self-explanatory.
14	If certified as a California Small Business, place a check in the "yes" box, and enter your certification number on the line. If certified as a Disabled Veterans Business Enterprise, place a check in the "Yes" box and enter your service code on the line. If you are not certified to one or both, place a check in the "No" box. If your certification is pending, enter the date your application was submitted to OSBCR.



**ATTACHMENT 4**  
Solicitation Number CTA 18 025

**CALIFORNIA DISABLED VETERAN BUSINESS ENTERPRISE (DVBE)  
PROGRAM REQUIREMENTS – NOT FOR GOODS AND INFORMATION TECHNOLOGY**  
(Revision Date 09/03/09)

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**Please read the requirements and instructions carefully before you begin.**

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**AUTHORITY.** The Disabled Veteran Business Enterprise (DVBE) Participation Goal Program for State contracts is established in Public Contract Code (PCC), §10115 et seq., Military and Veterans Code (MVC), §999 et seq., and California Code of Regulations (CCR), Title 2, §1896.60 et seq. **Recent legislation has modified the program significantly in that a bidder may no longer demonstrate compliance with program requirements by performing a “good faith effort” (GFE).**

**The minimum DVBE participation percentage (goal) is 3% for this solicitation unless another percentage is specified in the solicitation.** A DVBE incentive will be given to bidders who provide DVBE participation, unless stated elsewhere in the solicitation that the DVBE incentive has been waived.

**INTRODUCTION.** The bidder must complete the identified form to comply with this solicitation’s DVBE program requirements. Bids or proposals (hereafter called “bids”) that **fail to submit the required form and fully document and meet the DVBE program requirement shall be considered non-responsive.**

Information submitted by the intended awardee to comply with this solicitation’s DVBE requirements will be verified by the State. If evidence of an alleged violation is found during the verification process, the State shall initiate an investigation, in accordance with the requirements of the PCC §10115, et seq., and MVC §999 et seq., and follow the investigatory procedures required by the 2 CCR §1896.80. Contractors found to be in violation of certain provisions may be subject to loss of certification, penalties and/or contract termination.

**Only State of California, Office of Small Business and DVBE Services (OSDS), certified DVBEs (hereafter called “DVBE”)** who perform a commercially useful function relevant to this solicitation, may be used to satisfy the DVBE program requirements. The criteria and definition for performing a commercially useful function are contained herein on the page entitled **Resources & Information**. Bidders are to verify each DVBE subcontractor’s certification with OSDS to ensure DVBE eligibility.

**PLEASE READ ALL INSTRUCTIONS CAREFULLY.** These instructions contain information about the DVBE program requirements, bidder responsibilities, and the DVBE Bid Incentive. Bidders are responsible for thorough review and compliance with these instructions.

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**To meet the DVBE program requirements, bidders must complete and fully document compliance with the following:**

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**Commitment to full DVBE participation** - For a bidder who is a DVBE or who is able to meet the commitment to use identified certified DVBE(s) to fulfill the full DVBE participation goal.

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**COMMITMENT** -- Commit to meet or exceed the DVBE participation requirement in this solicitation by either Method A1 (bidder is a California certified DVBE) or A2 (bidder is not a California certified DVBE).

Bidders must document DVBE participation commitment by completing and submitting the Bidder Declaration (GSPD-05-105) located elsewhere within the solicitation document. Failure to complete and submit the required form as instructed shall render the bid non-responsive.

At the State's option prior to award of the contract, a written confirmation from each DVBE subcontractor identified on the Bidder Declaration must be provided. As directed by the State, the written confirmation must be signed by the bidder and/or the DVBE subcontractor(s). The written confirmation may request information that includes but is not limited to the DVBE scope of work, work to be performed by the DVBE, term of intended subcontract with the DVBE, anticipated dates the DVBE will perform required work, rate and conditions of payment, and total amount to be paid to the DVBE. If further verification is necessary, the State will obtain additional information to verify compliance with the above requirements.

**Method A1. Certified DVBE bidder:**

- a. Commit to performing at least 3% of the contract bid amount (unless otherwise specified) with the prime bidder's firm or in combination with another DVBE(s).
- b. Document DVBE participation on the Bidder Declaration GSPD-05-105.
- c. At the State's option a DVBE bidder working in combination with other DVBEs shall submit proof of its commitment by submitting a written confirmation from the DVBE(s) identified as a subcontractor on the Bidder Declaration. When requested, the document must be submitted to the address or facsimile number specified and within the timeframe identified in the notification. Failure to submit the written confirmation as specified may be grounds for bid rejection.

