



## SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

### DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) INCENTIVE QUALIFICATION DECLARATION INSTRUCTIONS

#### General Instructions

In this form, "Bidder" refers to a person or entity that submits a response to a competitive solicitation issued by the court, including Request for Quotations (RFQs), Inquiry for Bids (IFBs), and Request for Proposals (RFPs); and "bid" refers to a response to a competitive solicitation issued by the court, including RFQs, IFBs, and RFPs.

If Bidder wishes to claim the DVBE incentive in a solicitation where a DVBE incentive is offered, it must submit a DVBE Incentive Qualification Declaration (SDSC Form #PUR-003).

The court will determine whether Bidder is eligible to receive the DVBE incentive based on information provided in the DVBE Incentive Qualification Declaration. The court may, but is not obligated to, verify or seek clarification of any information set forth in the DVBE Incentive Qualification Declaration. If Bidder submits incomplete or inaccurate information, it will not receive the DVBE incentive.

#### Section A Instructions

1. Provide Bidder's DVBE Supplier ID number, if applicable. This number is in Bidder's Department of General Services (DGS) Supplier Profile, accessible at <https://www.bidsync.com/DPXBisCASB>.
2. Provide the applicable dates. These dates are listed in Bidder's DGS Supplier Profile website.
3. This percentage is equal to the amount to be paid by Bidder to the non-DVBE subcontractors divided by Bidder's total bid price, multiplied by 100. Enter a percentage; do not enter a dollar amount. For example, if the amount to be paid by Bidder to non-DVBE subcontractor is \$35,000 and Bidder's total bid price is \$125,000, enter "28%" ( $35000 \div 125000 = 0.28$ ;  $0.28 \times 100 = 28$ ).
4. The DVBE Status Declaration (SDSC Form #PUR-004) is separate from the DVBE Incentive Qualification Declaration. The Bidder must submit along with the DVBE Incentive Qualification Declaration a DVBE Status Declaration completed and signed by the disabled veteran owners and managers of Bidder.
5. Each entity certified as a DVBE by DGS will have received a DVBE certification. Bidder must submit a copy of its DVBE certification.

#### Section B Instructions

Complete this section if Bidder has an approved DVBE BUP on file with the Department of General Services (DGS) and this solicitation is for goods (IT or Non-IT), or IT services (do not complete if this solicitation is for non-IT services).

1. Provide the date on which DGS approved Bidder's BUP.
2. Provide the date through which the BUP is valid.
3. Bidder must provide a copy of its "Notice of Approved DVBE Business Utilization Plan" issued by DGS. This copy must be provided along with the DVBE Incentive Qualification Declaration.

#### Section C Instructions

A DVBE Subcontractor (Subcontractor) is any certified DVBE (whether a person, firm, corporation, or organization) contracting to perform part of Bidder's contract.

Enter the total number of Subcontractors Bidder will use for the contract. Provide complete information (items 1-13 of Section C) for **each** Subcontractor. Attach additional sheets if necessary.

1. Provide the full legal name of Subcontractor.
2. Provide the name of a contact person at Subcontractor. The contact person must be able to verify the information provided in the DVBE Incentive Qualification Declaration regarding that Subcontractor.
3. Provide the full address of Subcontractor.
4. Provide Subcontractor's telephone number, including area code.
5. Provide Subcontractor's email address. If Subcontractor does not have an email address, write "N/A."

6. Provide Subcontractor's DVBE Supplier ID number. This number is in Subcontractor's DGS Supplier Profile, accessible at <https://www.bidsync.com/DPXBisCASB>.
7. Provide the applicable dates. These dates are in Subcontractor's DGS Supplier Profile, accessible at <https://www.bidsync.com/DPXBisCASB>.
8. Each entity certified as a DVBE by DGS will have received a DVBE certification. Bidder must submit a copy of each Subcontractor's DVBE certification. Provide a copy of Subcontractor's DVBE certification.
9. Provide a detailed description of the goods and/or services Subcontractor will provide for the contract.
10. Provide an explanation of how Subcontractor's goods and/or services constitute a "commercially useful function" for purposes of the contract. Pursuant to Mil. & Vet. Code § 999, a person or an entity is deemed to perform a "commercially useful function" if a person or entity does all of the following: (i) is responsible for the execution of a distinct element of the work of the contract; (ii) carries out the obligation by actually performing, managing, or supervising the work involved; (iii) performs work that is normal for its business services and functions; (iv) is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment; and (v) is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices. Note: a person or entity will not be considered to perform 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 obtain the appearance of DVBE participation.
11. This percentage is equal to the amount to be paid by Bidder to Subcontractor divided by Bidder's total bid price, multiplied by 100. Enter a percentage; do not enter a dollar amount. For example, if the amount to be paid by Bidder to Subcontractor is \$6,600 and Bidder's total bid price is \$75,000, enter "8.8%" ( $6600 \div 75000 = 0.088$ ;  $0.088 \times 100 = 8.8$ ).
12. The Bidder must submit a written confirmation from the Subcontractor, indicating that Subcontractor will provide the required goods and/or services if Bidder is awarded the contract.
13. The DVBE Status Declaration is a separate form from the DVBE Incentive Qualification Declaration. The Bidder must submit along with the DVBE Incentive Qualification Declaration a DVBE Status Declaration completed and signed by all disabled veteran owners and managers of the Subcontractor.

#### **Certification Instructions**

Provide Bidder's full legal name, federal tax ID number, address, and telephone number on the appropriate lines. The certification must be signed by an authorized Bidder representative. Provide the name and title of the authorized Bidder representative, and the date, county and state where that person signed the certification.