

Caltrans Statewide Small Business Council – Meeting Record

Conducted via WebEx, Office of Civil Rights, 1823 14th Street, Sacramento, CA 95811

May 21, 2021, 8:30 a.m. to 12:00 p.m.

Meeting called to order at 8:30 a.m. by David DeLuz, Chair and Deputy Director of Office of Civil Rights.			
	Who is responsible/ presented	Date Completed / By When	Status
Action Items from November 2020 meeting			
Action Item #5: Provide further clarification on a) who sets Professional Services goals for Caltrans projects, and b) whether there are separate goals for Construction and Professional Services.	OCR and DPAC	7/16/21	ASSIGNED: Cathrina Barros, OCR, stated her team has been meeting with DPAC; among those who have been partnering in this effort: Contract Managers (CM) and the OCR engineering support team. Also receiving district input to develop a more uniform process to establish goals. This is challenging, because the Scope of Work is typically huge. Currently, the CMs initially sets the goal, after which OCR works with the CM to establish the final goal. Update during the July meeting.
Action Items from March 2021 meeting			
Action Item #4: Develop a list of DBEs and SBs using their NAICS codes to identify and match vendors for possible involvement in Caltrans work.	OCR	7/16/21	ASSIGNED: Update during the July meeting.
Action Item #5: Research development of a Coalition Strategy Work Group (ad hoc committee) to be brought forth as a motion to approve by the Council.	OCR & SBC	7/16/21	ASSIGNED: The topic of developing a Coalition Strategy is the second of three main topics to be discussed by the SBC as a body. In addition, the African American DBE Participation Ad Hoc Work Group has been including this as a discussion topic over the past couple of months. Further discussion on this during the July meeting.
Action Items from May 2021 meeting			
Action Item #1: Provide the goal setting manual developed by the Caltrans Division of Procurement and Contracts (DPAC).	OCR	7/16/21	ASSIGNED: Update during the July meeting.

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Action Item #2: Provide the OCR graph on trends presented by Keith Herron during the May meeting.	OCR	6/15/21	COMPLETED: A PDF of the Excel spreadsheet presented by Mr. Herron was sent via email on the date indicated to the left.
Action Item #3: Develop a public awareness campaign to emphasize the importance of contractors voluntarily submitting their data for state funded Minor B contracts.	OCR & Council	7/16/21	ASSIGNED: Update during the July meeting.
Action Item #4: Provide Council members with the list of job fairs organized by District 7 for the month of June.	District 7	6/9/21	COMPLETED: A flyer with a list of job fairs coordinated by District 7 during the month of June was sent to Council members via email on the date indicated to the left.
Action Item #5: Send Council members the DGS report presented by Angela Shell.	DGS	5/21/21	COMPLETED: The DGS report was sent to Council members via email on the date indicated to the left.
Action Item #6: Research the possibility of a rider to protect Micro-Businesses in consideration of potential size standard increases for firms working on Public Works contracts.	OCR	7/16/21	ASSIGNED: Update during the July meeting.
Action Item #7: During pre-bid conferences, mention a) goal can be met by using suppliers; b) provide a list of items needed for the project; c) provide the Caltrans brochure regarding suppliers developed by DPAC.	OCR	7/16/21	ASSIGNED: Item c) completed – PDF of the brochure distributed sent to Council members via email on 7/2/21. Update on a) and b) during the July meeting.
Action Item #8: Provide Council members with the PowerPoint presentation presented by Dr. Matthew Ajiake during the May meeting.	Dr. Matthew Ajiake	7/16/21	ASSIGNED: Update during the July meeting.
Action Item #9: Provide the link to AB 915.	OCR Carole Ching	5/25/21	COMPLETED: The LegInfo link to AB 915 was sent to Council members via email on the date indicated to the left.
Action Item #10: SBC committees will meet between now and the July meeting to discuss specific recommendations for elements of the	SBC Committee Chairs	7/16/21	COMPLETED: Committee Chairs for Construction and Local Assistance/Professional Services met during June/July.

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Prequalification Program to be further discussed on July 16.

Welcome and Roll Call – Council Chair, David DeLuz opened the meeting at 8:30 a.m.

