Solicitation 10077029

Maitenance and Service for Security Camera and Access Control Systems

State of California
Bid 10077029

Maitenance and Service for Security Camera and Access Control Systems

**Bid Number**: 10077029
**Bid Title**: Maitenance and Service for Security Camera and Access Control Systems
**Expected Expenditure**: $1.00 (This price is expected - not guaranteed)

**Bid Start Date**: Aug 28, 2012 1:18:02 PM PDT
**Bid End Date**: Oct 5, 2012 3:00:00 PM PDT

**Bid Contact**: Michael White
916-653-7796
whitem@water.ca.gov

**Pre-Bid Conference**: Sep 25, 2012 10:00:00 AM PDT
*Attendance is mandatory*
**Location**: Department of Water Resources
1416 9th Street, Room 335
Sacramento, California 95814

**Standard Disclaimer**: The State of California advises that prospective bidders periodically check the websites, including but not limited to Bidsync, and/or other state department links for modifications to bid documents. The State of California is not responsible for a prospective bidder's misunderstanding of the bid solicitation or nonresponsive bid due to failure to check these websites for updates or amendments to bid documents, and/or other information regarding the bid solicitations. Failure to periodically check these websites will be at the bidder's sole risk.

The information published and/or responded to on these websites is public information. Confidential questions/issues/concerns should be directed to the contact on the ad.

**Description**
Bidder Minimum Qualifications:
CCure 9000 Certification
INVITATION FOR BID

Notice to Prospective Bidders

August 28, 2012

You are invited to review and respond to this Invitation for Bid (IFB) number 10077029 for Maintenance and Service for Security Camera Systems and Access Control Systems. The anticipated term of this agreement is 1 year with an optional 2nd year. In submitting your bid, you must comply with these instructions.

Note that all agreements entered into with the State of California will include by reference General Terms and Conditions and Contractor Certification Clauses (CCC) that may be viewed and downloaded at the Department of General Services website:


If you do not have Internet access, a hard copy can be provided by contacting the person listed below. The CCC package contains clauses and conditions that may apply to your Agreement and to anyone doing business with the State of California. The Certification will be kept on file in a central location and must be renewed every three years or updated as changes occur.

Inquiries regarding the processing of this bid should be referred to Michael White at 916-653-3331. Please note that no verbal information given will be binding upon the State unless such information is issued in writing as an official addendum to this solicitation.

Sincerely,

Kim Oliphint, Chief, Business Services Office

Attachment(s)
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NOTICE OF STATE MANDATED SB/DVBE PROGRAM PARTICIPATION REQUIREMENTS

Disabled Veterans Business Enterprise (DVBE) Information

This solicitation has been exempted from DVBE Participation Program requirements. Firms responding to this solicitation are not required to comply with DVBE program requirements.

However, for those firms voluntarily utilizing DVBE subcontractors, there will be an incentive applied to the level of DVBE participation identified in the bid response not to exceed five (5) percent. Application of the incentive may place the bidder in line for bid award. Application of the incentive will not displace a certified small business with that of a non-small business. DVBE Incentive information and forms are found within the solicitation as DWR Form 9666, Attachment V.

Small Business Program Information

If a bidding firm is not a California Certified Small Business and wishes to be considered for the small business calculation preference for this solicitation, bidder application for small business must be received by the Department of General Services Office of Small and DVBE Business Services (OSDS) by the bid due date by close of business. Bidders seeking small business certification status must also notify the Department in writing at the time of bid submission that they have an application for Small Business certification for review and approval at the DGS-OSDS.

Contact the DGS Office of Small Business and DVBE Services (OSDS) at internet website http://www.dgs.ca.gov/pd/Programs/OSDS.aspx or call (916) 375-4941 or (916) 375-4400 for certification assistance.

For additional assistance meeting DVBE program requirements or inquiries about Small Business certification, please contact the DWR SB/DVBE Advocate at (916) 651-9705, or email her at halll@water.ca.gov.
A. **Purpose and Description of Services**  
Contractor will service, Department of Water Resources, existing card readers, electric strikes, controllers, REX, contacts, CCure Software, video recorders, monitors and cameras for the referenced building.

B. **Bidder Minimum Qualifications**  
CCure 9000 Certification

C. **Bid Requirements and Information**

1. **BID KEY ACTION DATES**

   All bidders must adhere to the following time schedule.

   - **IFB available to prospective bidders on** August 28, 2012
   - **Mandatory Pre-bid Conference to be held on** September 25, 2012 at 10:00am
   - **Mandatory Pre-bid Conference doors close at** September 25, 2012 at 10:15am
   - **No bidder will be allowed into the conference once doors close.**
   - **Bids must be received by** October 4, 2012 by 3:00pm
   - **Bid opening to be held on** October 5, 2012 @ 1:00pm
   - **Anticipated start date of agreement is** November 1, 2012

2. **LOCATION WHERE WORK WILL BE PERFORMED:**

   Natural Resources Building, 1416 9th Street  
   Bonderson Building, 901 P Street

3. **MANDATORY PRE-BID CONFERENCE**

   a. Contractors *must* attend the mandatory pre-bid conference in order to have their bid accepted. The mandatory pre-bid conference will be held at:

   Department of Water Resources  
   1416 9th Street, Room 335  
   Sacramento, California 95814

   b. Substantive questions regarding bidding and contracting requirements will be addressed at the pre-bid conference only. No questions with regards to requirements and provisions detailed in the Scope of Work will be addressed before or after the conference.

   c. The pre-bid conference will be the sole forum for addressing questions regarding bid and contract requirements. If appropriate, DWR may issue an Addendum to this IFB as a result of items discussed at the pre-bid conference.

   d. Prospective bidders attending this pre-bid conference will receive information regarding the bid. In the event a prospective bidder is unable to attend a mandatory pre-bid conference, an authorized representative may attend on the prospective bidder’s behalf. The representative may sign in for only *one* company. If this is not an option available to you, please contact DWR for possible alternative accommodations.
e. If a prospective bidder needs assistance because of physical impairment, reasonable accommodation will be provided by DWR if requested. To request reasonable accommodation, please call Stacey Garrett at 916-654-0633 no later than 5:00 p.m. on the fifth business day prior to the scheduled date of the pre-bid conference.

4. SUBMISSION OF BID

a. Bids must be submitted by mail, hand delivery, UPS, express mail, or Federal Express to:

   Department of Water Resources  
   1416 9th Street, Room 353  
   Sacramento, California 95814  
   Attn: Michael White

b. All bids must include original signatures on the following documents: Bid/Bidder Certification Sheet, Contractor Certification Clauses, and any other documents specified in this IFB. Bids not including the documents identified in the Bid Checklist shall be deemed non-responsive and will be rejected.

c. All bids are to be sent to DWR within the time frame indicated in the Time Schedule. Bids received after the due date and time will be returned unopened to the prospective bidder.

d. All bids must be submitted under sealed cover. The sealed cover must be plainly marked with the IFB title and number, must show your firm’s name and address, and must be marked with “DO NOT OPEN.”

e. Bids not submitted under sealed cover will be rejected. A minimum of two original signed bids must be submitted. Both bids must be submitted in the same envelope.

f. Bids must be submitted for the entire service described within the Scope of Work. Deviations from the specifications will not be considered and will be cause for rejection of the bid.

g. The State does not accept alternate language from a bidder. A bid with such language will be considered a counter proposal and will be rejected. The State’s General Terms and Conditions (GTC) are not negotiable.

h. A bid may be rejected if conditional or incomplete, or if it contains any alterations of form or other irregularities of any kind. The State may waive any immaterial deviation in a bid. The State’s waiver of immaterial defect shall in no way modify the IFB document or excuse the bidder from full compliance with the objectives if awarded the Agreement. The State may reject all bids if deemed necessary.

i. Costs for developing bids and preparation of award of the Agreement are entirely the responsibility of the bidder and shall not be chargeable to the State of California.

j. This IFB must be signed by an individual who is authorized to bind the bidding firm contractually. The signature must indicate the title or position that the individual holds in the firm. An unsigned bid will be rejected.

k. A bidder may modify a bid after its submission by withdrawal and resubmission before the bid due date. Modification of a bid offered in any other manner, oral or written, will not be considered.
l. A bidder may withdraw their bid by submitting a written request to the State for its withdrawal, signed by the bidder or an agent authorized in accordance with Paragraph H above. A bidder may thereafter submit a new bid before the bid submission deadline. Bids may not be withdrawn after the bid due date. Bids received after the due date and time will be returned unopened to the prospective bidder.

m. DWR may modify the IFB prior to the date fixed for submission of bids by the issuance of an Addendum to all parties who received a bid package.

n. If all bids are too high, DWR is not required to award an Agreement.

o. Bids are public upon bid opening.

p. Bidders are cautioned not to rely on the State during the evaluation to discover and report all defects and errors in the bid documents. Bidders should carefully proof read documents for errors and adherence to the IFB requirements prior to bid submittal.

q. Where applicable, the bidder should carefully examine the worksite and specifications. Bidder shall investigate the conditions, character, quality of surface, subsurface materials, or obstacles to be encountered. No additions to the Agreement amount will be made because of failure to thoroughly examine the worksite and specifications.

5. EVALUATION AND SELECTION PROCESS

a. The State will put each bid through a process of evaluation to determine the responsiveness of bidders to the State's needs. The final selection will be made on the basis of the lowest responsible bid meeting the specifications.

b. Bids containing false or misleading statements or providing references that do not support an attribute or condition claimed by the bidder may be rejected. If, in the opinion of the State, information was intended to mislead the State in its evaluation of the bid, and the attribute, condition, or capability is a requirement of this IFB, it will be the basis for rejection of the bid.

c. At the time of bid opening, each bid will be checked for the presence or absence of required information in conformance with the submission requirements of this IFB.

d. The contract will be awarded to the lowest responsible bidder after consideration of any applicable preferences. If there are tied bids, DWR will draw straws to pick the winning bidder during the public bid opening. The drawing will be witnessed and documented by two or more DWR employees.

6. TAX DELINQUENT STATUS VERIFICATION

a. Effective July 1, 2012 Public Contract Code 10295.4, requires state agencies to verify the tax delinquent status of bidders responding to state solicitations.

b. At the time of bid evaluation, prior to contract award and execution, DWR will verify all bidders and identified subcontractors as not listed as tax delinquent by the Franchise Tax Board and the Board of Equalization. Any bidder or subcontractor listed as tax delinquent shall result in a bid rejection and will not be considered for contract award. Bidders wanting further clarification can refer to the statute above or to the web sites listed below for additional information.
7. AWARD AND PROTEST

A bidder may protest the award of a contract on the grounds that it (the bidder) is the lowest responsible bidder meeting the specifications and should therefore be awarded the contract.

A protestant must be able to prove that the awarding agency has committed a material error in the conduct of the bid award process.

