



Disabled Veteran Business Enterprise (DVBE) Subcontracting Report

▶ RESOURCE AND TRAINING

Office of Small Business and DVBE Services
October 2021

TRAINING OUTLINE

- Background
 - ❖ Website Resources
 - ❖ Statutes & Regulations
- New 2021 Legislation Impacting the Report
- DVBE Reporting Requirements
- Revised DVBE Reporting Forms



DVBE SUBCONTRACTING REPORT WEBPAGE

- ▶ Go To <https://www.dgs.ca.gov/>
- ▶ Search for “DVBE Subcontracting Report”
- ▶ Click on [File a DVBE Subcontracting Report](#)

- ▶ Information Available:
 - ❖ Steps in Reporting Process
 - ❖ Report Forms and Instructions
 - ❖ Training and FAQs

3



DVBE SUBCONTRACTING REPORT RESOURCES

Reports Forms and Instructions

- Prime Contractor DVBE Subcontracting Form (DGS PD 817)
- Department DVBE Subcontracting Form (DGS PD 810D)
- Department DVBE Subcontracting Form Instructions

Training and FAQ

- DVBE Subcontracting Forms Training
- DVBE Subcontracting Training FAQs



STATUTORY AND REGULATORY REQUIREMENTS

- ▶ Military and Veterans Code Section 999.5(d), 999.55 and 999.7
- ▶ Government Code Section 14841
- ▶ Code of Regulations Section 1896.78(e)
- ▶ Per State Contracting Manual (SCM) Section 8.16(c) Volume 2,3,F- Chapters 3, 12, & 9

Upon completion of the contract, the awarding department shall require the prime contractor to certify, in detail, information regarding payments to the DVBE(s).

5

AUTHORITY - STATUTES

MVC 999.5

(d) Upon completion of an awarded contract for which a commitment to achieve a disabled veteran business enterprise goal was made, an awarding department shall require the prime contractor that entered into a subcontract with a disabled veteran business enterprise to certify to the awarding department all of the following:

- (1) The total amount the prime contractor received under the contract.
- (2) The name and address of the disabled veteran business enterprise that participated in the performance of the contract.
- (3) The amount and percentage of the work the prime contractor committed to one or more disabled veteran business enterprises under the requirements of the contract and the amount each disabled veteran business enterprise received from the prime contractor.
- (4) That all payments under the contract have been made to the disabled veteran business enterprise. Upon request by the awarding department, the prime contractor shall provide proof of payment for the work.

AUTHORITY - STATUTES

MVC 999.55

An awarding department shall maintain all records of the information provided by the prime contractor pursuant to Section 999.5 and shall establish appropriate review procedures for those records to ensure the accuracy and completeness of the award amounts and paid amounts reported. The records shall be maintained in a manner that facilitates access and review by external auditors. Records collected pursuant to this section shall be retained for a minimum of six years after collection.

AUTHORITY - STATUTES

MVC 999.7

(a) The awarding department shall withhold, on a contract entered into on or after January 1, 2021, ten thousand dollars (\$10,000) from the final payment, or the full final payment if less than ten thousand dollars (\$10,000), until a prime contractor complies with the certification requirements of subdivision (d) of Section 999.5. A prime contractor that fails to comply with the certification requirement shall, after notice, be allowed to cure the defect. Notwithstanding any other law, if, after at least 15 calendar days but not more than 30 calendar days from the date of notice, the prime contractor refuses to comply with the certification requirements, the awarding department shall permanently deduct ten thousand dollars (\$10,000) from the final payment, or the full payment if less than ten thousand dollars (\$10,000). For contracts awarded for use by multiple state agencies, the Department of General Services may prescribe additional or alternative mechanisms for enforcing the certification requirement.

WHAT'S NEW FOR 2020-2021?

- **AB 230 (Brough, Chapter 676, Statutes of 2019)** amended Section 999.5 of the Military and Veterans Code and Sections 14839 and 14841 of the Government Code and added Section 10230 to the Public Contract Code.
- **AB 1365 (Veterans Affairs Committee, Chapter 689, Statutes of 2019)** added Section 999.55 to the Military and Veterans Code.

