

**SAN DIEGO UNIFIED SCHOOL DISTRICT**

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**DISABLED VETERAN BUSINESS (DVB)****PARTICIPATION PROGRAM OVERVIEW AND RESOURCES**

1. **Disabled Veteran Business (DVB).** The term Disabled Veteran Business (DVB) includes certified Small Business Administration (SBA) Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) and certified California Department of General Services (DGS) Disabled Veteran Business Enterprises (DVBs). The District accepts both certifications.

**DVB Participation Program Policy.** The District encourages contractors to ensure maximum opportunities for DVBs in the Work of the Contract through the DVB Participation Program.

Pursuant to a board-approved resolution in support of DVBs, the District has replaced the good faith effort with a mandatory requirement of 3% for DVB participation on all District construction projects, regardless of size. Contractor must meet or exceed 3% DVB participation either directly through the General Contractor, or via subcontractors, lower tier subcontractors, suppliers, equipment providers, and/or manufacturers. The failure of any Contractor to strictly comply with the District's DVB Participation Program Policy may result in rejection of the Bid Proposal for non-responsiveness or incompleteness. Businesses that act as Brokers, Fronts, and Pass-throughs are not permitted; all DVBs must provide a Commercially Useful Function.

The District's commitment to the achievement of DVB Participation Requirement for the Work of the Contract shall not, however, result in the District's discrimination in the award of the Contract on the basis of ethnic group identification, ancestry, religion, age, sex, race, color, or physical or mental disability.

Information regarding the DVB Participation Program, including links to find certified DVBs, is available at [www.sandiegounified.org/DVB](http://www.sandiegounified.org/DVB).

2. **Definitions.**

- 2.1 **Broker.** A DVB contractor that does not have title, possession, control, and risk of loss of materials, supplies, services, or equipment provided, unless one or more of the disabled veteran owners has at least fifty-one percent (51%) ownership of the quantity and value of the materials, supplies, and equipment provided [Military and Veterans Code (MVC) Section 999.2(b)].
- 2.2 **Commercially Useful Function (CUF).** A "commercially useful function" (CUF) provides services or goods that contribute to the fulfillment of the contract requirements. It is not a CUF if the DVB'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 DVB participation. A CUF is a person or entity doing all of the following:
  - a. is responsible for the execution of a distinct element of the work of the contract;
  - b. carries out the obligation by actually performing, managing, or supervising the work involved;
  - c. performs work that is normal for its business services and functions; and
  - d. is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry standards.
- 2.3 **Disabled Veteran.** A "Disabled Veteran" means a veteran of the military, naval, or air service of the United States with at least ten percent (10%) service-connected disability who is a resident of the State of California.

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- 2.4 **Disabled Veteran Business (DVB).** The term “DVB” includes certified Small Business Administration (SBA) Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) and certified California Department of General Services (DGS) Disabled Veteran Business Enterprises (DVBEs).
- 2.5 **Disabled Veteran Business Enterprise (DVBE).** A “DVBE” means a business enterprise that has been certified by the California Department of General Services. A DVBE is 51% owned by one or more disabled veterans; management and daily operations are controlled by one or more disabled veterans but need not be those who own the business; and home office located in the United States which is not a branch or subsidiary of a foreign corporation. See California Military & Veterans Code, §999(b)(7)(A).
- 2.6 **Front.** A “Front” is a subcontractor providing artificial or incidental participation to meet the objective of a contract (e.g., DVB participation requirement), or a provider who does not own the equipment they are providing, but going through an outside source.
- 2.7 **Pass-through.** A “Pass-through” means a supplier providing access to materials and supplies for which they are not specifically certified/verified. Also see “Front” above.
- 2.8 **Service-Disabled Veteran.** A “Service-Disabled Veteran” is a person who served in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, and whose disability was incurred or aggravated in line of duty in the active military, naval, or air service.
- 2.9 **Service-Disabled Veteran-Owned Small Business (SDVOSB).** An “SDVOSB” is a business enterprise that has been certified by the U.S. Small Business Administration. An SDVOSB must be at least 51% owned by an individual who is considered, by the government, a service-disabled veteran, or for a publicly quoted business, at least 51% of the stock is owned by one or more service-disabled veterans, and the management and daily business operations are controlled by one or more service-disabled veterans.