Public inspection of all bids will be allowed after the bid opening.

Protests must be received in a timely manner pursuant to Public Contract Code Sections 10345, as applicable. In order to be considered timely, a protest must be filed with the State Agency and the Department of General Services before the contract award is made.

Please note that if the award will be made to other than the low bidder, any protests must be filed within five business days of notice to the low bidder that the contract was awarded to another bidder. If a written request was submitted by a bidder to the State Agency requesting that a notice of intent to award be posted, the protest must be filed during the five business days the notice is posted.

Within five business days of filing the protest, the protestant must submit a detailed written statement of protest if the original protest did not contain the complete grounds for the protest.

Both the original protest and/or the detailed statement of protest, if any, must include the IFB number, the name of the State Agency involved, agency contact person, and protestant’s fax number, if any.

The protest documents may be sent by regular mail, fax, courier, or personal delivery to:

Department of General Services
Office of Legal Services
Attention: Protest Coordinator
707 Third Street, 7th Floor
West Sacramento, California 95605
OR
Fax: (916) 376-5088

AND

Department of Water Resources
1416 9th Street, Room 353
Sacramento, California 95814
Attn: Michael White

Upon receipt of the protest, Department of General Services (DGS) shall send the protestant an acknowledgement letter and thereafter communicate with the parties regarding further disposition of the protest.
8. DISPOSITION OF BIDS

Upon bid opening, all documents submitted in response to this IFB 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 are subject to review by the public. Bids may be returned at the request and expense of the bidder.

D. Standard Conditions of Service

1. Service(s) shall not commence until the Agreement is fully executed and all approvals have been obtained.

2. All performance under the Agreement shall be completed on or before the termination date of the Agreement unless this Agreement is amended to extend the term.

3. No oral understanding or agreement shall be binding on either party.

E. Payee Data Record

1. The Contractor awarded this Agreement must have completed and submitted form STD 204, Payee Data Record, to determine if the Contractor is subject to a seven percent State Income Tax withholding pursuant to California Revenue and Taxation Code Sections 18662, 18805, and 26131.

2. No payment shall be made unless the Payee Data Record form has been completed and returned to DWR.

G. Small Business Preference Program

1. The Small Business Procurement and Contract Act (Gov. Code Section 14835 et. seq.) requires that a fair share of the State’s purchases and contracts for goods, information technology services and construction be placed with a certified small business or micro-business. The Act mandates that state agencies:
   
   a. Establish participation goals,
   b. Provide a 5% small business calculation preference, and
   c. Provide the opportunity for bidders to receive a 5% non-small business calculation preference when achieving 25% small business participation through subcontracted efforts.

2. SMALL BUSINESS PREFERENCE

The Small Business preference offers certified small businesses and micro-businesses a calculation preference in the amount of five percent (5%) of the lowest responsible bid submitted by a bidder who is not a certified small business. The small business preference is used as a calculation for determining the lowest bidder and does not affect the actual price bid.

The awarding department will grant small businesses a five percent (5%) Small Business preference on a bid evaluation when a responsible non-small business has submitted the lowest-priced, responsive bid pursuant to the evaluation of a solicitation method when a small business:
a. Includes in its bid a notification to the awarding department that it is a small business or that it has submitted to the DGS OS/DS a complete application no later than 5:00 p.m. on the bid due date, and is subsequently certified by the Department of General Services as a small business; and
b. Submits a timely, responsive bid; and
c. Has been determined to be a responsible bidder.

Bidders having pending Small Business or DVBE Certification applications under review by the Department of General Services concurrent with the bid time frame should contact DGS/OSDS to request an expedite review/approval of their application in order to be considered for the small business preference during the evaluation of this bid. Contact DGS/OSDS at (916) 375-4940 to obtain information about the application expedite process.

Bidders must notify the Department in writing at the time of bid submission that they have an application for Small Business or DVBE certification under review at the DGS Office of Small and Disabled Veteran Business Certification, and that they wish to be considered for the Small Business Preference Calculation.

3. NON-SPORT BUSINESS PREFERENCE

Non-small business bidders will be granted a five percent (5%) non-small business preference on a bid evaluation when a responsible non-small business has agreed to subcontract at least 25 percent of their bid price with a California certified Small Business and if the non-small business bidder’s bid is not the low price bid, or when a proposal has been not been ranked as the highest scored bid pursuant to the evaluation of the solicitation. Responding bidders must:

a. Include in its bid a notification to the awarding department that it commits to subcontract at least twenty-five percent (25%) of its net bid price with one or more California certified small business(s),
b. Submit a timely bid as specified in the bid document,
c. Be determined to be a responsive, responsible bidder and
d. Identify the California certified small business(s) it commits to subcontract with. The bidder shall list certified SB subcontractors and include their name, address, phone number, a description of the work to be performed, and the percentage (as specified in the solicitation) per subcontractor.

4. CALCULATING NON-SPORT BUSINESS PREFERENCE

The non-small business calculation preference five percent (5%) is used for bid evaluation purposes only. Awards made as a result of the NSB preferences shall be awarded at the bidder’s original bid price. The preference shall be computed as follows:

Bidder A, (Low Bid), non-small business: $125,000
Bidder B, non-small business (subcontracting 25% to a certified small business)

Calculation Preference: $125,000 x .05 = $6,250

Bidder B $131,000
Subtract calculated preference - $6,250
Adjusted Bid for Bidder B $124,750

Award is made to Bidder B as the low bidder at the bid price of $131,000.
5. TIES BETWEEN CERTIFIED SMALL BUSINESSES AND DVBE BUSINESSES

In the event of a precise tie between the bid of a small business and the bid of a disabled veteran enterprise that is also a small business, the award shall go to the disabled veteran that is also a small business.

6. MAXIMUM ALLOWABLE PREFERENCES

In no event shall the amount of the small business or non-small business subcontractor preferences awarded on a single bid exceed $50,000, and in no event shall the combined cost of the small business or non-small business subcontractor preference and preferences awarded pursuant to any other provision of law exceed $100,000. The five percent (5%) calculation preference is used for computation purposes only and does not alter or affect the actual bid price or the amount of the executed contract. When a certified small business is the lowest responsive, responsible bidder, then there is no need to compute the small business preference as the small business is the low bidder.

7. COMMERCIALLY USEFUL FUNCTION (Government Code 14837)

A certified small business, micro-business contractor, subcontractor or supplier, must meet commercially useful function requirements under Government Code section 14837(d) (4). Selected firms must perform a “commercially useful function” relevant to this contract.

The term “small business contractor, subcontractor or supplier” means any person or entity that satisfies the ownership (or management) and control requirements in accordance with Government Code Section 14847 (d) (4) and provides services or goods that contribute to the fulfillment of the contract requirements by performing a commercially useful function. A person or an entity is deemed to perform a “commercially useful function” if that person or entity does 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
d. 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 order to obtain the appearance of small business participation.

8. BIDDER CUF REQUIREMENTS

The Department has determined to the best of its ability that your firm meets the criteria above for “commercially useful function”. In responding to this solicitation, you are confirming that, under CCR 1896.1 above, your business provides goods and/or services meet the definition of “commercially useful function”. All bidders are required to provide CUF documentation using the attached State’s Bidder Declaration Form GSPD-105, Attachment VII, included in the solicitation document. When completing the declaration, bidders must identify all subcontractors proposed for participation in the contract. Any bidder awarded a contract is contractually obligated to use the subcontractor for the corresponding work defined unless the State agrees to a substitution.
9. PENDING SMALL BUSINESS CERTIFICATION

If your firm is seeking small business certification in order to be considered for small business preference related to this solicitation, you must have: 1) notified DGS, Office of Small Business and DVBE Services (OSDS) that you are responding to a solicitation and are seeking an Expedite Review of your small business certification application in relation to the solicitation, 2) provided DGS OSDS with the bid Key Action Dates page from the bid itself and 3) must have submitted a complete application with all required forms and documentation to OSDS for review and approval by close of business of the Bid Submittal due date.

Notify the Department if, at the time of bid submission, your firm has a pending small business application with the Department of General Services, OSDS. The Department will verify your certification is pending or has been approved.
Non-Small Business Preference Request Form

In accordance with The Small Business Procurement and Contract Act (Gov. Code Section 14835 et. seq.), you have selected, and mutually agreed, to partner with a certified Small Business sub-contractor to provide commodities or services related to the performance of the requested services identified in this IFB Solicitation. With the submission of the Non-Small Business Preference Request Form, you are requesting the non-small business calculation be applied to your bid during bid evaluation when applicable. The NSB calculation is for evaluation purposes only. Awards made as a result of the NSB calculation will be at the bidder’s original bid prices.

The Department of Water Resources has identified a Small Business participation level of 25% for this contract effort. As the Prime Contractor, you agree to sub-contract 25% as indicated in Section A below. The calculation preference given will not exceed 5%, with a maximum preference of $50,000.

This form must be signed by individual entities with legally binding authority to do so.

SECTION I

PART A - NON-SMALL BUSINESS INFORMATION

Bidder Instructions

- Complete Section I, Part A, Certified Non-Small Business Bidder Information
- Identify the response deadline date in Section II
- Fax or Mail this form to the Certified Small Business to have Section II completed and returned
- You must include the completed Non-Small Business Certification Information Sheet and a copy of the Small Business’s DGS OSDS Certification Letter with your bid submittal.

Company Name: ___________________________ FEIN# ___________________________

Street Address: ___________________________
City ___________________________ State ________ Zip Code _____________

Telephone Number: ___________________________ Fax #: ___________________________

PART B – Services/Commodities to Be Provided by the Small Business Partner:

PART C - As the Non-Small Bidder I agree to subcontract twenty-five percent (25%) to the Certified Small Business Contractor identified in Section II.

Authorized Non Small Business Name (Printed) ___________________________ Authorized Non Small Business Signature ___________________________

SECTION II –CERTIFIED SMALL BUSINESS INFORMATION

PART A - Certified Small Business Contractor; please complete the information below and return this form to the Non-Small Bidder by: _______/_______/_______. You must include a copy of your DGS OSDS certification with your response.

Company Name: ___________________________ FEIN# ___________________________

Street Address: ___________________________
City ___________________________ State ________ Zip Code _____________

Telephone Number: ___________________________ Fax #: ___________________________

OSDS Certification No.: ___________________________ Certification Expiration Date: _______/_______/_______

PART B - I understand the above Non-Small Bidder is responding to the Department of Water Resources Solicitation No. ____________. I agree to provide subcontractor services to the Non-Small Bidder as identified in Section A.