Opening Remarks; Review of the Agenda; Meeting Record Approval, – Chair DeLuz

- Opening remarks – Chair DeLuz provided a PowerPoint presentation to supplement his opening remarks.
 1. The challenge is finding more firms to bring to projects at Caltrans – this is where the Small Business Council (SBC) comes in. The Council has connections with potentially 900 firms that could be DBEs; currently we do not have 900 firms bidding on Caltrans work.
 2. We need to help firms understand our opportunities as well as the constraints of the agency due to regulatory guidelines.
 3. We want to improve the ability to deliver solutions that really work – this is where the Council can let us know and advise on what the agency is doing right or how we it can improve. The Council's efforts to advise us makes Caltrans better.
 4. We need to keep pushing the envelope on specific ideas that we can move forward; this will help deliver the solutions that can impact what we are doing.
 5. Ways in which Caltrans is rising to meet the challenge include:
 - a. Directive issued by Jim Davis – As of June 1, 2021, all Minor B contracts under \$333,000 shall be designated as SB only with a few limited exceptions.
 - b. In May, DPAC has eliminated the requirement for Bid Bonds on all Minor B contracts; this will be a significant impact on the cost of bidding.
 - c. Emergency work guidance revision is nearly completed – On State emergency contracts, SB and DVBE should be selected for emergency work if they have the capacity required. Caltrans could not mandate only SB or DVBE could do the work, because of the 48 to 72 hour response turnaround, but it does require districts look at SB and DVBE first.
 - d. Goal setting for projects that are specific for SB – A draft methodology that is fair, transparent, and efficient that can be tested in a pilot program across the state will look at SB goal setting for state funded Caltrans highway projects. Caltrans wants to maintain aggressive goal setting for SB to grow beyond the 25% goal. The agency is looking to expand into A&E and Construction and intends to identify potential projects to test as pilots to apply those SB goals. This is Caltrans opportunity to test the impact of goal setting.
 6. Together, we are working very hard to identify opportunities and strategies so SBs can really compete; we are changing how we work as a department and with external stakeholders.
 7. Building partnerships – We are working with the Council in new ways; we are also working with primes to identify their challenges and road blocks, and removing any excuses and concerns. We are identifying new partners, as well.
 8. Caltrans is setting goals on projects and future plans to make sure it is working for and with you.
 9. We appreciate your support, partnership, and commitment.

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This was followed by various comments from the Council expressing appreciation and encouragement.

- Agenda review – Chair DeLuz reviewed the meeting agenda.
 1. Opening remarks, review of the agenda, status of the Action Item Log, and approval of the March meeting record have been consolidated under agenda item #1.
 2. Mike Keever, Acting Chief Deputy Director, will be representing the Director's Office on Director Omishakin's behalf.
 3. Agenda item #3 will be dedicated to review of the OCR reports.
 4. As a special feature, Districts 7 and 11 will provide special highlights of their respective districts during agenda item #5. The remainder of the time designated for district SB Updates will be used to address any questions Council members might have.
 5. The Prequalification Program will be discussed during the 45 minutes designated under agenda item #11.
- Action Item Log – Refer to pages 1-3 of this meeting record for the most current status of the Action Item Log.
- Approval, March 19, 2021 meeting record – Correction to the meeting record by Council Member Eddy Lau to make the comment by Council Member Zeke Patten found in Section K, number 4 an Action Item accepted. Motion to approve the meeting record of March 19, 2021 as corrected made by Council Member Matthew Ajiake; seconded by Council Member Paul Guerrero; no further discussion; the motion passes with all ayes; the meeting record of March 19, 2021 is approved.
- Information Request form – Chair DeLuz reminded Council Members all requests for information must be submitted to OCR in writing addressed to Carole Ching, Council Coordinator.

A. Director's Office Update – Mike Keever, Chief Deputy Director, Acting, for Director Omishakin

Due to a conflict in schedule, Director Omishakin could not attend; Mr. Keever, Acting Chief Deputy Director, spoke briefly, but could not stay for the whole meeting due to prior commitments.

1. Mr. Keever commented Mr. DeLuz is making a difference and has a lot of support at every level of Caltrans to find ways to make things happen.
2. Caltrans continues to focus on equity, its goals with its strategic plan, and providing for its partners; there is much support for this positive message.
3. Mr. Keever noted there are over 100 participants attending online for today's meeting – we are all working together to make a difference.
4. Caltrans wants to hear and understand your feedback; we appreciate your understanding of the challenges the agency faces. To this end, Mr. Keever encouraged everyone to understand what the issues are, then figure out actionable items to get results.
5. Mr. Keever acknowledged Jim Davis, a colleague, mentor, and a major influence in the work being done today. Mr. Davis will be retiring at the end of this year. Caltrans will be tapping into his leadership while he is still with the agency. In the meantime, Mr. Keever has been designated to be the Acting Chief Deputy Director.