**Method A2. Non-DVBE bidder:**

- a. Commit to using certified DVBE(s) for at least 3% (unless otherwise specified) of the bid amount.
- b. Document DVBE participation on the Bidder Declaration GSPD-05-105.
- c. At the State's option prior to contract award, a bidder shall submit proof of its commitment by submitting a written confirmation from each DVBE identified as a subcontractor on the Bidder Declaration GSPD-05-105. The awarding department contracting official named in the solicitation may contact each listed DVBE, by mail, fax or telephone, for verification of the bidder's submitted DVBE information. When requested, the document must be submitted to the address or facsimile number specified and within the timeframe identified in the notification. Failure to submit the written confirmation as specified may be grounds for bid rejection.

**THE FOLLOWING MAY BE USED TO LOCATE DVBE SUPPLIERS:**

**Awarding Department**

Contact the department's contracting official named in this solicitation for any DVBE suppliers who may have identified themselves as potential subcontractors, and to obtain suggestions for search criteria to possibly identify DVBE suppliers for the solicitation. You may also contact the department's SB/DVBE Advocate for assistance.



**Other State and Federal Agencies, and Local Organizations**

**STATE:** Access the list of all certified DVBEs by using the Department of General Services, Procurement Division (DGS-PD), online certified firm database at [www.eprocure.dgs.ca.gov](http://www.eprocure.dgs.ca.gov) To begin your search, click on "SB/DVBE Search." Search by "Keywords" or "United Nations Standard Products and Services Codes (UNSPSC) that apply to the elements of work you want to subcontract to a DVBE. Check for subcontractor ads that may be placed on the California State Contracts Register (CSCR) for this solicitation prior to the closing date. You may access the CSCR at: [www.eprocure.dgs.ca.gov](http://www.eprocure.dgs.ca.gov). For questions regarding the online certified firm database and the CSCR, please call the OSDS at (916) 375-4940 or send an email to: [OSDCHelp@dgs.ca.gov](mailto:OSDCHelp@dgs.ca.gov).

**FEDERAL:** Search the U.S. Small Business Administration's (SBA) Central Contractor Registration (CCR) on-line database at [www.ccr.gov/](http://www.ccr.gov/) to identify potential DVBEs and click on the "Dynamic Small Business Search" button. Search options and information are provided on the CCR Dynamic Small Business Search site. First time users should click on the "help" button for detailed instructions. Remember to verify each firm's status as a California certified DVBE.

**LOCAL:** Contact local DVBE organization to identify DVBEs. For a list of local organizations, go to [www.pd.dgs.ca.gov/smbus](http://www.pd.dgs.ca.gov/smbus) and select: [DVBE Local Contacts](#) (New 02/09) (pdf).

**DVBE BID INCENTIVE.** Unless stated elsewhere in the solicitation that the DVBE incentive has been waived, in accordance with Section 999.5(a) of the Military and Veterans Code an incentive will be given to bidders who provide DVBE participation. For evaluation purposes only, the State shall apply an incentive to bids that propose California certified DVBE participation as identified on the Bidder Declaration GSPD-05-105 and confirmed by the State. The incentive amount for awards based on low price will vary in conjunction with the percentage of DVBE participation. Unless a table that replaces the one below has been expressly established elsewhere within the solicitation, the following percentages will apply for awards based on low price.

Confirmed DVBE Participation of:	DVBE Incentive:
5% or Over	5%
4% to 4.99% inclusive	4%
3% to 3.99% inclusive	3%

As applicable: (1) Awards based on low price - the net bid price of responsive bids will be reduced (for evaluation purposes only) by the amount of DVBE incentive as applied to the lowest responsive net bid price. If the #1 ranked responsive, responsible bid is a California certified small business, the only bidders eligible for the incentive will be California certified small businesses. The incentive adjustment for awards based on low price cannot exceed 5% or \$100,000, whichever is less, of the #1 ranked net bid price. When used in combination with a preference adjustment, the cumulative adjustment amount cannot exceed \$100,000.

(2) Awards based on highest score - the solicitation shall include an individual requirement that identifies incentive points for DVBE participation.

A DVBE Business Utilization Plan (BUP) does not qualify a firm for a DVBE incentive. Bidders with a BUP, must submit a Bidders Declaration (GSPD-05-105) to confirm the DVBE participation for an element of work on this solicitation in order to claim a DVBE incentive(s).