Authorized Certified SB Name (Printed) ___________________________ Authorized Certified SB Contractor Signature ___________________________

Authorized Certified SB Name (Printed) ___________________________ Authorized Certified SB Contractor Signature ___________________________

Authorized Certified SB Name (Printed) ___________________________ Authorized Certified SB Contractor Signature ___________________________
NON-SMALL BUSINESS PREFERENCE REQUEST INSTRUCTIONS

The Department of Water Resources encourages Non-Small Bidders to take advantage of the opportunity offered for a preference calculation by partnering with a California Certified Small Business. In doing so, the resulting preference calculation applied may result in the award of the bid when all other technical specifications and bid requirements are met. Application of the NSB preference cannot be used to displace an already certified small business low bidder.

If you elect to partner with a small business, the Non-Small Bidder Preference Request Form must be completed in its entirety and included with your bid submission.

RESOURCES

1. Determine the type of service or services to be subcontracted.
2. If you do not already know of a contractor, or contractors, contact the DGS Office of Small Business and DVBE Services (OSDS) website to conduct a search of certified firms. A listing of the State’s certified small business firms may be found at:

   http://www.bidsync.com/DPXBisCASB

3. Select and contact the certified Small Business firm, or firms you’ve identified to discuss partnering opportunities.
4. Contact the DWR Small Business Advocate for additional assistance with locating certified small businesses if you need assistance. The advocate can be reached at (916) 651-9705.

COMPLETING THE FORM

When an agreement to partner is reached, the Non-Small Bidder Preference Request Form must be completed and signed by both parties.

1. Section I, Part A - Complete the Non-Small Bidder (your firm) business information.
2. Section I, Part B – Identify the services to be performed by the certified small business.
3. Section I, Part C – Identify the small business participation commitment level. You must include the participation percentage information. If no or less than 25 percent commitment level is indicated, the preference calculation will not be applied when DWR evaluates the bids.
4. *Print and sign* Section I, Part C (must be signed by individual authorized to do so) before sending it to the small business firm for their information.
5. Section II, Part A – Identify the Small Business response needed date.
6. Fax the form to the Small Business contractor to be completed and signed. Include instructions for SB firm to provide their small business certification. Certification must be current at the time of bid due date.
7. Review the form for completeness. Be sure it includes all the required information.
8. Include the Non-Small Bidder Preference Request Form and the DGS Small Business Certification letter with your bid response to DWR.

(*) This assures that both the Non-Small business bidder and the Small Business will have a signed copy of the form.
H. Disabled Veteran Business Enterprise Program

The Department of Water Resources has waived DVBE program requirements for this solicitation. Under California Code of Regulations 1896.99.100, the California DVBE Incentive provides responsive/responsible firms the opportunity to receive additional incentive calculations. The incentive is applied at the time of solicitation cost evaluation when a bidder has identified a California-certified DVBE subcontractor to provide services or commodities in support of the overall contract effort. Application of the DVBE Incentive may not displace a certified small business low bidder.

Please refer to DWR Form 9666, Attachment V for instructions about regarding the DVBE Incentive.

1. DWR ADVOCATE PRE-REVIEW OF DVBE DOCUMENTATION

The Department’s DVBE Advocate offers a pre-review of a bidder’s DVBE documentation prior to proposal submission. Since non-compliance with the DVBE program is immediate cause for rejection, DWR strongly recommends firms take advantage of this opportunity to ensure they are fully compliant with DVBE Program requirements.

Upon satisfactory review of the firm’s DVBE documentation, the DWR advocate issues a Notification of Compliance. To request a pre-review of your DVBE documentation, please fax the documentation to the attention of:

Lorie Hall, DVBE Advocate
Fax: (916) 653-6476
Voice: (916) 651-9705
Email: halll@water.ca.gov

2. DVBE INCENTIVE PROGRAM

Under California Code of Regulations 1896.99.100, the California DVBE Incentive provides responsive and responsible bidders the opportunity to receive additional incentive calculations. The incentive is applied at the time of solicitation evaluation when a proposing firm selects a California-certified DVBE subcontractor to provide services or commodities in support of the overall contract effort. Application of the DVBE Incentive may place the bidder in line for contract award.

The following are key elements of the DVBE Incentive Program:

a. The DVBE Incentive is applied during the evaluation process and is only applied to responsive bids from responsible bidders proposing the percentage(s) of DVBE participation for the incentive(s) specified in the solicitation.

b. DVBE Incentive participation is at the discretion of the bidder and is optional when overall DVBE program requirements are exempt by the Department for that solicitation.

c. When requesting the Incentive application, a bidder must complete and return the DVBE Incentive Application Request included within this solicitation with their proposal at time of submission.

d. Services or commodities provided by the DVBE firm MUST meet the definition of a “Commercially Useful Function” as defined under Government Codes: 14837; 14838.6; 14839; 14842; 14842.5 and Military and Veterans Code 999 and 999.6. A DVBE firm not meeting CUF regulations will render the responding firm ineligible for the DVBE Incentive application.

3. DVBE INCENTIVE OPTION VS. DVBE PROGRAM REQUIREMENTS

a. A Department may formally exempt a solicitation from California DVBE Program requirements, and still be required to include the DVBE Incentive when the Department has not met DVBE
program goals three of the previous two fiscal years. Bidders should review the RFP closely to determine if the California DVBE Program requirement is included in the solicitation language.

b. California DVBE Program requirements, when included in a solicitation, are not optional and must be met by the bidder. Firms that fail to comply with DVBE program requirements, when part of the solicitation, will have their proposals rejected.

4. ORDER OF EVALUATION

For purposes of evaluation, first Small Business preference will be applied, followed by the DVBE Incentive calculation.
BID CHECKLIST

Please review the following checklist for a list of documents that must be returned with your bid package. Please read the State of California’s General Terms and Conditions before signing and submitting your bid package. The State does not accept alternate language from a bidder. A bid with such language will be considered a counter proposal and will be rejected. The State’s General Terms and Conditions (GTC) are not negotiable. Unless otherwise noted, failure to include the required documents will be cause for bid rejection.

DOCUMENTS REQUIRED WITH SUBMISSION OF BID

☐ Attachment I - Bid Sheet (must be signed and include all pages)
☐ Attachment II –Bid/Bidder Certification Sheet
☐ Attachment III – Bidder References
☐ Attachment IV – Darfur Contracting Act Certification (Submit only if your company has had any business activities or other operations outside of the United States within the previous three years.)
☐ Contractor Certification Clauses (CCC) (CCC must be submitted if not currently on file. If on file, please submit a copy of the previously signed document.)
☐ CCure 9000 Certification

SMALL BUSINESS PROGRAM

☐ Current Small Business Certification from Office of Small Business and DVBE Services(OSDS)
☐ Non-Small Business Calculation Preference Request Form (only required if prime is requesting Non-Small Business preference consideration)
☐ Current Small Business Certification for proposed SB subcontractor (must accompany a bidder’s Non-Small Business Preference request)
☐ Attachment V, Bidder Certification of DVBE Participation, DVBE Program Incentive (DWR 9666) (only required when prime bidder elects to subcontract with CA certified DVBE firm)
☐ Attachment VI, DVBE Declaration (Std. 843)
☐ Attachment VII, Bidder Declaration (GSPD-05-105)
☐ Current DVBE Firm Certification from DGS OSDS
☐ DVBE Advocate’s Notification of Compliance (if obtained in advance from the DVBE Advocate)

DOCUMENTS REQUIRED UPON CONTRACTOR SELECTION/BID AWARD

These documents are not required at the time of bid submittal; however these documents will be required of the awarded firm upon contractor selection/bid award.
☐ Payee Data Record (Std. 204)
☐ Certificate(s) of Insurance
ATTACHMENT I
BID SHEET

The cost per hour indicated below will be used solely for computing the cost as a fair and equitable formula to determine the low bidder and is not binding on the contracting agency. However, the actual costs quoted below by the bidder shall be binding for the term of the Agreement.

The bidder hereby agrees to provide all labor, licenses, permits, and transportation necessary to perform all services required for the foregoing titled work in accordance with the Scope of Work. The rates listed on this Bid Sheet shall include every item of expense, direct and indirect, including taxes incidental to the specified rates.

The bidder is required to bid each item. Failure to indicate a dollar amount in any item will be grounds to reject the entire bid. A zero dollar ($0.00) amount listed for any and all items will be interpreted and understood by the State to mean that the bidder indicating a zero dollar amount shall perform any such services, up to and including the quantity indicated, at no cost to the state.

1. Natural Resources Building, 1416 9th Street, Sacramento, CA.
2. Bonderson Building, 901 P Street, Sacramento, CA

Building security camera’s, monitors, DVR, card readers, REX’s, control panels, CCure 9000 access software, wiring and contacts maintenance Service Contract.

$_____ per hour

NO GUARANTEE OF WORK UNDER THIS CONTRACT. In the event of computational error, unit prices will prevail over extended totals.

The Contractor’s signature, in ink, affixed hereon and dated will constitute a certification under the penalty of perjury under the laws of the State of California that the Contractor’s license number and expiration date are true and correct.

________________________________________
Company Name

Contractor’s License Number ___________________________ Contractor’s License Expiration Date

________________________________________
Printed Name and Title of Bidder

________________________________________
Signature of Bidder ___________________________ Date
ATTACHMENT II
BID/BIDDER CERTIFICATION SHEET

This Bid/Bidder Certification Sheet must be signed and returned along with all the required attachments as an entire package in duplicate with original signatures. The bid must be transmitted in a sealed envelope in accordance with IFB instructions.

Do not return Bid Requirements and Information or the Sample Agreement.

A. Our all-inclusive bid is submitted as detailed in Attachment I, Bid Sheet.

B. All required attachments are included with this certification sheet.

C. The signature affixed hereon and dated certifies compliance with all the requirements of this bid document. The signature below authorizes the verification of this certification. An unsigned Bid/Bidder Certification Sheet may be cause for rejection.

<table>
<thead>
<tr>
<th>1. Company Name</th>
<th>2. Telephone Number</th>
<th>2a. Fax Number</th>
</tr>
</thead>
</table>

| 3. Address |


| 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. Bidder’s Name (Print) | 11. Title |

| 12. Signature | 13. Date |

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes ☐ No ☐</td>
<td>Yes ☐ No ☐</td>
<td></td>
</tr>
<tr>
<td>If yes, enter certification number:</td>
<td>If yes, enter your service code below:</td>
<td></td>
</tr>
</tbody>
</table>

NOTE: A copy of your Certification is required to be included if either of the above items is checked “Yes”.

Date application was submitted to OSDS, if an application is pending:
Completion Instructions for Bid/Bidder Certification Sheet

Complete the numbered items on the
Bid/Bidder Certification Sheet by following the instructions below.