B. OCR Reports – Keith Herron, OCR

1. According to the Commitment at Award for April, Caltrans is still short of the 17.6% overall goal.

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2. Trends – New graph reflecting information from Divisions of Procurement and Contracts, Local Assistance, and the Office of Engineer; shows a decrease in the number of new DBEs, possible because of the pandemic and number of contracts.
3. Gaps in the number of African American DBEs – The changes in Minor B contracting could help grow smaller firms' capacity.
4. Reports were well received by the Council; Council Member (Alternate) Danny Garza noted the numbers for Hispanic firms might improve with the involvement of Hispanic Chambers in the Bay Area. Council Member Julian Canete commented he would like to discuss this further with Mr. Garza.
5. Disparity Study outreach – Could be improved if the Chambers were to bid on the project. Council Member Fred Jordan has contacted Secretary of Transportation Pete Buttigieg who agreed with this suggestion.
6. Council Member (Alternate) Kaya Herron asked if OCR is tracking who is actually getting the contracts – Mr. Herron responded Minor B contracts are largely state funded, so OCR must rely on contractors' voluntary submission of data; they cannot be compelled to submit this information. It is difficult to make assessments due to inconsistent submission of data. Ms. Herron then suggested a public awareness campaign to emphasize the importance of voluntary submission of data on Minor B contracts, and further stated her organization, the Fresno Metro Black Chamber of Commerce, would be a partner in such a project. Chair DeLuz thanked Ms. Herron and supported the public campaign idea.
7. Chair DeLuz noted the incomplete information on Minor B projects is primarily why OCR relies on federally funded project data.
8. Council Member Matthew Ajiake agreed during the conducting of the SB1 pilot, incomplete data was a main challenge. The changes in Minor B contracts will also raise the profile of those contracts and generate more excitement in the various districts.
9. Chair DeLuz added with emphasis on SBs, it will be necessary to make sure SBs are state certified as such through DGS. The DBE community will also be made aware to get state certified as a SB to compete on projects.

C. District Small Business Update Reports – Featuring District 7 and 11 in special presentations followed by Q&A regarding the presentations and the district SB Update reports.

1. District 7 led off with a PowerPoint presentation by Blanca Rodriguez, Director of External Affairs, and Maria Raptis, Manager of the District 7 SB Unit - The presentation included an embedded video; a list of job fairs during the month of June will be sent to members. Job offers will be made during the job fairs; notification of the job fairs will also be available on the District 7 website.
 - a. Focus on the California Come Back Plan – Cleaning up California by partnering with local governments to clean litter, commission public art, beautify downtowns, freeways, and neighborhoods across the state; \$1.5 billion designated by Governor Newsom on 5/11/21.
 - b. Clean up of a Caltrans property in Los Angeles, Interstate 110/28th Street – Video featured the Governor and Director Toks Omishakin working side-by-side with Caltrans staff and community volunteers to kick off the project. Plans for the area include design and landscape, public art work, and a security fence. Work commenced in May and will continue through July to install a park and art.
 - c. Video presentation can be accessed by clicking [HERE](#).

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2. District 11 presentation was provided by District 11 Director Gustavo Dallarda. Highlights included:
 - a. Alejandra Aguirre, District 11 Small Business Liaison, is now officially part of the SB team.
 - b. How to Do Business with Caltrans webinars – Biweekly series designed to break down selected topic areas; features guest speakers on topics such as eligibility, prompt pay, the payment process, and tips from private contractors. All sessions have been recorded and are available on the District 11 SB web page. Mr. Dallarda expressed his appreciation for the SB team and Granite Construction.
 - c. Upcoming session will focus on how to navigate Cal eProcure and the DBE System– Scheduled for June 16 featuring guest presenters from DGS and OCR. Register online through the District 11 SB website or through the OCR events calendar.
 - d. 17th Annual Procurement and Resource Fair, October 19-21 – This 3-day event will be held virtually for now; more details to be available as the date draws closer.
 - e. Outreach efforts – The SB team regularly attends the monthly meetings of the National Society of Black Engineers (NSBE) Entrepreneurship to develop partnership between the NSBE and District 11 and increase African American business utilization on Caltrans projects.
 - f. DVBE involvement – Actively monitoring utilization of DVBE on eight awarded state contracts, three of which have indicated DVBE utilization. The remaining five have not yet completed, so there is still opportunity for DVBE utilization. Contact Nick Buenviaje, District 11 DVBE Advocate for further information.
 - g. CalMentor program – District 11 is celebrating the eighth cycle of its CalMentor program; 150 pairings; the ninth cycle will commence in Fall 2021.