## RESOURCES AND INFORMATION

For questions regarding bid documentation requirements, **contact the contracting official at the awarding department for this solicitation.** For a directory of SB/DVBE Advocates for each department go to: <http://www.pd.dgs.ca.gov/smbus/advocate.htm>.

The Department of General Services, Procurement Division (DGS-PD) publishes a list of trade and focus publications to assist bidders in locating DVBEs for a fee. To obtain this list, please go to [www.pd.dgs.ca.gov/smbus](http://www.pd.dgs.ca.gov/smbus) and select:

- [DVBE Trade Paper Listing](#) (New 02/09) (pdf)
- [DVBE Focus Paper Listing](#) (New 02/09) (pdf)

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**U.S. Small Business Administration (SBA):**  
Use the Central Contractor Registration (CCR) on-line database.  
*Internet contact only* –Database: [www.ccr.gov/](http://www.ccr.gov/).

**FOR:**  
Service-Disabled Veteran-owned businesses in California (Remember to verify each DVBE's California certification.)

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**Local Organizations:** Go to [www.pd.dgs.ca.gov/smbus](http://www.pd.dgs.ca.gov/smbus) and select: [DVBE Local Contacts](#) (New 02/09) (pdf)

**FOR:**  
List of potential DVBE subcontractors

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**DGS-PD EProcurement**  
Website: [www.eprocure.dgs.ca.gov](http://www.eprocure.dgs.ca.gov)  
Phone: (916)375-2000  
Email: [eprocure@dgs.ca.gov](mailto:eprocure@dgs.ca.gov)

**FOR:**

- SB/DVBE Search
- CSCR Ads
- Click on Training tab to Access eProcurement Training Modules including: Small Business (SB)/DVBE Search

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**DGS-PD Office of Small Business and DVBE Services (OSDS)**  
707 Third Street, Room 1-400, West Sacramento, CA 95605  
Website: [www.pd.dgs.ca.gov/smbus](http://www.pd.dgs.ca.gov/smbus)  
OSDS Receptionist, 8 am-5 pm: (916) 375-4940  
PD Receptionist, 8 am-5 pm: (800) 559-5529  
Fax: (916) 375-4950  
Email: [osdchelp@dgs.ca.gov](mailto:osdchelp@dgs.ca.gov)

**FOR:**

- Directory of California-Certified DVBEs
- Certification Applications
- Certification Information
- Certification Status, Concerns
- General DVBE Program Info.
- DVBE Business Utilization Plan
- Small Business/DVBE Advocates

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### Commercially Useful Function Definition

California Code of Regulations, Title 2, § 1896.61(l):

The term "DVBE contractor, subcontractor or supplier" means any person or entity that satisfies the ownership (or management) and control requirements of §1896.61(f); is certified in accordance with §1896.70; and provides services or goods that contribute to the fulfillment of the contract requirements by performing a commercially useful function.

As defined in MVC §999, a person or an entity is deemed to perform a "commercially useful function" if a person or entity does **all** of the following:

- Is responsible for the execution of a distinct element of the work of the contract.
- Carries out the obligation by actually performing, managing, or supervising the work involved.
- Performs work that is normal for its business services and functions.
- Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.

A contractor, subcontractor, or supplier will not be considered to perform a commercially useful function if the contractor's, subcontractor's, or supplier's 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 disabled veteran business enterprise participation.

<b>TASK/ACTIVITY</b> (As Outlined in Exhibit A-1)	<b>LABOR</b>		<b>AMOUNT</b>
Task 1			\$
Task 2			\$
Task 3			\$
		<b>Project Total</b>	<b>\$</b>

\*Please include detailed breakdowns of the sub-tasks and associated costs under each category.

## ATTACHMENT 5

### BIDDER DECLARATION

**1. Prime bidder information (Review attached Bidder Declaration Instructions prior to completion of this form):**

- a.** Identify current California certification(s) (**MB, SB, NVSA, DVBE**): \_\_\_\_\_ **or None** \_\_\_\_ (If "None," go to Item #2)
- b.** Will subcontractors be used for this contract? **Yes** \_\_\_\_ **No** \_\_\_\_ (If yes, indicate the distinct element of work your firm will perform in this contract e.g., list the proposed products produced by your firm, state if your firm owns the transportation vehicles that will deliver the products to the State, identify which solicited services your firm will perform, etc.). Use additional sheets, as necessary.