<table>
<thead>
<tr>
<th>Item Numbers</th>
<th>Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1, 2, 2a, 3</td>
<td>Must be completed. These items are self-explanatory.</td>
</tr>
<tr>
<td>4</td>
<td>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.</td>
</tr>
<tr>
<td>5</td>
<td>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.</td>
</tr>
<tr>
<td>6</td>
<td>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.</td>
</tr>
<tr>
<td>7</td>
<td>Enter your federal employee tax identification number.</td>
</tr>
<tr>
<td>8</td>
<td>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.</td>
</tr>
<tr>
<td>9</td>
<td>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.</td>
</tr>
<tr>
<td>10, 11, 12, 13</td>
<td>Must be completed. These items are self-explanatory.</td>
</tr>
<tr>
<td>14</td>
<td>If certified as a California Small Business, place a check in the &quot;Yes&quot; box, and enter your certification number on the line. If certified as a Disabled Veterans Business Enterprise, place a check in the &quot;Yes&quot; box and enter your service code on the line. If you are not certified to one or both, place a check in the &quot;No&quot; box. If your certification is pending, enter the date your application was submitted to OSDS.</td>
</tr>
</tbody>
</table>
ATTACHMENT III
BIDDER REFERENCES

List below three references for services performed within the last five years, which are similar to the scope of work to be performed under this contract.

<table>
<thead>
<tr>
<th>REFERENCE 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Firm</td>
</tr>
<tr>
<td>Street Address</td>
</tr>
<tr>
<td>Contact Person</td>
</tr>
<tr>
<td>Telephone Number (   )</td>
</tr>
<tr>
<td>Dates of Service</td>
</tr>
<tr>
<td>Brief Description of Service Provided:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>REFERENCE 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Firm</td>
</tr>
<tr>
<td>Street Address</td>
</tr>
<tr>
<td>Contact Person</td>
</tr>
<tr>
<td>Telephone Number (   )</td>
</tr>
<tr>
<td>Dates of Service</td>
</tr>
<tr>
<td>Brief Description of Service Provided:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>REFERENCE 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Firm</td>
</tr>
<tr>
<td>Street Address</td>
</tr>
<tr>
<td>Contact Person</td>
</tr>
<tr>
<td>Telephone Number (   )</td>
</tr>
<tr>
<td>Dates of Service</td>
</tr>
<tr>
<td>Brief Description of Service Provided:</td>
</tr>
</tbody>
</table>

Please provide a statement of explanation if no references are available:
ATTACHMENT IV
DARFUR CONTRACTING ACT CERTIFICATION

Public Contract Code Sections 10475 -10481 applies to any company that currently or within the previous three years has had business activities or other operations outside of the United States. For such a company to bid on or submit a proposal for a State of California contract, the company must certify that it is either a) not a scrutinized company; or b) a scrutinized company that has been granted permission by the Department of General Services to submit a proposal.

If your company has not, within the previous three years, had any business activities or other operations outside of the United States, you do not need to complete this form.

OPTION #1 - CERTIFICATION
If your company, within the previous three years, has had business activities or other operations outside of the United States, in order to be eligible to submit a bid or proposal, please insert your company name and Federal ID Number and complete the certification below.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that a) the prospective proposer/bidder named below is not a scrutinized company per Public Contract Code 10476; and b) I am duly authorized to legally bind the prospective proposer/bidder named below. This certification is made under the laws of the State of California.

<table>
<thead>
<tr>
<th>Company/Vendor Name (Printed)</th>
<th>Federal ID Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>By (Authorized Signature)</td>
<td></td>
</tr>
<tr>
<td>Printed Name and Title of Person Signing</td>
<td></td>
</tr>
<tr>
<td>Date Executed</td>
<td>Executed in the County and State of</td>
</tr>
</tbody>
</table>

OPTION #2 – WRITTEN PERMISSION FROM DGS
Pursuant to Public Contract Code section 10477(b), the Director of the Department of General Services may permit a scrutinized company, on a case-by-case basis, to bid on or submit a proposal for a contract with a state agency for goods or services, if it is in the best interests of the state. If you are a scrutinized company that has obtained written permission from the DGS to submit a bid or proposal, complete the information below.

We are a scrutinized company as defined in Public Contract Code section 10476, but we have received written permission from the Department of General Services 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.

<table>
<thead>
<tr>
<th>Company/Vendor Name (Printed)</th>
<th>Federal ID Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initials ofSubmitter</td>
<td></td>
</tr>
<tr>
<td>Printed Name and Title of Person Initialing</td>
<td></td>
</tr>
</tbody>
</table>
CALIFORNIA DVBE PROGRAM INCENTIVE INSTRUCTIONS
DWR 9666, ATTACHMENT V
(FOR NON-IT SERVICES)

BIDDERS ARE ADVISED TO READ THE INFORMATION AND INSTRUCTIONS CAREFULLY BEFORE BEGINNING

AUTHORITY: The Disabled Veteran Business Enterprise Goal Program is established in Public Contract Code (PCC) Section 10115 et seq., Military and Veterans Code (MVC) 999 et seq. and California Code of Regulations (CCR) Title 2, Section 1896.8 et seq. State agencies and departments must include the opportunity for DVBE Incentive when failing to meet overall DVBE participation goals in two consecutive years. Those agencies and departments attaining DVBE overall participation goals at least two consecutive years may elect to exempt, or waive, the DVBE Incentive feature in their solicitations. In an effort to continuously promote and offer DVBE opportunity, DWR includes the incentive in all Department IFB and RFP solicitations whether exempt or not.

For the purpose of clarity, the term “bidder” is used herein as a reference to either a firm bidding on a DWR Invitation to Bid (IFB) or a firm responding to a DWR Request for Proposal (RFP).

INTRODUCTION

The Department of Water Resources has waived this solicitation from DVBE program requirements. As a condition of bid submission, bidders are not required to meet DVBE program requirements and are relieved from these requirements. The DVBE Incentive provides opportunity for a responsive and responsible bidder to receive additional incentive calculations when they do include DVBE participation. The incentive is applied at the time of bid evaluation when a bidder selects a California-certified DVBE subcontractor to provide services or commodities in support of the overall contract scope. Application of the DVBE Incentive may place the bidder in line for contract award. Resulting awards made are made at the bidder’s original bid or proposal price.

DVBE Incentive Application:
- The Incentive is applied during the evaluation process and is only applied to responsive bids from responsible bidders proposing the percentage(s) of DVBE participation for the incentive(s) specified in the solicitation.
- For the purposes of this solicitation, DVBE Incentive participation is optional and at the discretion of the bidder.
- When requesting the Incentive, bidder must complete the attached DWR 9666 Documentation of DVBE Program Requirements and Bidder Certification of DVBE Participation. These forms must be included with the bid submittal.
- The DVBE Incentive is applied by factoring the Bidder’s stated level of DVBE commitment by the lowest bidder’s bid amount and subtracting the amount from the Bidder’s total. Computation is for evaluation purposes only and does not alter the final bid price. (CCR 1896.100 (b))
- Application of the Incentive cannot displace the low bid of a certified-small business with that of a non-small business.
- Services or commodities provided by the DVBE firm must meet the definition of a “Commercially Useful Function” (CUF) as defined under Government Codes: 14837; 14838.8; 14839; 14842; 14842.5 and Military and Veterans Code 999 and 999.8. Failure of the DVBE subcontractor to meet CUF requirements will render the bidding firm ineligible for the DVBE Incentive application.

DVBE INCENTIVE

In accordance with Section 999.5(a) of Military and Veterans Code an incentive will be given to bidders who include DVBE participation in their bid response. For evaluation purposes only, the State shall apply an incentive to bids that propose California certified DVBE participation identified on DWR Form 9666, page 8, California DVBE Program Requirements and page 7. Bidder Certification DVBE Participation is subsequently confirmed by the State.

The incentive amount applied is equal to the participation level identified by the bidder in the DWR 9666 Bidder Certification of DVBE Participation page 7 and will not be less than 1 percent and will not exceed 5 percent. Those firms identifying less than one percent will not be considered for the incentive application and firms proposing more than 5 percent shall have the incentive capped at 5 percent. The incentive amount for awards based on low price will vary in conjunction with the proposed DVBE participation. Unless a table that replaces the following has been expressly established elsewhere within the solicitation, the following percentages will apply for awards based on low price:

DWR 9666 (Rev. 8/10)
Confirmed DVBE Participation:

<table>
<thead>
<tr>
<th>DVBE Participation Level</th>
<th>Incentive Applied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 1.0</td>
<td>0%</td>
</tr>
<tr>
<td>1.0 up to 1.99%</td>
<td>1%</td>
</tr>
<tr>
<td>2.0 up to 2.99%</td>
<td>2%</td>
</tr>
<tr>
<td>3.0 up to 3.99%</td>
<td>3%</td>
</tr>
<tr>
<td>4.0 up to 4.99%</td>
<td>4%</td>
</tr>
<tr>
<td>5% or Higher</td>
<td>5%</td>
</tr>
</tbody>
</table>

As applicable:
- **Awards based on low price**: the net bid price of responsive bids will be reduced (for evaluation purposes only) by the amount of the DVBE incentive as applied to the lowest responsive net bid. If the #1 ranked responsive, responsible bid is from 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 percent or $100,000, whichever is less, of the #1 ranked net bid. When used in combination with a preference adjustment (SB/TACPA/EZA/LAMBRA), the cumulative adjustment amount is not to exceed $100,000.
- **Awards based on highest score**: the solicitation shall include an individual requirement that identifies incentive points for DVBE participation.

PROGRAM DEFINITIONS

COMMERCIALY USEFUL FUNCTION (California Code of Regulations, Title 2, Section 1996.61 (f))
Firms selected must perform a “commercially useful function” relevant to this contract. The term “DVBE contractor, subcontractor or supplier” means any person or entity that satisfies the ownership (or management) and control requirements of CCR 1996.61 (f); is certified in accordance with CCR 1996.70 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, subcontractors, or supplier’s role is limited to that of an extra participant in order to obtain the appearance of disabled veteran business participation.

DISABLED VETERAN
A disabled veteran, for purposes of DVBE certification eligibility, is defined as a veteran of the military, naval or air services of the United States, with at least a 10 percent service-connected disability and who is a resident of the State of California.

DISABLED VETERAN BUSINESS ENTERPRISE (DVBE)
DVBE is a business enterprise certified by the Office of Small Business and DVBE Services (OSDS) as meeting all of the following criteria:
- Sole proprietorship owned by a disabled veteran; or a firm or partnership, 51 percent of the stock or partnership interests of which are owned by one or more disabled veterans
- Managed by and with the daily business operations controlled by one or more disabled veterans
- Sole proprietorship, corporation or partnership with its home office located in the United States which is not a branch or subsidiary of a foreign corporation, firm or other business

DWR 9666 (Rev. 8/10)
DWR EXHIBIT E ADDITIONAL PROVISIONS – DVBE PROGRAM CLAUSES

Please review Exhibit E for additional provisions related to the DVBE program. Exhibit E defines Contractor obligations related to the DVBE program that are included in the final contract. Bidder is advised to carefully review Exhibit E, Additional Provisions, to understand relevant obligations pertaining to the DVBE program. A synopsis of the clauses is provided below:

Contract Amendments – DVBE Program Requirements
Explains the requirements and obligations of the Contractor and the DVBE program related to subsequent contract amendments

Contract Audits
Explains the requirements and obligations of the Contractor related to the review or copying of all records pertaining to the performance of its contract as pertains to the DVBE program

DVBE Quarterly Reports
Explains the requirements and obligations of the Contractor related to reporting DVBE activity using DWR Form 9553 to identify and report the activity or non-activity within the period reported

BUSINESS UTILIZATION PLAN (BUP)

A DVBE BUP is a company’s commitment to expend a minimum of 3 percent of its total statewide contract dollars with DVBEs. This percentage is based on all of its contracts held in California, not just those with the State. This plan must be on file and approved by the DGS Office of Small Business and DVBE Services (OSDS).