No further questions regarding the presentations and/or the May district SB Updates.

D. FHWA Update – Vincent Mammano

1. The BUILD and TIGER Discretionary Grants will be closing on July 12; in its place will be the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant program¹.
2. FAST Act has been extended to September 30 at 2020 levels – This is different from the infrastructure bill; reauthorization of the FAST Act will be needed.
3. Earmarks are coming back – Although FHWA has a role in whether states are eligible for federal funding, locals decide project selection, not the FHWA.
4. National Environmental Policy Act (NEPA) Assignment has been signed by Caltrans – It has been defended in federal courts and is now scheduled to commence. Click [HERE](#) for more details about Caltrans NEPA Assignment.

¹ The Rebuilding American Infrastructure with Sustainability and Equity, or RAISE Discretionary Grant program, provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to achieve national objectives. Previously known as the Better Utilizing Investments to Leverage Development (BUILD) and Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grants, Congress has dedicated nearly \$8.9 billion for twelve rounds of National Infrastructure Investments to fund projects that have a significant local or regional impact.

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5. California Transportation Commission (CTC) meetings – Discussing alternate uses of right of way, alternate uses for highways, in dealing with homelessness challenges, which has been determined to be an appropriate use of these types of funds. Includes installation of temporary facilities, electrification, electric vehicle charging stations (no charge to customers in these stations are constructed in right of way), and areas to capture wind and solar energy.
6. Redistribution of funds – The amount available for redistribution should be sizable; amount California to receive is not yet determined.
7. Dr. Ajiake asked how much approximately would California receive in infrastructure funding – Mr. Mammano responded California typically receives about 10% of funding available, however, the amount will be calculated by formula, which he did not have at this time.

E. DGS Update – Angela Shell

1. Ms. Shell's report will be sent to OCR for distribution to members after the meeting.
2. Infrastructure Tech Master Agreement – Very important; IT related; to be posted on Cal eProcure within the next 30 days. Reduces the experience requirement; DGS anticipates SB participation.
3. ERGSO (Ethnicity, Race, Gender, Sexual Orientation) – Online entry system being developed by DGS to capture information on a voluntarily submitted form. Online format will make it less work for vendors to submit reports. This system should be coming within the next few months.
4. CMAS listing – The database has been upgraded with a new look and feel; vendors can now submit online if they are applying, renewing, or updating their information; everything is automated.
5. Opportunities – Refer to the report OCR will be sending members after this meeting is concluded.
6. Emergency procurement – DGS will have an online platform by September; vendors can register in the system in much the same way they do for Caltrans. Registering online will place vendors into a pool connected to the SB database, which state departments can access to locate vendors for emergency procurements. In the past, emergency procurements were not included in the SB spend, however, with the initiation of this new system, they will be now.
7. SB regulations – DGS is adding in language that will allow state departments to set SB goals on specific contracts. Currently, there is language regarding SB preference, however, this allows a department the ability to set SB goals as a tool. Departments will set up their own goal methodology. At this time, a 25% SB goal is not mandated, but there is legislation in the works to mandate it.
8. Mr. Jordan asked what a SB preference was – Ms. Shell explained it is a 5% preference for SBs for direct awards. If a vendor is not a SB, if the contract obtains the 25% SB goal, there will be a SB preference. The Executive Order is non-statute; every department is working to achieve the 25% SB goal.
9. Assembly Bill 915 (AB 915) – Ms. Shell stated DGS is tracking this bill, but cannot give an opinion on it; it does include language to codify the 25% SB goal.