**3. DVB Participation Requirement.**

- 3.1 **DVB Participation Requirement.** The Bid Proposal of a bidder may be deemed non-responsive if the bidder does not meet or exceed the DVB Participation Requirement of three percent (3%) of total amount of bidder's bid price including all allowances.  
  
DVBEs are required to have a current and valid certification from the State of California Department of General Services for the business type and classification as listed on the bid documents. SDVOSBs need to have a current and valid certification from the U.S. Small Business Administration relevant to the bid (e.g., NAICS Code); self-certification will not be accepted. Eligibility must be current at time of bid opening and contract award. If requested by the District, Bidders will need to submit certification(s) within twenty-four (24) hours of the request.
- 3.2 **Exclusions.** The District expressly prohibits Brokers, Pass-throughs, and Fronts.
- 3.3 **DVB Substitution Requirements.** See the General Conditions, Subcontractor Substitution Article 5.2.2 for DVB-specific substitution process requirements.



**DVB RESOURCE INFORMATION**

Hyperlinks to the resources below can be found at the Business Outreach webpage, [www.sandiegounified.org/business-outreach](http://www.sandiegounified.org/business-outreach):

- District's Disabled Veteran Business Participation Tip Sheet
- Federal SDVOSB database
- State of California's DVBE database
- United States Veteran Business Alliance (USVBA) website
- Veterans in Business (VIB) Network website

The District's Business Outreach Team can be reached for assistance:

1. Karen Linehan, Outreach Program Manager at [klinehan@sandi.net](mailto:klinehan@sandi.net)
2. Alma D. Bañuelos, Business Outreach Coordinator at [abanuelos@sandi.net](mailto:abanuelos@sandi.net)
3. Sidney Hucklebridge-Key, Lease-Leaseback Outreach Coordinator at [shucklebridge@sandi.net](mailto:shucklebridge@sandi.net)

**DISABLED VETERAN BUSINESS (DVB) BIDDER DECLARATION**

1. **Bidder Name:** \_\_\_\_\_
2. **Do you hold a current DVB certification?** Please identify which certification:   ☐ DVBE   ☐ SDVOSB   ☐ N/A
3. **DVB Subcontractor/Supplier List: FIRST TWO COLUMNS MUST BE COMPLETED AT TIME OF BID.**  
 You may attach additional pages if necessary. Bidder shall submit within 24 hours of the bid opening a DVB Bidder Declaration with **all columns completed**. Subcontractors/suppliers listed **must** possess a current and valid California Department of General Services DVBE certification or U.S. Small Business Administration SDVOSB certification or their percentage will not count toward the Participation Requirement.

Complete at time of bid		Submit within 24 hours of bid opening			
Subcontractor/Supplier Name, Address, Contact Person, Phone Number, and Email	California DVBE or Federal SDVOSB Certification	Bidder Name or Hiring Subcontractor	Provide UNSPSC, NAICS, and/or CSLB Classification Number(s) and list work to be performed or specific supplies	Estimated DVB Dollar Value	Corresponding % of Total Bid Price

4. **CERTIFICATION:** By executing and submitting this DVB Bidder Declaration, I represent to the District that each DVB identified is duly and properly certified in conformity with the District's DVB Participation Program Policy and all applicable laws. I also acknowledge that the District has a mandatory requirement of **three percent (3%)** for DVB participation on all construction projects regardless of value and certify that our company **will meet or exceed 3%** DVB participation on this project. **I understand that if the District cannot verify the Participation Requirement with the subcontractors/suppliers listed, the bid will be deemed non-responsive.**

Submit within 24 hours of bid opening		
Total Bid Price Including All Allowances	Total DVB Dollar Value (\$) Committed	Total DVB Percentage (%) Committed

5. **AUTHORITY TO EXECUTE:** The individual executing this DVB Bidder Declaration on behalf of the bidder warrants and represents to the District that they are duly authorized to execute this document on behalf of the Bidder.  
 Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_.  

(City and State)

I declare under penalty of perjury under the laws of the State of California that the preceding information is true and correct.

\_\_\_\_\_  
(Sign)

\_\_\_\_\_  
(Name of Individual Executing Statement)