DVBE PROGRAM COMPLIANCE NOTIFICATION

Upon request, the department’s Advocate will provide a pre-review of DVBE documentation for bidders to ensure they are compliant with DVBE program requirements. Bidders must submit their documents at least five (5) days prior to final bid submission. Upon verification of program compliance, the Advocate will issue a Notification of Compliance confirming the bidder has satisfied DVBE program requirements related to this solicitation. Bidders are advised to seek a pre-review of their documentation. Documents for review may be faxed or emailed to (916) 653-8476 or emailed to: halli@water.ca.gov

SUGGESTIONS FOR LOCATING DVBE FIRMS

Contact the Awarding Department
- Contact the DWR SB/DVBE Advocate for suggested DVBE firms who may have identified themselves as potential subcontractors, or for a list of firms the department may have created in response to this solicitation.

Other State and Federal Agencies and Local Organizations

STATE: Access the list of certified DVBE firms by using the Department of General Services, Procurement Division (DGS-PD) online certified firm data base. Access the database at: 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 (UNSPC)” that apply to the elements you want to subcontract to a DVBE.
- Check for Subcontractor ads that may be placed on the California State Contracts Register for this solicitation prior to the closing date. Access CSCR at: www.eprocure.dgs.ca.gov
- Contact OSDS at (916) 375-4940 for assistance, or email at: OSDSHelp@dgs.ca.gov

FEDERAL: Search the U.S. Small Business Administrations (SBA) Central Contractor Registration (CCR) on-line database at www.ccr.gov, to identify potential DVBE firms and click on the: “Dynamic Small Business Search” button. Search options and information are provided on the CCR site and first time users are advised to “click” on the help button for detailed instructions.

DWR 9566 (Rev. 8/10)
**WEBSITE RESOURCES AND INFORMATION**

<table>
<thead>
<tr>
<th>RESOURCE</th>
<th>FOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Small Business Administration (SBA):</td>
<td>Service-Disabled-owned businesses in California. Be sure to verify each DVBE's California Certification.</td>
</tr>
<tr>
<td>Local Organizations: Go to <a href="http://www.pd.dgs.ca.gov/smbus">www.pd.dgs.ca.gov/smbus</a> and select: DVBE Local Contacts (New 02.09) (pdf)</td>
<td>List of potential DVBE subcontracts</td>
</tr>
<tr>
<td>DGS-PD EProcurement Website: <a href="http://www.eprocure.dgs.ca.gov">www.eprocure.dgs.ca.gov</a> Phone: (916) 375-2000 Email: <a href="mailto:eprocure@dgs.ca.gov">eprocure@dgs.ca.gov</a></td>
<td></td>
</tr>
<tr>
<td>DGS-PD Office of Small Business and DVBE Services (OSDS) 707 Third Street, Room 1-400, West Sacramento, CA 95605 Website: <a href="http://www.pd.dgs.ca.gov/smbus">www.pd.dgs.ca.gov/smbus</a> OSDS Receptionist, 8 am-5 pm: (916) 375-4940 PD Receptionist 8 am-5 pm: (800) 559-5529 Fax: (916) 375-4950 Email: <a href="mailto:psdhelp@dgs.ca.gov">psdhelp@dgs.ca.gov</a></td>
<td>Directory of California-Certified DVBEs Certification Applications Certification Information Certification Status, Concerns General DVBE program information DVBE Business Utilization Plan Small Business/DVBE Advocates</td>
</tr>
<tr>
<td>Department of Water Resources Lorie Hall, Small Business DVBE Advocate 1416 9th Street, Room 354 Sacramento, CA 95814 DWR SB/DVBE Website: <a href="http://www.water.ca.gov/sbe/index.cfm">http://www.water.ca.gov/sbe/index.cfm</a> Email: <a href="mailto:halll@water.ca.gov">halll@water.ca.gov</a> Phone: (916) 651-9705 Fax: (916) 853-0476</td>
<td>Assistance locating DVBE firms related specifically to the advertised solicitation bidder is responding to.</td>
</tr>
</tbody>
</table>

DWR 9665 (Rev. 8/10)
DWR 9666 DVBE INCENTIVE INFORMATION AND DOCUMENTATION

In order to receive a DVBE Incentive application, bidders must complete and return DWR Forms 9666, Documentation of DVBE Program Requirements, page 6 and Bidder Certification of DVBE Participation page 7. Failure to do so will result in no Incentive being applied.

MINIMUM DVBE COMMITMENT LEVEL
Bidder DVBE commitment must be more than 1 percent. Incentive calculations will not be applied to commitments of less than 1 percent. Bidder selects either Option 1 – Bidder is a Certified DVBE, or Option 2 Non-DVBE Bidder. Failure to complete and submit the required forms as instructed will result in no application of the DVBE Incentive.

SELECTION OF DVBE COMMITMENT OPTION

OPTION 1 – BIDDER IS ITSELF A CERTIFIED DVBE
- Bidder commits to performing at least one (1) percent of the contract amount as a prime firm or in combination with other DVBE firms.
- Bidder must document DVBE participation level using the DWR 9666, – Documentation of DVBE Program Requirements.
- Bidder must submit DWR 9666, – Bidder Certification of DVBE Participation confirming DVBE commitment.
- Bidder must provide evidence of DVBE certification – obtained through the Office of Small Business and DVBE Services (OSDS).

OPTION 2 – BIDDER DVBE COMMITMENT
- Commit to a certified DVBE firm for at least 1 percent of the bid amount.
- Bidder must document DVBE participation level using the DWR 9666, – Documentation of DVBE Program Requirements.
- Bidder must submit written confirmation and acceptance from the identified DVBE subcontractor using DWR 9666, – Bidder Certification of DVBE Participation.
- Bidder must submit evidence of DVBE certification – obtained through the Office of Small Business and DVBE Services (OSDS).
DWR 9666 DOCUMENTATION OF DVBE PROGRAM REQUIREMENTS

BIDDER IS ADVISED TO READ INSTRUCTIONS CAREFULLY.

COMMERCIAL USEFUL FUNCTION (California Code of Regulations, Title 2, Section 1896.61 (l))
Firms selected must perform a "commercially useful function" relevant to this contract. The term "DVBE contractor, subcontractor or supplier" means any person or entity that satisfies the ownership (or management) and control requirements of CCR 1896.61 (f); is certified in accordance with CCR 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, subcontractors, or supplier's role is limited to that of an extra participant in order to obtain the appearance of disabled veteran business participation.

DVBE OPTION DESIGNATION - Check the appropriate box to indicate the option you are choosing with which to meet your DVBE commitment. You are advised to read all instructions carefully prior to completing the forms.

☐ OPTION 1: We are a certified DVBE firm bidding this solicitation as a prime firm and as such, my commitment is at least three percent.
☐ OPTION 2: We are not a certified DVBE firm. We have committed to meeting DVBE participation of at least 3 or more percent.
☐ OPTION 3: Attached is a copy of our firm's "DGS OSDS approved DVBE Business Utilization Plan" (BUP)

INSTRUCTIONS FOR DOCUMENTING DVBE PROGRAM REQUIREMENTS
Read the following information carefully. Failure to comply with DVBE program requirements may result in rejection of your bid.

DWR 9666 DOCUMENTATION OF DVBE PROGRAM REQUIREMENTS
1. Be sure to make the proper determination that the selected DVBE firm meets California CUF requirements.
2. Under "DVBE OPTION DESIGNATION" above, select the option appropriate for your firm's commitment and then complete the Bidder Certification of DVBE Participation.
   a. If Option 1 is selected, complete the Bidder Certification, Sections 3 – 4. Include the 0666, Documentation of DVBE Program Requirements, the Bidder Certification of DVBE Participation and your DVBE certification with your bid response
   b. For Option 2, see instructions below
   c. If submitting a Business Utilization Plan, first contact the department’s SB/DVBE Advocate at (916) 651-9705.

DWR 9666 BIDDER CERTIFICATION OF DVBE PARTICIPATION
Bidders requesting the DVBE Incentives are required to complete DWR 9666 - BIDDER CERTIFICATION OF DVBE PARTICIPATION to document their commitment to a DVBE firm or firms. A separate form is required for each DVBE commitment. Failure to submit this form with your bid will result in a determination of noncompliance and your bid will be rejected.

Section 1: Complete your prime firm/bidder business information
Section 2: Identify services or commodities to be provided by the DVBE subcontractor
Section 3: Identify the commitment level your firm is making to the DVBE subcontractor; provide the printed and signed name of the legally authorized representative and sign/date the document.
Section 4: Is to be completed by the DVBE firm. Fax the completed/sign/dated document to the DVBE. Provide the DVBE firm with instructions to:
   a. Complete the form and to include all requested information
   b. Sign and date the form
   c. Attach a current copy of their OSDS certification – available through OSDS eProcurement SB/DVBE Website
   d. Return both forms to you via email or fax.

DISABLED VETERAN BUSINESS ENTERPRISE DECLARATIONS, STD. 843
Upon award of a contract the prime firm/bidder shall forward a copy of the DVBE Declaration, Std. 843 to the DVBE subcontractor(s) for completion and return to the bidder. Bidder must submit the completed document prior to execution of the final contract.

BIDDER DECLARATION GSPD-05-105
All bidders responding to this solicitation must complete the Bidder Declaration GSPD-05-105 and include it with their bid response. When completing the declaration, bidders responding to the solicitation must identify all SB and or DVBE subcontractors proposed for participation in the contract. Bidders awarded a contract are contractually obligated to use the SB or DVBE subcontractor for the work identified unless the State agrees to a substitution. The Department must be notified in writing that a substitution is requested and any substitution of a Small Business or DVBE firm must be approved by the State.

DWR 9666 (Rev. 8/10)
DWR 9666 BIDDER CERTIFICATION OF DVBE PARTICIPATION

In accordance with Military and Veterans Code, Article 6 (commencing with Section 999) of Chapter 6, Division 4 of the California Military Code, Public Contract Code 10116, as the prime bidder, you are yourself, or you have selected, and mutually agreed to partner with, a California certified DVBE contractor to provide commodities or services related to the performance of services identified in Department of Water Resources IFB/RFP solicitation document. Submission of this form constitutes an agreement between the Prime Bidder and the Certified DVBE Sub-Contractor to fulfill California Disabled Veteran Business Enterprise Participation Program requirements related to the final executed contract. Any change to the DVBE sub-contractor must be submitting in writing to the Department’s DVBE Advocate.