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- c.** If you are a California certified DVBE: (1) Are you a broker or agent? **Yes** \_\_\_\_ **No** \_\_\_\_  
 (2) If the contract includes equipment rental, does your company own at least 51% of the equipment provided in this contract (quantity and value)? **Yes** \_\_\_\_ **No** \_\_\_\_ **N/A** \_\_\_\_

**2. If no subcontractors will be used, skip to certification below. Otherwise, list all subcontractors for this contract. (Attach additional pages if necessary):**

Subcontractor Name, Contact Person, Phone Number & Fax Number	Subcontractor Address & Email Address	CA Certification (MB, SB, NVSA, DVBE or None)	Work performed or goods provided for this contract	Corresponding % of bid price	Good Standing?	51% Rental?

**3. CERTIFICATION: By signing this form, I certify under penalty of perjury that the information provided is true and correct.**

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date Signed: \_\_\_\_\_

## ATTACHMENT 5

### BIDDER DECLARATION

**1. Prime bidder information (Review attached Bidder Declaration Instructions prior to completion of this form):**

- a.** Identify current California certification(s) (**MB, SB, NVSA, DVBE**): \_\_\_\_\_ **or None** \_\_\_\_ (If "None," go to Item #2)
- b.** Will subcontractors be used for this contract? **Yes** \_\_\_\_ **No** \_\_\_\_ (If yes, indicate the distinct element of work your firm will perform in this contract e.g., list the proposed products produced by your firm, state if your firm owns the transportation vehicles that will deliver the products to the State, identify which solicited services your firm will perform, etc.). Use additional sheets, as necessary.

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- c.** If you are a California certified DVBE: (1) Are you a broker or agent? **Yes** \_\_\_\_ **No** \_\_\_\_  
 (2) If the contract includes equipment rental, does your company own at least 51% of the equipment provided in this contract (quantity and value)? **Yes** \_\_\_\_ **No** \_\_\_\_ **N/A** \_\_\_\_

**2. If no subcontractors will be used, skip to certification below. Otherwise, list all subcontractors for this contract. (Attach additional pages if necessary):**

Subcontractor Name, Contact Person, Phone Number & Fax Number	Subcontractor Address & Email Address	CA Certification (MB, SB, NVSA, DVBE or None)	Work performed or goods provided for this contract	Corresponding % of bid price	Good Standing?	51% Rental?

**3. CERTIFICATION: By signing this form, I certify under penalty of perjury that the information provided is true and correct.**

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date Signed: \_\_\_\_\_

## BIDDER DECLARATION Instructions

### All prime bidders (the firm submitting the bid) must complete the Bidder Declaration.

**1.a.** Identify all current certifications issued by the State of California. If the prime bidder has no California certification(s), check the line labeled “None” and proceed to Item #2. If the prime bidder possesses one or more of the following certifications, enter the applicable certification(s) on the line:

- Microbusiness (MB)
- Small Business (SB)
- Nonprofit Veteran Service Agency (NVSA)
- Disabled Veteran Business Enterprise (DVBE)

**1.b.** Mark either “Yes” or “No” to identify whether subcontractors will be used for the contract. If the response is “No,” proceed to Item #1.c. If “Yes,” enter on the line the distinct element of work contained in the contract to be performed or the goods to be provided by the prime bidder. Do not include goods or services to be provided by subcontractors.

Bidders certified as MB, SB, NVSA, and/or DVBE must provide a commercially useful function as defined in Military and Veterans Code Section 999 for DVBEs and Government Code Section 14837(d)(4)(A) for small/microbusinesses.

Bids must propose that certified bidders provide a commercially useful function for the resulting contract or the bid will be deemed non-responsive and rejected by the State. For questions regarding the solicitation, contact the procurement official identified in the solicitation.

**Note: A subcontractor is any person, firm, corporation, or organization contracting to perform part of the prime’s contract.**

**1.c.** This Item is only to be completed by businesses certified by California as a DVBE.

(1) Declare whether the prime bidder is a broker or agent by marking either “Yes” or “No.” The Military and Veterans Code Section 999.2 (b) defines “broker” or “agent” as a certified DVBE contractor or subcontractor that does not have title, possession, control, and risk of loss of materials, supplies, services, or equipment provided to an awarding department, 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.

(2) If bidding rental equipment, mark either “Yes” or “No” to identify if the prime bidder owns at least 51% of the equipment provided (quantity and value). If **not** bidding rental equipment, mark “N/A” for “not applicable.”

**2.** If no subcontractors are proposed, do not complete the table. Read the certification at the bottom of the form and complete “Page \_\_\_\_ of \_\_\_\_” on the form.

