

ATTACHMENT 2
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) INCENTIVE

Bidder will receive a DVBE incentive if, in the court's sole determination, Bidder has met all applicable requirements. If Bidder receives the DVBE incentive, the dollar amount of its bid will be reduced (for evaluation purposes only) by an amount equal to 3% of the lowest responsible bid.

DVBE incentive qualification is not mandatory. Failure to qualify for the DVBE incentive will not render a bid non-responsive.

To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Bidder may have an approved Business Utilization Plan ("BUP") on file with the CA Department of General Services ("DGS").

If Bidder wishes to seek the DVBE incentive:

- a. Bidder must complete and submit with its bid the DVBE Incentive Qualification Declaration (SDSC Form #PUR-003) (Attachment 3), attached. Bidder must also submit all materials required in the DVBE Incentive Qualification Declaration.
- b. Bidder must submit with its bid a DVBE Status Declaration (SDSC Form #PUR-004) (Attachment 4) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Bidder is itself a DVBE, it must complete and sign the DVBE Status Declaration. If Bidder will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Status Declaration. **NOTE:** The DVBE Status Declaration is not required if Bidder will qualify for the DVBE incentive using a BUP on file with DGS.

Failure to complete and submit these forms as required will result in Bidder not receiving the DVBE incentive. In addition, the court may request additional written clarifying information. Failure to provide this information as requested will result in Bidder not receiving the DVBE incentive.

If Bidder receives the DVBE incentive: (i) Bidder will be required to complete a Post-Contract certification (SDSC Form #PUR-006) if DVBE subcontractors are used; (ii) Bidder must use any DVBE subcontractor(s) identified in its bid unless the court approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its bid will constitute a breach of contract.

FRAUDULENT MISREPRETATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9