WHAT'S NEW FOR 2020-2021? (cont.)

- **SB 588 (Archuleta, Chapter 80, Statutes of 2020)** added Section 999.7 to the Military and Veterans Code.

Important !

DVBE Subcontracting Reports becomes an important compliance tool for departments and OSDS to identify prime contractors not meeting DVBE requirements and commitments!

UPDATES AS A RESULT OF NEW LEGISLATION

- ▶ DGS PD 810P expanded to include new requirements and renumbered to name (STD 817)
 - ❖ For all contracts and POs that were awarded or amended after January 1st, 2021
 - ❖ Due to departments upon completion of contract, where completion of contract may vary with each department
 - ❖ Solely the responsibility of the prime contract to fill out the form - no portion to be completed by departments prior to sending it to the prime
- ▶ DGS PD 810D expanded to include new requirements
 - ❖ One row per each contract/PO with DVBE requirements completed during the reporting fiscal year
 - ❖ No longer limited to the 810P received from prime contractors, all contracts/PO with DVBE requirements must be reported

11

**STATE DEPARTMENT'S
DVBE SUBCONTRACTING
REPORT
FORM DGS PD 810D**





STATE DEPARTMENT'S REPORT DGS PD 810D

- The report is due annually to OSDS on November 1st
- All information for this report is captured from the Prime Contractors' Reports (Form DGS PD 817)
- Include contracts issued by DGS or any other department on behalf of your department

New!

- Enter into the comment section the number of contracts/POs with DVBE subcontracting awarded or amended after January 2021 and completed before June 30, 2021.

Exceptions: For statewide commodities contracts, Prime contractors report that information to DGS.

13



STATE DEPARTMENT'S REPORT DGS PD 810D

State Department's Contractor DVBE Subcontracting Consolidation Report							STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES				
DGS PD 810D (Rev. 10/2019) Formerly GSPD 810D				Fiscal Year			PROCUREMENT DIVISION				
Agency				City							
Department				Address			Zip				
Preparer's Information				Approver's Information							
Name		Title		Name		Title					
Signature		Date		Signature		Date					
Telephone		Date		Telephone		Date					
Email				Email							
							Total Number of Completed Contracts				
Purchase Order Number or Contract Number	Prime Contractor Name	Prime Contractor FEIN	Date Final Payment Received by Prime	Date Prime Contractor Certification Form Received	Received Contractor Form within 60 Days?	Total Contract Award Amount	Total Amount Paid to Prime	DVBE Contract Commitment Amount	Total Amount Paid DVBE Sub(s)	Total Percentage Committed to DVBE Sub(s)	Total Percentage Paid DVBE Sub(s)
Grand Total						\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00%	0.00%
						\$	\$	\$	\$	0.00%	0.00%
						\$	\$	\$	\$	0.00%	0.00%
						\$	\$	\$	\$	0.00%	0.00%
						\$	\$	\$	\$ 1.4	0.00%	0.00%
						\$	\$	\$	\$	0.00%	0.00%
						\$	\$	\$	\$	0.00%	0.00%



STATE DEPARTMENT'S REPORT DGS PD 810D

- Each line represents **ONE** prime contractor's report.
- Additional lines are available on separate tabs.
- On the upper right field, enter the total Number of Contracts/PO with DVBE requirements completed during the fiscal year.
- Supports electronic signature.
- Email to OSDSReports@dgs.ca.gov

15



UPDATED STATE DEPARTMENT'S REPORT DGS PD 810D

DGS PD 810D is being updated with the following new columns:

- Prime Contractor FI\$Cal Supplier ID
- Withhold Amount for STD 817 (see requirements in MVC § 999.7)
- Date STD 817 Received from the prime contractors
- Permanent Deduction Amount for STD 817 Noncompliance
- Explanation for the difference between DVBE commitment and what was paid to DVBE

16



UPDATED STATE DEPARTMENT'S REPORT DGS PD 810D

State Department's Contractor DVBE Subcontracting Consolidation Report
DGS PD 810D (Rev. 11/2022)
 Formerly OSPO 810D