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F. Local Assistance/Professional Services Committee – Albert Leung, Chair

1. Mr. Leung reported the meeting was productive with much progress accomplished.
2. Local Assistance report – Provided by Kamal Sah, DLA, and her staff; discussed commitment vs utilization; explained on screen where the DLA reports could be found on the DLA website.
3. Goal #1, form standardization – The committee still needs to communicate better with OCR on what is needed; will be meeting with Keith Herron, OCR, within the next two weeks to discuss this.
4. Goal #2, increasing participation – Per Chair DeLuz, there is a pilot project in the works, which is very exciting.
5. Goal #4, spearheaded by Mr. Jordan – No progress on this goal.
6. Discussion re: AB 915 – Mr. Lau was called upon to speak to this: The positive impact of this bill will be to codify the 25% SB goal, however it is lacking in protection of Micro-Businesses (MB); MB should have a major say in contracting; there should be an allocation to MB to take care of “real” SBs. Mr. Leung asked if this is something the Council can comment on or is it too late to do so at this point? Also, in the future, would it be feasible to alert the Council whenever there is SB-related legislation so members could participate in providing their feedback? Council Member Jay King responded it is not too late to comment; he has been speaking to members in office and can provide contacts for input. Mr. Lau stated he has been working with other groups regarding MB. Caltrans is not able to take a position on this matter, but is it appropriate for the Council to do so?
7. Council Member Lee Cunningham stated the issue about MBs is very important; size standards make DBEs much larger than SBs; in addition, the \$36 million size standard for doing public works projects will raise the size standard for everyone. Could a rider be developed to protect MBs? This new threshold will be a problem. Chair DeLuz noted per DGS, MBs made up 53% of SBs last year. MBs are a significant part of what we are already doing in California. Mr. DeLuz will take these concerns back to both Legal and Legislative counsels for further feedback. In the meantime, this can be placed on the Action Item log.
8. Mr. Lau noted information about such legislation has not been provided to the Council in a timely manner, despite the fact that one of the Council members is a sponsor of AB 915; nothing had been shared with the other Council members. Chair DeLuz will follow up after he has had an opportunity to consult with Legal and Legislative consultants.

G. Commodities Committee – Zeke Patten, Chair

1. The committee updated its goals.
2. Inviting prime to the meeting – Still working on this goal.
3. SB verification – Jim Davis had been working on this with the committee, but now that he is retiring, they will be looking for a new person to assist.
4. Ms. Cunningham – Re: Prequalification Program for suppliers, the committee discussed how this can heighten visibility for suppliers; ideas raised will be sent to Mr. DeLuz.
5. Mailing district SB Updates and OCR reports to some members who have limited access to printers – OCR will look into fulfilling this request.
6. Mentioning goal can be fulfilled through utilization of suppliers – mention this during pre-bid conferences.

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7. List of items needed for a project.
8. Brochure developed by DPAC – should be distributed during pre-bids.

H. Construction Committee – Council Member Ruth Bley for Pete Varma, Chair

1. Focused discussion on current goals.
2. Safety – Council Member Debbie Hunsaker and Taelor Stamm, Construction, will be reporting during the committee's July meeting.
3. Pat Maloney, Construction, reported on progress of the B2GNow program newly initiated through OCR's Certification Branch.
4. Increasing DVBE participation discussed.
5. CMGC process – Identifying future contracts that would be suitable for partnering with primes for SB opportunities; most projects are too large for DBE primes to manage.
6. Teaming and partnering – Ongoing discussion; prequalification issue dominated the conversation.
7. Mr. DeLuz stated the future Caltrans database will be filterable; more information on how that can be done will be forthcoming.
8. Mr. Guerrero mentioned grants do not require goal; this is a way to get around using SB, DBE, and DVBE. Mr. DeLuz will look into this.
9. Ms. Cunningham asked why SBs were not included in the goal to increase DVBE participation – Ms. Shell responded stated funded projects require a DVBE goal; it is already required to have 25% SB goal. A goal equates to a commitment – either a prime meets it or it does not get the contract. Additionally, there is no requirement to seek a SB preference.

I. African American DBE Participation Ad Hoc Committee – Jay King, Chair

1. Discussed primes and the bidding process – Better pathways for smaller contractors to get bids.
2. Coalition strategy dominated the conversation – Council Member (Alternate) Kaya Herron stated a written structure was needed; all Council members would have the opportunity to participate.
 - a. Mr. King, Mr. Varma, Mr. DeLuz, and Director Omishakin have been discussing development of a pilot project; goal is to increase SB and MB participation in the bidding process and hopefully succeed in winning bids.
 - b. This pilot would need cooperation between the groups for mutual benefit instead of always competing against one another.
 - c. If the Council comes together and works with state agencies, it will meet and exceed goals.
3. Mr. Jordan asked what the state definition of a SB in term of dollars - \$5 million, MB; \$15 million, SB; up to \$36 million for SBs involved with public works project contracts.