If subcontractors will be used, complete the table listing all subcontractors. If necessary, attach additional pages and complete the “Page \_\_\_\_ of \_\_\_\_” accordingly.

### 2. (continued) Column Labels

**Subcontractor Name, Contact Person, Phone Number & Fax Number**—List each element for all subcontractors.

**Subcontractor Address & Email Address**—Enter the address and if available, an Email address.

**CA Certification (MB, SB, NVSA, DVBE or None)**—If the subcontractor possesses a current State of California certification(s), verify on this website ([www.eprocure.dgs.ca.gov](http://www.eprocure.dgs.ca.gov)).

**Work performed or goods provided for this contract**—Identify the distinct element of work contained in the contract to be performed or the goods to be provided by each subcontractor. Certified subcontractors must provide a commercially useful function for the contract. (See paragraph 1.b above for code citations regarding the definition of commercially useful function.) If a certified subcontractor is further subcontracting a greater portion of the work or goods provided for the resulting contract than would be expected by normal industry practices, attach a separate sheet of paper explaining the situation.

**Corresponding % of bid price**—Enter the corresponding percentage of the total bid price for the goods and/or services to be provided by each subcontractor. Do not enter a dollar amount.

**Good Standing?**—Provide a response for each subcontractor listed. Enter either “Yes” or “No” to indicate that the prime bidder has verified that the subcontractor(s) is in good standing for all of the following:

- Possesses valid license(s) for any license(s) or permits required by the solicitation or by law
- If a corporation, the company is qualified to do business in California and designated by the State of California Secretary of State to be in good standing
- Possesses valid State of California certification(s) if claiming MB, SB, NVSA, and/or DVBE status

**51% Rental?**—This pertains to the applicability of rental equipment. Based on the following parameters, enter either “N/A” (not applicable), “Yes” or “No” for each subcontractor listed.

Enter “N/A” if the:

- Subcontractor is NOT a DVBE (regardless of whether or not rental equipment is provided by the subcontractor) or
- Subcontractor is NOT providing rental equipment (regardless of whether or not subcontractor is a DVBE)

Enter “Yes” if the subcontractor is a California certified DVBE providing rental equipment and the subcontractor owns at least 51% of the rental equipment (quantity and value) it will be providing for the contract.

Enter “No” if the subcontractor is a California certified DVBE providing rental equipment but the subcontractor does NOT own at least 51% of the rental equipment (quantity and value) it will be providing.

**3. Read the certification at the bottom of the page. An individual that is authorized to bind the firm contractually is to print their name, sign and date the form. Also, complete the “Page \_\_\_\_ of \_\_\_\_” accordingly.**

**ATTACHMENT 6**

**PROPOSER REFERENCES**

Submission of this attachment is optional. Failure to complete and return this attachment with your proposal will not cause your proposal to be rejected and deemed nonresponsive.

List below three references for services performed within the last five years, which are similar to the scope of work to be performed in this contract. If three references cannot be provided, please explain why on an attached sheet of paper.

<b>REFERENCE 1</b>		
Name of Firm		
Street Address		
City	State	Zip Code
Contact Person	Telephone Number	
Dates of Service	Value or Cost of Service	
Brief Description of Service Provided		
<b>REFERENCE 2</b>		
Name of Firm		
Street Address		
City	State	Zip Code
Contact Person	Telephone Number	
Dates of Service	Value or Cost of Service	
Brief Description of Service Provided		
<b>REFERENCE 3</b>		
Name of Firm		
Street Address		
City	State	Zip Code
Contact Person	Telephone Number	
Dates of Service	Value or Cost of Service	
Brief Description of Service Provided		
<b>REFERENCE 4</b>		
Name of Firm		
Street Address		
City	State	Zip Code
Contact Person	Telephone Number	
Dates of Service	Value or Cost of Service	
Brief Description of Service Provided		

