

State Allocation Board Contracts

Minority and Women's Business Participation

When a lease-purchase or emergency portable building project of over \$10,000 is funded in whole or in part by state bonds issued on or after November 1990, the district must comply with the minority and women's business participation requirements of the California Code of Regulations, Title 2, Section 1865.14. The Superintendent or designee shall ensure compliance with these regulations.

Prime bidders for contracts of over \$10,000 under California lease-purchase or emergency portable building laws shall certify to the district that they:

1. Are a minority or women's business enterprise, as defined in the California Code of Regulations, Title 2, Section 1865.12.5.
2. Will perform 15% of the dollar amount of the contract with a minority business enterprise subcontractor(s) and 5% of the dollar amount of the contract with a women's business enterprise subcontractor(s) or
3. Have made good faith effort, as described in the California Code of Regulations, Title 2, Section 1865.17, to comply with state regulations governing minority and women's business participation in such contracts.

Notification

To ensure fair and equal dissemination of information regarding minority and women's business participation goals to all prospective bidders, specifications for lease-purchase or emergency portable building project contracts let for competitive bidding shall contain the following paragraph:

This contract is subject to the minority and women's business enterprise participation goals set forth in California Public Contract Code 10115-1-115.10 and State Allocation Board regulations set forth in the California Code of Regulations, Title 2, Sections 1865.12-1865.20 and 1862.51.1-1862.51.2. All questions regarding compliance with these regulations should be directed to the Office of Local Assistance, 501 "J" Street, Sacramento, California 95814. Lists identifying minority and women's businesses in this area can be obtained from the Office of Small and Minority Business, 1808 14th Street, Suite #100, Sacramento, California 95814.

Legal References:

<u>PUBLIC CONTRACT CODE</u>	<u>City of Richmond v. J.A.Croson Co.</u> (1982) 109 S.Ct. 706
10115-10115.10 Minority and women business participation goals	<u>OPS. CAL. ATTY. GEN.</u> 91 Daily Journal D.A.R. 1541
<u>CODE OF REGULATIONS, TITLE 2</u>	
1865.12-1865.20 Contracts let pursuant to the Leroy F. Greene State School Building Lease-Purchase Law	
1862.51.1-1862.51.2 Contracts let pursuant to the Emergency School Classroom Law of 1979	