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES
 PROCUREMENT DIVISION

Agency	Fiscal Year				
Department	City				
Address	Zip				
Preparer's Information			Approver's Information		
Name	Title	Name		Title	
Signature	Signature		Approver Date		
Telephone	Prepared Date	Telephone			
Email	Email				

(A) Purchase Order Number or Contract Number	(B) Prime Contractor Name	(C) Prime Contractor FISCAL Supplier ID	(D) Withhold Amount for STD 817	(E) Contract Completion Date	(F) Date STD 817 Received	(G) Number of Days Between STD 817 Received Date and Contract Completion Date ["F" - "E"]	(H) Total Contract Award Amount	(I) Total Amount Paid to Prime	(J) DVBE Contract Commitment Amount	Total Number of Completed Contracts		(M) Total Percentage Committed to DVBE Sub(s) (J/K*100)	(N) Permanent Deduction Amount for STD 817 Noncompliance	(O) Explanation for the difference between DVBE commitment and what was paid to DVBE	
										(K) Total Amount Paid DVBE Sub(s)	(L) Total Percentage Paid to DVBE Sub(s) (I/K*100)				
			\$ 0.00			Grand Total	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00		0.00%	0.00%	\$ 0.00	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	
			\$			\$	\$	\$	\$	\$		0.00%	0.00%	\$	

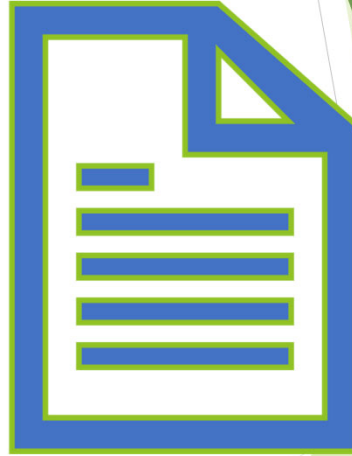
Comments:

REPORTING REQUIRED!

- All Agencies/Departments must report.
- Includes all contracts with DVBE commitments awarded no earlier than July 1, 2014, and completed during the fiscal year 2020-2021
- If you did not receive any DGS PD 810Ps from prime contractors, fill out the information for the contracts and POs with DVBE commitment completed during the fiscal year in the field and in the comment section, state *“Nothing to Report”* and submit.
- If no contracts/POs with DVBE subcontractors were completed during the fiscal year, enter 0 in the number of contracts completed field.

18

**PRIME CONTRACTOR'S
DVBE SUBCONTRACTING
REPORT FORM DGS PD
810P**





PRIME CONTRACTOR'S REPORT

DGS PD 810P

Prime Contractor's DVBE Subcontracting Report						STATE OF CALIFORNIA
<small>DGS PD 810P, Formerly GSPD 810P (Rev. 10/2019)</small>						
Department:			Dept Contact Name & Phone #			
Dept Address:			Contract Number:			
Dept Email Address:			Date Contract Entered:			
Prime Contractor:			Date Contract Completed:		Contract Award Amount:	
FEIN Number:			Date Final Payment Received:		Contract Received Amount:	
Phone Number:						
Address:						
Email Address:						
List all Disabled Veteran Business Enterprise firms involved with this contract.						
DVBE Subcontractor(s) Name	DVBE Subcontractor(s) Address	DVBE Number	Total Contracted Amount to DVBE	Total Payment Amount to DVBE	Difference	
①	Number of DVBE Subcontractors	Grand Total	\$ 0	\$ 0	\$ 0	\$ 0
						\$ 0
						\$ 0
						\$ 0
						\$ 0
						\$ 0
						\$ 0
						\$ 0
						\$ 0
						\$ 0



FOR PRE-2021 AWARDED CONTRACTS/PO WITH NO AMENDMENTS IN 2021 PRIME CONTRACTOR'S REPORT DGS PD 810P

- Captures DVBE subcontracting information
- ONLY one contract per form
- Includes all DVBE subcontractors that performed work on this contract
- Departments fill out prior to emailing to the prime contractor
 - * Contract Number
 - * Prime Contractor Name, Address
 - * Department Information
 - * Date Contract Completed
 - * Contract Award Amount
 - * All listed DVBE Subcontractors' Name, address and Certification Number
 - * Total Contracted Amount to Each Listed DVBE