**ATTACHMENT 6**  
**DVBE Subcontractor Incentive Instructions**

<p><b>Incentive information</b></p>	<p>Bidders will be granted from 1% up to 5% DVBE subcontractor incentive on a bid evaluation by an awarding department when a responsive bidder has submitted the lowest priced responsive bid and when a bidder:</p> <ol style="list-style-type: none"> <li>1. Has included in its bid a notification that it commits to subcontract the amount an amount indicated in the bid documents which can range from 1 percent up to 5 percent of its total bid price with one or more DVBEs; and</li> <li>2. Has submitted a timely, responsive bid; and</li> <li>3. Is determined to be a responsible bidder; and</li> <li>4. Lists the DVBE(s) it commits to subcontract with for a commercially useful function in the performance of the resulting contract.</li> </ol>
<p><b>Commercially useful function</b></p>	<p>A subcontractor is deemed to perform a commercially useful function if the subcontractor does the following:</p> <ol style="list-style-type: none"> <li>1. Is responsible for the execution of a distinct element of the contracted work; carrying out its obligation by actually performing, managing or supervising the work involved; and performing work that is normal for its business services and functions; and</li> <li>2. Is not further subcontracting a greater portion of the work than would be expected by normal industry practices.</li> <li>3. Is responsible, with respect to materials and supplies provided on the subcontract, for negotiating price, determining quality and quantity, ordering the material, installing (when applicable), and paying for the material itself.</li> </ol> <p>A subcontractor will not be considered as performing 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 achieve the appearance of participation.</p>
<p><b>How to calculate the incentive</b></p>	<p>Unless otherwise instructed in the solicitation document, first determine the total dollar value or amount that will be bid for the entire contract term, then multiply this figure by the percentage indicated in the bid documents for the specific DVBE use commitment to determine how much of the bid price must be committed to DVBE subcontracts that will perform commercially useful functions including but not limited to things such as labor, supplies, materials, equipment, or support services.</p>
<p><b>Use of proposed subcontractors / substitution</b></p>	<p>If awarded the contract, the selected contractor must faithfully use each DVBE subcontractor proposed for use and identified in its preference request. No substitutions or alterations are allowed after a bid is submitted. Substitutions are only allowed after contract execution if the Contractor submits a Request for Substitution to the CDHS Program Contract Manager and that request is subsequently granted by CDHS.</p> <p>DVBE subcontract substitution instructions will appear in the resulting agreement in a clause entitled "Use of DVBE Subcontractors".</p>
<p><b>Incentive request instructions</b></p>	<p>If the incentive is claimed, indicate so on the Required Attachment/Certification Checklist (Attachment 2) and complete Attachment 11a identifying each DVBE subcontractor that will be used. For each subcontractor identified on Attachment 11a, obtain a completed and signed Small Business/DVBE Subcontractor/Supplier Acknowledgment (Attachment 11b). Affix each Attachment 11b to Attachment 11a for submission with the bid response. If a signed Attachment 11b cannot be collected from each subcontractor in time for bid submission, indicate why. Submission of a signed Attachment 11b for each subcontractor listed on Attachment 11a is a prerequisite for contract award confirmation.</p> <p>Identify only currently certified DVBE subcontractors, as active certification is required and certification possession will be verified. The detailed budget worksheets, if required to be submitted in a bid, must list each subcontract service provider and its respective dollar value as identified on Attachment 11a. All proposed subcontracted services must appear in the Scope of Work.</p>



# ATTACHMENT 7

## DARFUR CONTRACTING ACT ATTACHMENT

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a "scrutinized" company as defined in Public Contract Code section 10476.

Therefore, to be eligible to submit a bid or proposal, please complete only one of the following three paragraphs (via initials for Paragraph # 1 or Paragraph # 2, or via initials and certification for Paragraph # 3):

1. \_\_\_\_\_ We do not currently have, or we have not had within the previous  
Initials three years, business activities or other operations outside of the  
United States.

OR

2. \_\_\_\_\_ We are a scrutinized company as defined in Public Contract Code  
Initials section 10476, but we have received written permission from the  
Department of General Services (DGS) to submit a bid or proposal  
pursuant to Public Contract Code section 10477(b). A copy of the  
written permission from DGS is included with our bid or proposal.

OR

3. \_\_\_\_\_ We currently have, or we have had within the previous three years,  
Initials business activities or other operations outside of the United States,  
+ certification but we certify below that we are not a scrutinized company  
below as defined in Public Contract Code section 10476.

### **CERTIFICATION For # 3.**

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder to the clause listed above in # 3. This certification is made under the laws of the State of California.