The Bidder Certification form must be signed by company representatives with recognized legal authority to do so.

SECTION 1 - PRIME BIDDER BUSINESS INFORMATION

| Firm Name: |                  |
| Firm Contact: |            |
| Street Address |          |
| City: | State: | Zip: |
| Firm Phone No. | Fax: | |
| Email | PEIN: | |

SECTION 2 - IDENTIFY THE SERVICES OR COMMODITIES TO BE PROVIDED BY THE SELECTED DVBE FIRM(S)

SECTION 3 - IDENTIFY YOUR FIRM’S DVBE COMMITMENT

☐ I have committed ______ percent to the DVBE Firm listed below. (If multiple DVBE firms are used, total must be 3% overall)

☐ I have committed greater than 3 percent. Percent committed: ______

☐ I have committed the amount specified in the solicitation document. Percent committed: ______

AUTHORIZED REPRESENTATIVE NAME | AUTHORIZED REPRESENTATIVE SIGNATURE | DATE

SECTION 4 - DVBE FIRM INFORMATION

| Firm Name: |                  |
| Firm Contact: |            |
| Street Address |          |
| City: | State: | Zip: |
| Firm Phone No. | Fax: | |
| Email | DGS OSDS Certification #: | |

AUTHORIZED DVBE REPRESENTATIVE NAME (Please Print) | AUTHORIZED DVBE REPRESENTATIVE SIGNATURE | DATE

DWR 9666 (Rev. 8/10)
ATTACHMENT VI

STATE OF CALIFORNIA – DEPARTMENT OF GENERAL SERVICES PROCUREMENT DIVISION
DISABLED VETERAN BUSINESS ENTERPRISE DECLARATIONS
STD. 643 (Rev. 5/2008)

Instructions: The disabled veteran (DV) owner(s) and DV manager(s) of the Disabled Veteran Business Enterprise (DVBE) must complete this declaration when a DVBE contractor or subcontractor will provide materials, supplies, services or equipment [Military and Veterans Code Section 999.2]. Violations are misdemeanors and punishable by imprisonment or fine and violators are liable for civil penalties. All signatures are made under penalty of perjury.

SECTION 1

Name of certified DVBE: ___________________________ DVBE Ref. Number: ________________
Description (materials/supplies/services/equipment proposed): _____________________________
Solicitation/Contract Number: ______________________ SCPRS Ref. Number: ________________
                                (FOR STATE USE ONLY)

SECTION 2

APPLIES TO ALL DVBEs. Check only one box in Section 2 and provide original signatures.

☐ I (we) declare that the DVBE is not a broker or agent, as defined in Military and Veterans Code Section 999.2 (b), of materials, supplies, services or equipment listed above. Also, complete Section 3 below if renting equipment.

☐ Pursuant to Military and Veterans Code Section 999.2 (f), I (we) declare that the DVBE is a broker or agent for the principal(s) listed below or on an attached sheet(s). (Pursuant to Military and Veterans Code 999.2 (e), State funds expended for equipment rented from equipment brokers pursuant to contracts awarded under this section shall not be credited toward the 3-percent DVBE participation goal.)

All DV owners and managers of the DVBE (attach additional pages with sufficient signature blocks for each person to sign):

(Printed Name of DV Owner/Manager) ___________________________ (Signature of DV Owner/Manager) ___________________________ (Date Signed) ________________

(Printed Name of DV Owner/Manager) ___________________________ (Signature of DV Owner/Manager) ___________________________ (Date Signed) ________________

Firm/Principal for whom the DVBE is acting as a broker or agent:
(If more than one firm, list on extra sheets.) ___________________________  (Print or Type Name) ___________________________

Firm/Principal Phone: ___________________________ Address: ___________________________

SECTION 3

APPLIES TO ALL DVBEs THAT RENT EQUIPMENT AND DECLARE THE DVBE IS NOT A BROKER.

☐ Pursuant to Military and Veterans Code Section 999.2 (c), (d) and (g), I am (we are) the DV(s) with at least 51% ownership of the DVBE, or a DV manager(s) of the DVBE. The DVBE maintains certification requirements in accordance with Military and Veterans Code Section 999 et. seq.

☐ The undersigned owner(s) own(s) at least 51% of the quantity and value of each piece of equipment that will be rented for use in the contract identified above. I (we), the DV owners of the equipment, have submitted to the administering agency my (our) personal federal tax return(s) at time of certification and annually thereafter as defined in Military and Veterans Code 999.2, subsections (c) and (g). Failure by the disabled veteran equipment owner(s) to submit their personal federal tax return(s) to the administering agency as defined in Military and Veterans Code 999.2, subsections (c) and (g), will result in the DVBE being deemed an equipment broker.

Disabled Veteran Owner(s) of the DVBE (attach additional pages with signature blocks for each person to sign):

(Printed Name) ___________________________ (Signature) ___________________________ (Date Signed) ________________

(Address of Owner) ___________________________ (Tax Identification Number of Owner) ___________________________ (Telephone) ___________________________

Disabled Veteran Manager(s) of the DVBE (attach additional pages with sufficient signature blocks for each person to sign):

(Printed Name of DV Manager) ___________________________ (Signature of DV Manager) ___________________________ (Date Signed) ________________

Page ____ of ___
CERTIFICATION: By signing the bid response, I certify under penalty of perjury that the information provided is true and correct.

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<th>Item</th>
<th>Value</th>
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</table>

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

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
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</table>

(1) Are you a California certified DBE? [ ] Yes [ ] No  
(2) If the contract includes equipment rental, does your company own at least 1% of the equipment?

C. If you are a California certified DBE:

(1) Are you a minority or female? [ ] Yes [ ] No
(2) Will subcontractors be used for this contract? [ ] Yes [ ] No
(3) Identify an oil or gas lease:

1. Prime bidder information (Review attached bidder declaration instructions prior to completion of this form):
Read the certification at the bottom of the page and complete the form (if applicable). Make sure to sign and date the form.

This form must be submitted to the Bidder's Office by Aug 28, 2012, 1:18:27 PM PDT.
STATE OF CALIFORNIA
STANDARD AGREEMENT
STD 213 (Rev 06/03)

1. This Agreement is entered into between the State Agency and the Contractor named below:
   STATE AGENCY NAME
   Department of Water Resources
   TB
   CONTRACTORS NAME

2. The term of this Agreement is:
   TBD through TBD

3. The maximum amount of this Agreement is:
   $ TBD

4. The parties agree to comply with the terms and conditions of the following exhibits which are hereby incorporated by reference made a part of the Agreement.
   Exhibit A - Scope of Work
   Exhibit B - Budget and Payment Schedule
   Exhibit C - General and Conditions
   Exhibit D - Specification and Conformance Criteria
   Exhibit E - Additional Provisions
   Attachment 1 – Travel and Per Diem Expenses (DWR 9580, Rev. 01)

Items shown with an asterisk (*) are hereby incorporated by reference and made part of the agreement as if attached hereto. These documents can be viewed at www.dps.ca.gov/contracts.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

TB

BY (Authorized Signature) DATE SIGNED (ex 12/31/06)

PRINTED NAME AND TITLE OF PERSON SIGNING

TB

ADDRESS

TB

STATE OF CALIFORNIA

AGENCY NAME

Department of Water Resources

BY (Authorized Signature) DATE SIGNED (ex 12/31/06)

PRINTED NAME AND TITLE OF PERSON SIGNING

TB

ADDRESS

TB

California Department of General Services Use Only
EXHIBIT A
SCOPE OF WORK

1. Contractor agrees to provide to Department of Water Resources (DWR), Repair and Maintenance Service contract as described herein.

2. The services shall be performed at:

   Natural Resources Building 1416 9th Street
   Bonderson Building 901 P Street
   Sacramento, CA

2. The project representatives during the term of this agreement will be:

   **Department of Water Resources**  **Contractor**
   
   Name: Ken Sutherland  Name:
   Phone: 916.653.9636  Phone:
   Fax: 916.653.5888  Fax:
   Email: ksutherl@water.ca.gov  Email:

Project representatives may be changed by written notice to the other party.

Contractor will service, Department of Water Resources, existing card readers, electric strikes, controllers, REX, contacts, CCure Software, video recorders, monitors and cameras for the referenced building. Work will be done on a fixed hourly rate as defined in the agreement and additional cost of components required to make these systems functional.

All additional equipment and components needed, cost will be added upon mutual agreement between this contractor and DWR Security representative.

Contractor will be in an on call status.

**Preventative Maintenance**
- Operational check access control systems.
- Check card readers, controllers, REX, electric strikes and levers for proper function and operation.
- Operational check of the security camera system comprehensively;
- Inspect all cabling;
- Operationally check & adjust cameras for resolution and visual operation;
- Make sure all cameras are recording;
- Check DVR operation;
- Functional check all hard drives;
- Report any malfunctions in the system to the contract administrator.

**Repairs**
Repairs will be made on a time and material basis with written approval from the contract administrator. Service request form will be used as authorization to make repairs. No permits or inspections will be needed for this existing equipment service repairs and maintenance. Contractor is on call and will respond to work as directed by DWR Facilities security analyst.

Due to the sensitive nature of these systems, making the needed adjustment or repair are of a high priority status. Contractor must respond to service calls within 4 hours of receipt of call, unless otherwise scheduled with DWR Facilities Security Analyst.

No installation is required since all equipment is existing. Replacement of components will be required when and if they fail.

Work will be acceptable when accomplished and approved by the DWR Facilities Security Analyst.
EXHIBIT B
BUDGET DETAIL AND PAYMENT PROVISIONS
PRIVATE ENTITIES

A. INVOICING AND PAYMENT

Contractor shall submit three copies of the invoice to the State only after receiving verbal notice of satisfactory completion or acceptance of work by the DWR Contract Manager. The State will not accept an invoice for work that has not been approved and will return the invoice as a disputed invoice to the Contractor.

Invoices shall be submitted no more often than monthly in arrears, bearing the contract number. Small business contractors must identify their certified small business status on the invoice.

Contractor must submit three copies of each invoice to the following address in order to expedite approval and payment:

DWR Accounting Office
Contracts Payable Unit
P.O. Box 942836
Sacramento, California  94236-0001

Undisputed invoices shall be paid within 45 days of the date received by the DWR Accounting Office.

B. BUDGET CONTINGENCY CLAUSE

It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.

If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either: cancel this Agreement with no liability occurring to the State, or offer an Agreement Amendment to Contractor to reflect the reduced amount.