J. SB-1 Work Group – Dr. Matthew Ajiake, Chair

1. Dr. Ajiake provided a brief background - In 2017, the Council was looking at how reporting for SB1 projects was going to be done, and how Caltrans was going to address systemic challenges.

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- a. At the time, Laurie Berman was the Director of Caltrans, and worked with the committee on these matters, as well as how the committee could work with Caltrans as partners. The work group originally included Council members and representatives from FHWA and Caltrans Administration. Soon after SB1 came into law, SB 103 followed with its own set of issues; the work group felt it needed to look at firm capacity.
 - b. Discussed were three different levels of projects, NAICS code review, and outreach efforts. Three events were held to garner feedback, The work group then looked at ways to break down contracts as per NAICS codes and zeroed in on Minor B projects.
 - c. District 10 became a partner in the implementation of a pilot. At that time, the district only had three Minor B projects, which were analyzed using NAICS codes to determine opportunities to increase potential participation. Teaming came into play and proved critical.
2. Findings – A wider pool of Minor B projects dedicated to SB is needed; from this, opportunities to grow will occur. Please refer to Dr. Ajjake's PowerPoint presentation for further details on findings.

K. Council Topics for 2021 – Large group discussion between the Council Members and Chair DeLuz

Chair DeLuz opened the discussion with a brief introduction: One of the strategies presented from previous SBC meetings was to identify issues OCR and the Council can work together on to develop recommendations for Caltrans to consider. A list of thirteen topics was created, which the Council voted on to prioritize.²

First prioritized was the Prequalification Program. OCR has been looking at the Caltrans Emergency Contract registry as a possible model as it is based on capabilities and experience. The goal is to create a database of firms that have experience, licenses, insurances, and can do the work required. There would be evidence firms have worked in certain areas with a track record of deploying in those areas. Bidding history would include whether the firm has put out resources to bid on work, which demonstrates real intent and willingness to perform work. We would want to make sure a firm is ready, willing, able, certified, and competent to do the work.

Other states: There are all types of approaches and eligibility requirements for prequalification. Primes will already conduct their own assessment on the fiscal capacity of a prospective firm, which is something we would not interrupt. Our goal is experience and willingness to deploy. We have the ability to create a system that will work for us. The emergency registry is a good model to build upon; other logistics as to who will maintain and update the database will evolve.

Chair DeLuz then opened the floor to discussion with the Council members.

1. Ms. Bley shared feedback from Mr. Varma from the Construction Committee meeting yesterday – Mr. Varma had concerns about the visibility of the SB. When overstating your history, an insurance company might come back and reassess your

² The top three topics included: Prequalification Program; Coalition Strategy; and Design/Build as an avenue to involve diverse SB/DBE/DVBE firms.

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underwriting. The bonding company and underwriter might look at what you are publicizing and find cause to readjust their assessment.

2. Mr. DeLuz also had an email from Mr. Varma – He recommended a simple prequalification program to identify who is ready to work as the best approach. This would allow space for subs to succinctly lay out their qualifications and capacity. Those in the database might also be offered training and other information to help grow their capacity. Mr. Varma also asked what documents would be needed to verify a company's qualifications. He wanted to balance out the process so it is straightforward and not a barrier. It should be a program that helps firms get on the short list for contractors to consider.
3. Ms. Bley – Would it be possible for those who have used the firms in the database to provide references, such as primes who can testify to a firm's past performance.
4. Mr. DeLuz – This would be both subjective and objective data; however, objective data would be more appropriate. It is a consideration while developing the Prequalification Program; the information should be useful to the contractor.
5. Mr. Varma – We need to recruit smaller contractors and provide the supports they need to succeed. The Council should also engage their respective membership/constituency to register in the Prequalification Program. An example of the effectiveness of the Council is its effort to register companies in the emergency work registry resulting in 149 companies doing so.
6. Mr. Lau – A&E firms are different from construction and supplier companies. A&E companies must have a successful managerial system, same cover rate for first timers, proper licensing, and experience in Caltrans-relevant construction management. They must have the technical experience and experience in working with local agencies. Where a firm is willing to work is contingent on computer and software. In addition, the DPAC form 330 must be completed.
7. Mr. Jordan asked if there were comparisons to other states' programs – Mr. DeLuz responded more work is needed; he has been in preliminary conversations with North Carolina and Michigan, both feel like they have good programs; it helps them execute their contracting programs in an efficient manner. More information is needed regarding all contractors. More background is needed and more research needs to be done. Mr. Jordan suggested looking at New Jersey; the Chair of the Illinois DOT Council has contacted him many times re: working in Illinois; Mr. Jordan will provide Mr. DeLuz the Illinois Chair's contact information.
8. Dr. Ajiake asked if the bonding issue in construction has been considered – If a firm performs, it should get paid, but that is still a challenge. Mr. DeLuz stated Caltrans does not do retainage as a policy. Mr. DeLuz had been working with Isabel Guzman, GO-Biz, to find some way to facilitate Caltrans bonding alternatives. He has also discussed this matter with Merriweather Williams. Bonding is definitely an important issue, but there are a few more moving parts involved. Some Departments of Transportation have covered bonding through their own resources. Mr. DeLuz has been meeting with both public and private entities in regards to this matter.
9. Council Member Annie Aguilar asked if the Prequalification Program would only be for construction – Mr. DeLuz responded if there is a methodology appropriate for A&E, he would include it; there is already a requirement checklist in place utilized when assessing A&E firms. Ms. Aguilar noted the District 11 Bench program provides primes the opportunity to meet A&E subs