<i>Proposer/Bidder Firm Name (Printed)</i>		<i>Federal ID 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 and State of</i>	

**YOUR BID OR PROPOSAL WILL BE DISQUALIFIED UNLESS YOUR BID OR PROPOSAL INCLUDES THIS FORM WITH EITHER PARAGRAPH # 1 OR # 2 INITIALED OR PARAGRAPH # 3 INITIALED AND CERTIFIED.**

**PAYEE DATA RECORD**

(Required when receiving payment from the State of California in lieu of IRS W-9 or W-7)

STD 204 (Rev. 4/2017)

<b>1</b>	<p><b>INSTRUCTIONS:</b> Type or print the information. Complete all information on this form. Sign, date, and return to the state agency (department/office) address shown in Box 6. Prompt return of this <b>fully completed</b> form will prevent delays when processing payments.</p> <p>Information provided in this form will be used by California state agencies to prepare Information Returns (Form 1099). See next page for more information and Privacy Statement.</p> <p><b>NOTE:</b> Governmental entities, i.e. federal, state, and local (including school districts), are not required to submit this form.</p>					
<b>2</b>	<p><b>PAYEE'S LEGAL BUSINESS NAME</b> (As shown on your income tax return)</p>					
	<p><b>SOLE PROPRIETOR OR INDIVIDUAL— ENTER NAME AS SHOWN ON SSN</b> (Last, First, M.I.)</p>				<p><b>E-MAIL ADDRESS</b></p>	
	<p><b>MAILING ADDRESS</b></p>			<p><b>BUSINESS ADDRESS</b></p>		
	<p><b>CITY</b></p>	<p><b>STATE</b></p>	<p><b>ZIP CODE</b></p>	<p><b>CITY</b></p>	<p><b>STATE</b></p>	<p><b>ZIP CODE</b></p>
<b>3</b>	<p><b>ENTER FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN):</b> <input style="width: 100px; height: 20px; border: 1px solid black;" type="text"/></p>					<p><b>NOTE:</b> Payment will not be processed without an accompanying taxpayer identification number.</p>
<p><b>PAYEE ENTITY TYPE</b></p>	<p><input type="checkbox"/> <b>PARTNERSHIP</b></p> <p><input type="checkbox"/> <b>ESTATE OR TRUST</b></p>		<p><b>CORPORATION:</b></p> <p><input type="radio"/> <b>MEDICAL</b> (e.g., dentistry, psychotherapy, chiropractic, etc.)</p> <p><input type="radio"/> <b>LEGAL</b> (e.g., attorney services)</p> <p><input type="radio"/> <b>EXEMPT</b> (nonprofit)</p> <p><input type="radio"/> <b>ALL OTHERS</b></p>			
<p><b>CHECK ONE BOX ONLY</b></p>	<p><input type="checkbox"/> <b>SOLE PROPRIETOR OR INDIVIDUAL</b></p> <p>Enter social security number (SSN) or Individual taxpayer identification number (ITIN)</p>		<p><input style="width: 100px; height: 20px; border: 1px solid black;" type="text"/></p> <p style="text-align: center; font-size: small;">(SSN required by authority of California Revenue and Tax Code sections 18646 and 18661)</p>			
	<p><input type="checkbox"/> <b>CALIFORNIA RESIDENT</b> - Qualified to do business in California or maintains a permanent place of business in California.</p> <p><input type="checkbox"/> <b>CALIFORNIA NON RESIDENT</b> (see next page for more information) - Payments to nonresidents for services may be subject to state income tax withholding.</p> <p><input type="radio"/> No services performed in California.</p> <p><input type="radio"/> Copy of Franchise Tax Board waiver of state withholding attached.</p>					
<b>4</b>	<p><b>PAYEE RESIDENCY STATUS</b></p>					
<b>5</b>	<p><b>I hereby certify under penalty of perjury that the information provided on this document is true and correct. Should my residency status change, I will promptly notify the state agency below.</b></p>					
	<p><b>AUTHORIZED PAYEE REPRESENTATIVE'S NAME</b> (Type or Print)</p>			<p><b>TITLE</b></p>		<p><b>TELEPHONE</b> (include area code)</p>
	<p><b>SIGNATURE</b></p>			<p><b>DATE</b></p>		<p><b>E-MAIL ADDRESS</b></p>
<b>6</b>	<p><b>Please return completed form to:</b></p>					
	<p><b>DEPARTMENT/OFFICE</b></p>			<p><b>UNIT/SECTION</b></p>		
	<p><b>MAILING ADDRESS</b></p>			<p><b>TELEPHONE</b> (include area code)</p>		<p><b>FAX</b></p>
	<p><b>CITY</b></p>	<p><b>STATE</b></p>	<p><b>ZIP CODE</b></p>	<p><b>E-MAIL ADDRESS</b></p>		

**PAYEE DATA RECORD**

(Required when receiving payment from the State of California in lieu of IRS W-9 or W-7)