C. PROMPT PAYMENT CLAUSE

Payment will be made in accordance with and within the time specified in Government Code, Chapter 4.5 (commencing with Section 927).

(Rev. 8/11)
EXHIBIT C
GENERAL TERMS AND CONDITIONS

This is a placeholder page.

Under the State of California’s standardized contract process, a hardcopy of Exhibit C is not included in the standard agreement package or in this solicitation document. As indicated on the Std. 213, a copy of Exhibit C can be found at the internet site: http://www.documents.dgs.ca.gov/ols/GTC-610.doc.

If you do not have internet access please contact the Bid Administrator below to receive a copy:

Michael White
Contract Specialist
916-653-3331
1. **EXCISE TAX:** The State of California is exempt from Federal Excise Taxes, and no payment will be made for any taxes levied on employees' wages.

2. **RESOLUTION OF DISPUTES:** In the event of a dispute, Contractor shall file a "Notice of Dispute" with the Director or the Director's Designee within ten (10) days of discovery of the problem. The State and Contractor shall then attempt to negotiate a resolution of such claim and, if appropriate, process an amendment to implement the terms of any such resolution. If the State and Contractor are unable to resolve the dispute, the decision of the Director or the Director's Designee shall be final, unless appealed to a court of competent jurisdiction.

   In the event of a dispute, the language contained within this agreement shall prevail over any other language including that of the bid proposal.

3. **PAYMENT RETENTION CLAUSE:** Ten percent of any progress payments that may be provided for under this contract shall be withheld per Public Contract Code Section 10346 pending satisfactory completion of all services under the contract.

4. **AGENCY LIABILITY:** The Contractor warrants by execution of this Agreement, that no person or selling agency has been employed or retained to solicit or secure this Agreement upon agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business. For breach or violation of this warranty, the State shall, in addition to other remedies provided by law, have the right to annul this Agreement without liability, paying only for the value of the work actually performed, or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee.

5. **POTENTIAL SUBCONTRACTORS:** Nothing contained in this Agreement or otherwise shall create any contractual relation between the State and any subcontractors, and no subcontract shall relieve the Contractor of its responsibilities and obligations hereunder. The Contractor agrees to be as fully responsible to the State for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor. The Contractor's obligation to pay its subcontractors is an independent obligation from the State's obligation to make payments to the Contractor. As a result, the State shall have no obligation to pay or enforce the payment of any moneys to any subcontractor.

6. **SUBCONTRACTING:** The Contractor is responsible for any work it subcontracts. Subcontracts must include all applicable terms and conditions of this Agreement. Any subcontractors, outside associates, or consultants required by the Contractor in connection with the services covered by this Agreement shall be limited to such individuals or firms as were specifically identified in the bid or agreed to during negotiations for this Agreement, or as are specifically authorized by the Contract Manager during the performance of this Agreement. Any substitutions in, or additions to, such subcontractors, associates or consultants shall be subject to the prior written approval of the Contract Manager. Contractor warrants, represents and agrees that it and its subcontractors, employees and representatives shall at all times comply with all applicable laws, codes, rules and regulations in the performance of this Agreement. Should State determine that the work performed by a subcontractor is substantially unsatisfactory and is not in substantial accordance with the contract terms and conditions, or that the subcontractor is substantially delaying or disrupting the process of work, State may request substitution of the subcontractor.

DWR 9544 (Rev. 12/10)
7. **RENEWAL OF CCC:** Contractor shall renew the Contractor Certification Clauses or successor documents every three (3) years or as changes occur, whichever occurs sooner.

8. **REPORT OF RECYCLED CONTENT CERTIFICATION:** In accordance with Public Contract Code Sections 12200-12217, et seq., and 12153-12156, et seq., the contractor must complete and return the form DWR 9557, Recycled Content Certification, for each required product to the Department at the conclusion of services specified in this contract. Form DWR 9557 is attached to this Exhibit and made part of this contract by this reference.

9. **TERMINATION CLAUSE:** The State may terminate this contract without cause upon 30 days advance written notice. The Contractor shall be reimbursed for all reasonable expenses incurred up to the date of termination.

10. **COMPUTER SOFTWARE:** For contracts in which software usage is an essential element of performance under this Agreement, the Contractor certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this contract for the acquisition, operation or maintenance of computer software in violation of copyright laws.

11. **PRIORITY HIRING CONSIDERATIONS:** For contracts, other than consulting services contracts, in excess of $200,000, the Contractor shall give priority consideration in filling vacancies in positions funded by the contract to qualified recipients of aid under Welfare and Institutions Code Section 11200. (Public Contract Code Section 10353).

12. **EQUIPMENT RENTAL AGREEMENTS:** This provision shall apply to equipment rental agreements. The State shall not be responsible for loss or damage to the rented equipment arising from causes beyond the control of the State. The State's responsibility for repairs and liability for damage or loss to such equipment is restricted to that made necessary or resulting from the negligent act or omission of the State or its officers, employees, or agents.

13. **CONTRACTOR COOPERATION DURING INVESTIGATION:** Contractor agrees to cooperate fully in any investigation conducted by or for DWR regarding unsatisfactory work or allegedly unlawful conduct by DWR employees or DWR contractors. The word "cooperate" includes but is not limited to, in a timely manner, making Contractor staff available for interview and Contractor records and documents available for review.

14. **CONFLICT OF INTEREST:**

   a. **Current and Former State Employees:** Contractor should be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

      (1) **Current State Employees:** (PCC §10410)

          (a) No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.

          (b) No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

      (2) **Former State Employees:** (PCC §10411)

          (a) For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

DWR 9544 (Rev. 12/10)
(b) For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

b. **Penalty for Violation:**

(a) If the Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (PCC §10420)

c. **Members of Boards and Commissions:**

(a) Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (PCC §10430 (a))

d. **Representational Conflicts of Interest:**

The Contractor must disclose to the DWR Program Manager any activities by contractor or subcontractor personnel involving representation of parties, or provision of consultation services to parties, who are adversarial to DWR. DWR may immediately terminate this contract if the contractor fails to disclose the information required by this section. DWR may immediately terminate this contract if any conflicts of interest cannot be reconciled with the performance of services under this contract.

e. **Financial Interest in Contracts:**

Contractor should also be aware of the following provisions of Government Code §1090:

"Members of the Legislature, state, county district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Nor shall state, county, district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity."

f. **Prohibition for Consulting Services Contracts:**

For consulting services contracts (see PCC §10335.5), the Contractor and any subcontractors (except for subcontractors who provide services amounting to 10 percent or less of the contract price) may not submit a bid/SOQ, or be awarded a contract, for the provision of services, procurement of goods or supplies or any other related action which is required, suggested, or otherwise deemed appropriate in the end product of such a consulting services contract (see PCC §10365.5).
# EXHIBIT D, ATTACHMENT 1

## RECYCLED CONTENT CERTIFICATION FORM

To be completed by the vendor/bidder/contractor and returned to:

**DEPARTMENT OF WATER RESOURCES**  
Recycling Coordinator  
Purchasing Services Office  
1416 Ninth Street, Room 354, Sacramento, CA 95814  
(916) 654-0533 FAX: (916) 653-6543

**COMPANY:**  
**PERSON COMPLETING FORM:**  
**DATE:**

<table>
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<tr>
<th>DESCRIPTION</th>
<th>% POSTCONSUMER</th>
<th>RECYCLED MATERIAL TYPE</th>
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All businesses shall certify in writing to the contracting officer or his or her representative the minimum percentage, if not exact percentage, of postconsumer material in the productions, materials, goods, or supplies offered or sold to the state regardless of whether the product meets the minimum content requirements specified in law (see page 2 for minimum content requirements). The certification shall be furnished under penalty of perjury. The certification shall be provided regardless of content, even if the product contains no recycled material. A state agency may waive the certification requirements if the percentage of postconsumer material in the products, materials, good or supplies can be verified in a written advertisement, including, but not limited to, a product label, a catalog, or manufacturer or vendor internet website.

Public Contract Code Sections 12200-12217, et seq. and 12153-12156, et seq.

I certify that the above information is true. I further certify that these environmental claims for recycled content regarding these products are consistent with the Federal Trade Commission’s Environmental Marketing Guidelines in accordance with PCC 12404.

**NAME OF PERSON COMPLETING FORM**  
**TITLE**  
**AGENCY/COMPANY**

**SIGNATURE OF PERSON COMPLETING FORM**  
**DATE**

DWR 9557 (Rev. 109)  
DWR Version of CIWMB 74
1. Postconsumer material comes from products that were bought by consumers, used, then recycled. For example: a newspaper that has been purchased and read, next recycled, and then used to make another product would be postconsumer material.

If the product does not fit into any of the product categories, enter "N/A". Common N/A products include wood products, natural textiles, aggregate, concrete, electronics such as computers, TV, software on a disk or CD, telephone.

2. Product category refers to one of the product categories listed below, into which the reportable purchase falls. For products made from multiple materials, choose the category that comprises most of the product by weight, or volume.

Note: For reuse or refurbished products, there are no minimum content requirements.

For additional information visit [www.ciwmb.ca.gov/BuyRecycled/](http://www.ciwmb.ca.gov/BuyRecycled/)

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<tr>
<th>Description</th>
<th>Minimum Content Requirement</th>
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</thead>
<tbody>
<tr>
<td>Paper Products – Recycled</td>
<td>30 percent postconsumer fiber, by fiber weight</td>
</tr>
<tr>
<td>Printing and Writing – Recycled</td>
<td>30 percent postconsumer fiber, by fiber weight</td>
</tr>
<tr>
<td>Compost, Co-compost, and Mulch – Recycled</td>
<td>80 percent recovered materials i.e., material that would otherwise be normally disposed of in a landfill</td>
</tr>
<tr>
<td>Glass – Recycled</td>
<td>10 percent postconsumer, by weight</td>
</tr>
<tr>
<td>Re-refined Lubricating Oil – Recycled</td>
<td>70 percent re-refined base oil</td>
</tr>
<tr>
<td>Plastic – Recycled</td>
<td>10 percent postconsumer, by weight</td>
</tr>
</tbody>
</table>
| Printer or duplication cartridges  | a. Have 10 percent postconsumer material, or  
                                      b. Are purchased as remanufactured, or  
                                      c. Are backed by a vendor-offered program that will take back the printer cartridges after their useful life and ensure that the cartridges are recycled and comply with the definition of recycled as set forth in Sections 12200-12217, et seq., and 12153-12156, et seq., of the Public Contract Code.  
| Paint – Recycled                   | 50 percent postconsumer paint (exceptions when 50 percent postconsumer content is not available or is restricted by a local air quality management district, then 10 percent postconsumer content may be substituted)  
| Antifreeze – Recycled              | 70 percent postconsumer material  
| Retreated Tires – Recycled         | Use existing casing that has undergone retreading or recapping process in accordance with Public Resource Code (commencing with section 42400).  
| Tire – Derived – Recycled          | 50 percent post consumer tires  
| Metals – Recycled                  | 10 percent postconsumer, by weight |
EXHIBIT E
ADDITIONAL PROVISIONS