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for consideration. There is a small window for subs to get on the winning team during the procurement period, which has been very successful.

10. Mr. DeLuz stated this effort is being driven by the Council, not OCR; members' feedback, direction, ideas, models will all be considered.
11. Ms. Hunsaker reiterated her committee's concern that the Prequalification Program could backfire on some SBs; it should not be a burden to those we are trying to reach; we do not want to cause more liability. Mr. DeLuz would like to further discuss those liabilities with Ms. Hunsaker. The goal is to help as many as possible, not to hurt anyone.
12. Dr. Ajiake agreed – need to avoid blind spots which may create a cul de sac; must allow for free flow.
13. Mr. DeLuz closed by saying OCR will synthesize the input provided today and send it out to the Council. Further conversation will continue during the July meeting. He requested the committees meet before the July meeting to discuss specific recommendations regarding the elements of the Prequalification Program. He would like to start designing a program to develop a pilot in one of the districts.

L. New Business

1. Carole Ching reviewed the Action Items from this meeting; no other new business was brought forth by the members.
2. Assembly Bill 915 – Mr. Jordan emphasized the importance of this new bill; a link to this bill will be sent to Council members.

M. Public Comment

1. Ali Altaha – Raised concerns regarding proper licensing among contractors; he believes the majority of contractors do not have the proper state license or education. Also raised concerns regarding practices that have hindered SBs from participating in projects.
2. Council Member (Alternate) Rebecca Llewellyn noted safety procedures should be included in the Prequalification Program.

N. Closing Remarks – Mr. DeLuz thanked everyone for working with OCR to build opportunities. The next meeting is scheduled for July 15 and 16; at that time meeting in person will be discussed.

Meeting Adjourned at 12:10 p.m.

Next Meeting: July 15 and 16, 2021; more information regarding the July meetings will be shared in June.

DOCUMENTS distributed previous to the meeting via email:

- Meeting agenda
- Draft of meeting record for January 2021
- OCR Reports: Executive Management Dashboard; Commitment at Award, Construction; Commitment at Award, DPAC; District Monthly Contract Award; Monthly Contract Award
- Districts 1 to 12, SB Update Reports

Caltrans Statewide Small Business Council – Meeting Record

Conducted via WebEx, Office of Civil Rights, 1823 14th Street, Sacramento, CA 95811
May 21, 2021, 8:30 a.m. to 12:00 p.m.

PRESENT – Roll Call

Council Members:

1. Aguilar, Annie, American Public Works Association, San Diego
2. Ajiake, Dr. Matthew, San Francisco Bay Area Small Business Council
3. Ruth Bley, Women Construction Owners and Executives, USA
4. Canete, Julian, California Hispanic Chambers of Commerce
5. Chaudhary, Arvin, American Council of Engineering Companies, California
6. Chen, Lynn, California Chinese American Construction Professionals Association
7. Cunningham, Lee, Women Construction Owners and Executives, California Chapter
8. Garcia, Oscar, Alternate, California Hispanic Chambers of Commerce
9. Garza, Danny, Alternate, La Raza Roundtable de California
10. Guerrero, Paul, La Raza Roundtable de California
11. Hale, Gene, Greater Los Angeles African American Chamber of Commerce
12. Herron, Kaya, Fresno Metro Black Chamber of Commerce
13. Hou, Johnathan, Asian Business Community Development
14. Hunsaker, Debbie, Fresno Chamber of Commerce
15. Jordan, Frederick, San Francisco Black Chamber of Commerce
16. King, Jay, California Black Chamber of Commerce
17. Kinsey, Sam, Alternate, California Black Chamber of Commerce
18. Lau, Eddy, Asian American Architects and Engineers, San Francisco Chapter
19. Leung, Albert, Asian American Architects and Engineers, Southern California Chapter
20. Llewellyn, Rebecca, Alternate, Women Construction Owners and Executives, USA
21. Lombard, Edwin, California African American Chamber of Commerce
22. Patten, Jr., Ezekiel, Black Business Association, Los Angeles
23. Saephanh, Maye, California Asian Chamber of Commerce
24. Shaw, Angela Gibson, Greater Los Angeles African American Chamber of Commerce
25. Vela, Lisa, San Joaquin County Hispanic Chamber of Commerce

Caltrans Staff

- | | |
|--|----------------------------|
| 1. Keever, Mike, Acting Chief Deputy Director | 3. Adams, Bob, District 10 |
| 2. DeLuz, David, Deputy Director, Office of Civil Rights | 4. Barros, Cathrina, OCR |
| | 5. Bata, Amer, District 11 |

Caltrans Statewide Small Business Council – Meeting Record

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May 21, 2021, 8:30 a.m. to 12:00 p.m.

6. Benton, Janice
7. Biro, Jessica, District 5
8. Blount, Denella, District 11
9. Bouquin, Tom, District 11
10. Bragado, Edwin, OCR
11. Brady, Matthew, District 1
12. Ching, Carole, OCR
13. Copeland, Aisha, OCR
14. Dallarda, Gustavo, District 11
15. Dermody, Ryan, District 9
16. Doan, Hau, Local Assistance
17. Elkins, Susan, District 3
18. Guinan, Lori, District 6
19. Herron, Keith, OCR
20. Hettick, Bobi
21. Hopkins, Ramon, Construction
22. Himes, Amanda, OCR
23. Hull, Joe, District 11
24. Ibarra, Maria, District 11
25. Kent, Bryan, Construction
26. Klemencic, Jessica, District 9
27. Knadler, Christine, District 9
28. Lam, Dee, Local Assistance
29. Lavelle, Bill, District 10
30. Long, Wenyi, Local Assistance
31. MacDonald, Jason
32. Maloney, Pat, Construction
33. Martinez, Justin
34. Mather, Eric, District 10
35. Mathis, Maecel, District 11
36. Matza, David, District 8
37. McCrory, Lionel, OCR
38. Moore, Dave, District 2
39. Morgan, Aaron, District 1
40. Morris, Esther, DPAC
41. Navarro, Michael, District 6
42. Nguyen, Don
43. Nobles, Ayanna, District 4
44. Nozzari, Sean, District 4
45. Perez, Margie, District 11
46. Prizmich, David, Division of Procurement and Contracts
47. Pugh, Jada, District 4
48. Pyle, Angel
49. Raptis, Maria, District 7
50. Rizzutto, Shawn, District 11
51. Rodriguez, Blanca, District 7
52. Saeteurn, Chan, OCR
53. Sah, Kamal, Local Assistance
54. Samaan, Amany
55. Samuelson, Mark, Local Assistance
56. Scott, Michelle, District 7
57. Singh, Sanjay, OCR
58. Spence, Robynn, District 3
59. Stamm, Taelor, Construction
60. Tavares, Tony, District 7
61. Townsend, Everett, District 11
62. Tritt, Ray, Construction
63. Tuttle, Norman, OCR
64. Vargas, Mirley, District 12
65. Von Tersch, Erin, OCR
66. Watts-Jefferson, Sabrina, Assistant Deputy Director, Office of Civil Rights

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67. Whitfield, Jocelyn, District 8
68. Wiley, Jeff, OCR
69. Williams, Curtis, OCR
70. Woolsey, Lindsey, Construction

Guests

1. Altaha, Ali
2. Draghici, Anda, DGS
3. Lelo-Butcher, Raewyn, Ghirardelli Associates
4. Mammano, Vincent, FHWA
5. Shell, Angela, DGS