STD 204 (Rev. 4/2017)

<b>1</b>	<p><b>Requirement to Complete the Payee Data Record, STD 204</b></p> <p>A completed Payee Data Record, STD 204 form, is required for all payees (non-governmental entities or individuals) entering into a transaction that may lead to a payment from the state. Each state agency requires a completed, signed, and dated STD 204 on file; therefore, it is possible for you to receive this form from multiple state agencies with which you do business.</p> <p>Payees who do not wish to complete the STD 204 may elect not to do business with the state. If the payee does not complete the STD 204 and the required payee data is not otherwise provided, payment may be reduced for federal and state backup withholding. Amounts reported on Information Returns (Form 1099) are in accordance with the Internal Revenue Code (IRC) and the California Revenue and Taxation Code (R&amp;TC).</p>
<b>2</b>	<p>Enter the payee's legal business name. The name must match the name on the payee's tax return as filed with the federal Internal Revenue Service. Sole proprietorships must also include the owner's full name. An individual must list his/her full name as shown on the SSN or as entered on the W-7 form for ITIN.</p> <p>The mailing address should be the address at which the payee chooses to receive correspondence (i.e. 1099 form) and payments. The business address is the address of the business' physical location; do not enter the payment address or lock box information here.</p>
<b>3</b>	<p>Check only <b>one</b> box that corresponds to the payee business type. Corporations must check the box that identifies the type of corporation.</p> <p>The State of California requires that all parties entering into business transactions that may lead to payment(s) from the state provide their Taxpayer Identification Number (TIN). The TIN is required by the R&amp;TC sections 18646 and 18661 to facilitate tax compliance enforcement activities and the preparation of Form 1099 and other information returns as required by the IRC section 6109(a) and R&amp;TC section 18662 and its regulations.</p> <p>Payees must provide <b>one</b> of the following TINs on this form: social security number (SSN), individual taxpayer identification number (ITIN), or federal employer identification number (FEIN). The TIN for sole proprietorships and individuals is the SSN or ITIN. Only partnerships, estates, trusts, and corporations will enter their FEIN.</p>
<b>4</b>	<p><b>Are you a California resident or nonresident?</b></p> <p>A corporation will be defined as a "resident" if it has a permanent place of business in California or is qualified through the Secretary of State to do business in California.</p> <p>A partnership is considered a resident partnership if it has a permanent place of business in California. An estate is a resident if the decedent was a California resident at time of death. A trust is a resident if at least one trustee is a California resident.</p> <p>For individuals and sole proprietors, the term "resident" includes every individual who is in California for other than a temporary or transitory purpose and any individual domiciled in California who is absent for a temporary or transitory purpose. Generally, an individual who comes to California for a purpose that will extend over a long or indefinite period will be considered a resident. However, an individual who comes to perform a particular contract of short duration will be considered a nonresident.</p> <p>Payments to all nonresidents may be subject to withholding. Nonresident payees performing services in California or receiving rent, lease, or royalty payments from property (real or personal) located in California will have 7% of their total payments withheld for state income taxes. However, no withholding is required if total payments to the payee are \$1,500 or less for the calendar year.</p> <p>For information on Nonresident Withholding, contact the Franchise Tax Board at the numbers listed below:          Withholding Services and Compliance Section: 1-888-792-4900      E-mail address: <a href="mailto:wscs.gen@ftb.ca.gov">wscs.gen@ftb.ca.gov</a>          For hearing impaired with TDD, call: 1-800-822-6268      Website: <a href="http://www.ftb.ca.gov">www.ftb.ca.gov</a></p>
<b>5</b>	Provide the name, title, email address, signature, and telephone number of the individual completing this form. Provide the date the form was completed.
<b>6</b>	This section must be completed by the state agency requesting the STD 204.

**Privacy Statement**

Section 7(b) of the Privacy Act of 1974 (Public Law 93-579) requires that any federal, state, or local governmental agency, which requests an individual to disclose their social security account number, shall inform that individual whether that disclosure is mandatory or voluntary, by which statutory or other authority such number is solicited, and what uses will be made of it.

It is mandatory to furnish the information requested. Federal law requires that payment for which the requested information is not provided is subject to federal backup withholding and state law imposes noncompliance penalties of up to \$20,000.

You have the right to access records containing your personal information, such as your SSN. To exercise that right, please contact the business services unit or the accounts payable unit of the state agency(ies) with which you transact that business.

All questions should be referred to the requesting state agency listed on the bottom front of this form.