1. CERTIFICATE OF INSURANCE

a. General Provisions Applying to All Policies

i. Coverage Term – Coverage needs to be in force for the complete term of the contract. If insurance expires during the term of the contract, a new certificate must be received by the State at least ten (10) days prior to the expiration of this insurance. Any new insurance must still comply with the original terms of the contract.

ii. Policy Cancellation or Termination & Notice of Non-Renewal – Contractor shall provide to the Department, within 5 business days following receipt by contractor, a copy of any cancellation or non-renewal of insurance required by this contract. In the event Contractor fails to keep in effect at all times the specified insurance coverage, the State may, in addition to any other remedies it may have, terminate this Contract upon the occurrence of such event, subject to the provisions of this Contract.

iii. Deductible – Contractor is responsible for any deductible or self-insured retention contained within their insurance program.

iv. Primary Clause – Any required insurance contained in this contract shall be primary, and not excess or contributory, to any other insurance carried by the State.

v. Insurance Carrier Required Rating – All insurance companies must carry a rating acceptable to the Office of Risk and Insurance Management. If the Contractor is self insured for a portion or all of its insurance, review of financial information including a letter of credit may be required.

vi. Endorsements – Any required endorsements requested by the State must be physically attached to all requested certificates of insurance and not substituted by referring to such coverage on the certificate of insurance.

vii. Inadequate Insurance – Inadequate or lack of insurance does not negate the contractor’s obligations under the contract.

b. Insurance Requirements: The contractor shall furnish to the State evidence of the following required insurance:

i. Commercial General Liability – Contractor shall maintain general liability on an occurrence form with limits not less than $1,000,000 per occurrence/$2,000,000 aggregate for bodily injury and property damage liability. The policy shall include coverage for liabilities arising out of premises, operations, independent contractors, products, completed operations, personal & advertising injury, and liability assumed under an insured contract. This insurance shall apply separately to each insured against whom claim is made or suit is brought subject to the Contractor’s limit of liability. The policy must include the following additional ensured designation and endorsement:

   “Department of Water Resources, State of California, its officers, agents, employees and servants are included as additional insureds, but only with respect to work performed under this contract.”

   The endorsement must be supplied under form acceptable to the Office of Risk and Insurance Management.
In the case of Contractor’s utilization of subcontractors to complete the contracted scope of work, contractor shall include all subcontractors as insured’s under Contractor’s insurance or supply evidence of insurance to The State equal to policies, coverages and limits required of Contractor.

ii. **Workers Compensation and Employers Liability** – Contractor shall maintain statutory worker’s compensation and employer’s liability coverage for all its employees who will be engaged in the performance of the Contract. Employer’s liability limits of $1,000,000 are required. When work is performed on State owned or controlled property the workers’ compensation policy shall contain a waiver of subrogation in favor of the State. A **waiver of subrogation in favor of the State** shall be provided.

iii. **Errors and Omissions/Professional Liability** - Contractors shall maintain errors and omissions /professional liability insurance with limits no less than $1,000,000 each occurrence and $3,000,000 annual aggregate. The retro date shall be shown on the certificate of insurance and shall be no later than the date of this contract or the date work under this contract begins.

The same additional insured designation and endorsement required for general liability is to be provided for this coverage.

Subsequent renewals of the insurance certificate shall be sent to Facilities Management, 1416 9th Street, Sacramento, California 95814. This name and address shall appear on the certificate as the certificate holder.

2. **FORCED, CONVICT, AND INDENTURED LABOR**
   No foreign-made equipment, materials, or supplies furnished to the State pursuant to this contract may be produced in whole or in part by forced labor, convict labor, or indentured labor, or abusive forms of child labor or exploitation of children in sweatshop labor. By submitting a bid to the State or accepting a purchase order, the Contractor agrees to comply with this provision of the contract.

3. **PERMITS AND LICENSES**
The Contractor shall procure all permits and licenses, pay all charges and fees and give all notices necessary and incidental to the due and lawful prosecution of the work.

4. **OPTION TO RENEW**
The Department reserves the right to renew this Agreement for 1 additional years under the same terms and conditions.

5. **CONTRACT AMENDMENTS – DVBE PROGRAM REQUIREMENTS**
Disabled Veteran Business Enterprise (DVBE) program requirements shall be included and made a part of any subsequent contract amendment(s) when DVBE program requirements were included as part of the Department’s original solicitation/contract effort. DVBE participation program goals (3 percent) are extended through the amended contract termination date and include any additionally encumbered funds that are a result of the contract amendment. The 90-Day and Final DVBE Subcontracting Activity Report shall be included in all subsequent contract amendment(s). The Contractor shall be responsible for continued program compliance and reporting.
6. CONTRACT AUDITS RELATED TO DVBE PROGRAM REQUIREMENTS
Contractor agrees that the State or its designee will have the right to review, obtain, or copy all records pertaining to performance of the contract as performance pertains to DVBE requirements. Contractor agrees to provide the State or its representative with any relevant information requested and shall permit the State or its representative access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with this requirement. Contractor further agrees to maintain such records for a period of no less than three (3) years after final payment under the contract.

7. DVBE SUBCONTRACTOR ACTIVITY REPORTS – DWR 9553
The Contractor is required to furnish the Department with reports of DVBE subcontractor activity using the DWR 9553. Reports are to be made at 90-day intervals and must identify the DVBE subcontractor, the services performed or commodities used and the total paid to the subcontractor during the quarterly period reported. A final activity report is to be submitted prior to the contract expiration date. If multiple DVBE contractors are providing services or commodities, the Contractor must furnish individual reports for each DVBE subcontractor used.

The first report is due 90-days from the date of contract approval. At the Department’s request, the Contractor shall submit copies of the DVBE contractor’s paid invoices issued for that 90-day reporting period or final report.

If the Contractor fails to furnish the required reports, the Department may withhold final payment until the Contractor provides the required reports and, when requested by the Department, copies of paid invoices.

Final reports must be received by the Department at least 14 days prior to the contract expiration date.

Reports shall be made using the DVBE Activity Report Form 9553, Exhibit E, Attachment 1. All reports shall be made to both the Department of Water Resources DVBE Advocate and the Project Manager for the contract as follows:

Mail Reports to:

Department of Water Resources
DVBE Advocate
1416, Ninth Street, Room 353
P.O. Box 942836
Sacramento, California, 95814
Fax Number: (916) 653-6511

8. SUBSTITUTION OF A DVBE SUBCONTRACTOR
Contractor understands and agrees that should award of this contract be based in part on their commitment to use the Disabled Veteran Business Enterprise (DVBE) subcontractor(s) identified in their bid or offer, per Military and Veterans Code 999.5(e), a DVBE subcontractor may only be replaced by another DVBE subcontractor and must be approved by the Department of General Services. Changes to the scope of work that impact the DVBE subcontractor(s) identified in the bid or offer and approved DVBE substitutions will be documented by contract amendment.

Failure of Contractor to seek substitution and adhere to the DVBE participation level identified in the bid or offer may be cause for contract termination, recovery of damages under rights and remedies due the State, and penalties as outlined in Military and Veterans Code 999.9: Public Contract Code (PCC) Section 10115, or PCC Section 4110 (applies to public works only). Contractor must immediately notify
the Department’s SB/DVBE Advocate that substitution of a DVBE subcontractor is requested.

9. CONTRACTOR CERTIFICATION OF PAYMENT TO SMALL BUSINESS AND DVBE SUBCONTRACTOR(S)

   a. If for this Contract Contractor made a commitment to achieve small business participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved. (Govt. Code § 14841.)

   b. If for this Contract Contractor made a commitment to achieve disabled veteran business enterprise (DVBE) participation, then Contractor must within 60 days of receiving final payment under this Contract (or within such other time period as may be specified elsewhere in this Contract) certify in a report to the awarding department: (1) the total amount the prime Contractor received under the Contract; (2) the name and address of the DVBE(s) that participated in the performance of the Contract; (3) the amount each DVBE received from the prime Contractor; (4) that all payments under the Contract have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation not less than $2,500 and not to exceed $25,000. (Mil. & Vets. Code § 999.5(d); Govt. Code § 14841)

Contractor Certification must be made using DWR Form 9683 “Small Business and DVBE Subcontractor Payment Certification”, Exhibit E Attachment 2.
If services or commodities have not been delivered, how and when will the commitment be achieved?

What is the status of the DVEE services or commodities to be used? (i.e., have services begun, are commodities on order, etc.?)

<table>
<thead>
<tr>
<th>Reporting Period:</th>
<th>To</th>
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<tbody>
<tr>
<td>No</td>
<td>Yes</td>
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Are you making a final report? Yes  No

<table>
<thead>
<tr>
<th>DVEE Activity Report Form</th>
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<tr>
<td><strong>STATE OF CALIFORNIA</strong></td>
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<td><strong>DEPARTMENT OF WATER RESOURCES</strong></td>
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**ATTACHMENT 1**

<table>
<thead>
<tr>
<th>DVEE Invoice Order Number</th>
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<tbody>
<tr>
<td>DVEE Contract Number</td>
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<tr>
<td>Prime Contractor</td>
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<tr>
<td>Contractor Name</td>
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<tr>
<td>Telephone Number</td>
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<tr>
<td>DVEE Sub-Contractor</td>
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<tr>
<td>Contractor Name</td>
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<tr>
<td>Telephone Number</td>
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<td>DVEE Activity Report Form</td>
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</table>

**Closeout**

**Attachment**

**Contract No.**

**Bid Number**

**Exhibit**

**DVEE Contract Amount**

**Percent Subcontracted**

**Report Date:**

**DVEE OSDS No.:**

**Attached:**

**DVEE Involved in Order:**

**DVEE Commitment Goal:**

**Total:** $50,000
Instructions for Completing the DBE Activity Report

1. Your firm is responsible for reporting your company's DBE subcontractor activity.

2. Your firm must enter a current activity report for each DBE subcontractor agreement.

3. The DBE services of subcontractors are reviewed and meet the minimum goal if the report is due within the 90-day reporting period.

4. If the first report is due within 90 days after the initial contract date, the report must be submitted within the 90-day reporting period.

5. The report is due within the 90-day reporting period.

6. The report is due within the 90-day reporting period.

7. The report is due within the 90-day reporting period.

8. The report is due within the 90-day reporting period.

9. The report is due within the 90-day reporting period.

10. If the DBE does not exceed the goal, explain why and how the commitment will be achieved.
Question and Answers for Bid #10077029 - Maitenance and Service for Security Camera and Access Control Systems

OVERALL BID QUESTIONS

There are no questions associated with this bid. If you would like to submit a question, please click on the "Create New Question" button below.