21

PRIME CONTRACTOR'S REPORT DGS PD 810P

- ✓ Multi-Year Contracts due at the end of the contract (not every year).
- ✓ On commodities Statewide Contracts, information on DVBE is reported by prime contractors directly to DGS PD, not by awarding departments.
- ✓ Awarding departments must ensure receipt of the report from the prime contractor upon completion of the contract.
- ✓ Per AB 1365, departments retain ALL DGS PD 810P and supporting information reported in their procurement and reporting files for a minimum of 6 years.



UPDATED PRIME CONTRACTOR'S REPORT DGS STD 817

For contracts/POs awarded or amended in 2021

STD 817, Formerly DGS PD 810P upcoming -

New!

- ▶ Date Last Payment Received
- ▶ Date STD 817 Received (by the department)
- ▶ Total Contract Commitment Percentage to DVBE
- ▶ Percentage Paid to DVBE (F/Contract Received Amount)
- ▶ Due upon completion of contract
- ▶ Fully completed by prime contractor
- ▶ Departments to withhold \$10,000 if a complete/accurate STD 817 is not received by final payment
- ▶ Departments to provide cure notice And allow 15-30 days to cure
- ▶ Departments to permanently deduct the withheld amount if prime does not comply

23



UPDATED PRIME CONTRACTOR'S REPORT DGS STD 817 (cont.)

State of California
Department of General Services - Procurement Division
Prime Contractor's Certification - DVBE Subcontractor Report
STD 817, Formerly DGS-PD 810P

Page 1 of 5

STATE DEPARTMENT AND CONTRACT INFORMATION					
State Department Information			Contract Information		FOR STATE USE ONLY
State Department Name:	Contract #:		Prime Contractor Information:		Date Received:
State Department Address:	Fiscal Officer/Job:		Name:		
Contract Manager Name:	Contract Execution Date:		Address:		
Contract Manager Phone #:	Contract Awarded:		Phone #:		
Contract Manager Email Address:	Contract Award Amount:		Email:		
			Date Last Payment Received:		
			Contract Received Amount:		

SECTION 3								
List all Disabled Veteran Business Enterprise firms involved with this contract.								
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	
DVBE Subcontractor(s) Name	DVBE Subcontractor(s) Address	DVBE Certification ID Number	Total Contract Commitment Percentage to DVBE	Total Contract Commitment Amount to DVBE	Total Payment Amount to DVBE	Difference in Amount Paid to DVBE (F - E)	Percentage Paid to DVBE (F/Contract Received Amount)	
Number of DVBE Subcontractors			grand total	\$ 0.00	\$ 0.00	\$ 0.00	0.00%	
1.			0.00%			0.00	0.00%	
2.			0.00%			0.00	0.00%	
3.			0.00%			0.00	0.00%	
4.			0.00%			0.00	0.00%	
5.			0.00%			0.00	0.00%	
6.			0.00%			0.00	0.00%	
7.			0.00%			0.00	0.00%	
8.			0.00%			0.00	0.00%	
9.			0.00%			0.00	0.00%	
10.			0.00%			0.00	0.00%	
11.			0.00%			0.00	0.00%	
12.			0.00%			0.00	0.00%	
13.			0.00%			0.00	0.00%	
14.			0.00%			0.00	0.00%	
(I) Comments/Explanations								
Use next page for additional lines								

I certify under penalty of perjury under the laws of the State of California that all information submitted is true and correct.

Prime Contractor	Print Name	Date
	Signature	

Return upon completion of contract.

Americans with Disabilities (ADA) Notice: Persons with disabilities requiring reasonable modifications should contact the DGS Report Coordinator at GDSPR@pds.dgs.ca.gov

24



For questions email at:
OSDSReports@dgs.ca.gov

Contact
Information:

26

THANK YOU!

Questions?



27
