



D4 Small Business Council Meeting Minutes

DATE: 8/13/08

TIME: 1:00 – 3:00pm

LOCATION: District 4, Executive Conference Room, 15-240
111 Grand Ave., Oakland, CA

D4 CALTRANS STAFF PRESENT

Bijan Sartipi, District Director
Stewart D. Ng, DDD, Program/Proj Mgmt
Nader Eshghipour, DDD, Maintenance
Barbara Condie, Division of Construction
Steve Whipple, Division of Construction
Nita Logan, Division of Design
Larry McPeak, Division of Maintenance
Stanley Ng, Branch Chief, Maintenance Services
Nigel Blampied, Division Chief, Project Mgmt
Romy Fuentes, Consultant Services
Augusta Solano, Consultant Services
Derek Pool, Toll Bridge Program
Brian White, Office Chief, Business Mgmt
Kim Byrne, Office of Business Management
George Crosby, D4 Small Business Liaison
Adriana Harris, Small Business Branch
Osayahde Nesbitt, Small Business Branch
HQ & AGENCY STAFF PRESENT
Olivia Fonseca, Deputy Director, HQ Civil Rights
(via telephone)

COUNCIL MEMBERS PRESENT

Arvin Chaudhary, ACEC/CELSOC
Eddy Lau, Asian American Architects & Engineers
Paul Guerrero, California Small Business Entrepreneurs
Diana LaCome, National Concilio of America
Peter Ramirez, Service Disabled Veteran Owned Corporation
Leslie Sakai, Asian American Architects & Engineers

GUESTS

Pat Padilla, Padilla and Associates
Samson Wong, Small Business Transportation Resource Center
Patrick Lowry, Alta Vista Solutions, Inc.
Raewyn Butcher, Ghirardelli Associates, Inc.
Julian Camacho, Hispanic Contractors Assoc.

Item #1: Introductions

District Director Bijan Sartipi chaired the meeting of the August Small Business Council. Mr. Sartipi welcomed everyone, and the meeting attendees introduced themselves. Mr. Sartipi asked Ms. Olivia Fonseca if she had any announcements, and Ms. Fonseca reminded the council that the Statewide SBC meeting was scheduled for Friday, August 15th.

Item #2: Approval of Minutes

July 9, 2008 Meeting Minutes:

Motion: Mr. Eddy Lau; Second: Ms. Diana LaCome; Opposed: None; Approved: By consensus.

Item #3: District 4 Updates

Construction Update:

Mr. Steve Whipple referred to the spreadsheets "Forecast of Upcoming Construction Projects in District 4 as of 8-7-08" and "Awarded Projects in District 4 as of 8-7-08" to brief the council on this topic. Referring to the "Projects Bid Opened/Currently Awaiting Award" section of the "Forecast" spreadsheet, Mr. Whipple updated the council that the apparent low bidder with small business preference claim on contract #2S7001 was Robert J. Frank Construction, not Mendocino Construction and the difference

between the two bids was just over \$500. Referring to the “Advertised and Upcoming Projects” section of the “Forecast” spreadsheet, he noted that because bids opened on contract #2L0701 on 8/12/08, this contract should have been moved down into the “Projects Bid Opened” section. The apparent low bidder with small business preference claim on contract #2L0701 was Gordon and Ball. Before considering the small business preference claim, the apparent low bidder by bid docs was ABSL Construction. Regarding to the “Projects Ready to List But Not Yet Funded” section of the “Forecast” spreadsheet, Mr. Whipple updated the council that some of the estimated advertising dates would be shifting from August to September. Regarding the “Projects Under Sacramento Office Engineer Review (Not RTL Yet)” section of the “Forecast” spreadsheet, he drew the council’s attention to the RTL column and updated the council that the RTL dates for contract #s 129651, 151311, 171311, 283811, 3A9701, and 3S6721 are estimated to be August 2008, except for contract #3S6111 which has an estimated RTL date of November 2008. On contract #3S6721, the estimated ad date is September 2009. Mr. Lau asked, without the state budget being signed, whether Caltrans would continue to advertise and award contracts. Mr. Sartipi replied that contracts whose funds had been allocated from the prior fiscal year’s budget would be advertised, but Caltrans would not be able to award those from this year. However, any projects for which allocation from CTC pending budget approval would not be advertised at all. Mr. Whipple added that it may come up that contractors want Caltrans to stop opening bids unless the contracts can be awarded. Mr. Sartipi observed that there has been a slowdown in contract awards. Mr. Lau asked how D4 would be handling the Minor B contracts, and Mr. Sartipi replied that Caltrans would not be able to commit any new money to contracts at this point. Regarding contract #2L0701, Mr. Ramirez asked if Gordon Ball had met the 5% DVBE goal, and Mr. Whipple replied that bids had just opened the day before and Gordon Ball had not yet submitted any of its documentation.

Maintenance Update:

Mr. Stanley Ng updated the council on this topic. He reported that Caltrans had only issued 1 emergency contract so far this fiscal year: a \$1.5M contract on Hwy 152 in Santa Clara County that had been awarded to Yerba Buena, an SBE.

Design Update:

Ms. Nita Logan referred to the handout "Proposed Minor B Projects for Small Business, FY 07/08 (8-7-08)" to brief the council on this topic. She updated the council that contract #s 1L8405 and 2L2201 have an RTL date that has already passed and contract #s 0F5101, 2L0900, 2L2400, and 2L2600 have December 2008 RTL dates. Mr. Guerrero asked whether contract #2L2201 was the one that had gotten no bidders; if this was true, he observed that the RTL date should have been changed from 7/11/08. Mr. Sartipi clarified that the RTL date was an internal designation which does not necessarily need to change. Mr. Sartipi asked Ms. Logan what had been done differently in order to attract bidders to #2L2201, and Ms. Logan replied that she would have to report back to the council. [UPDATE 8/14/08: Ms. Logan reported to Mr. Sartipi that the package is being advertised without any revisions.] Ms. Logan said that this project was to replace sidewalk ADA. Mr. Guerrero asked how many wheelchair ramps were involved, and Ms. Logan said that she would find out and contact Mr. Guerrero. Mr. Guerrero said that he knew of contractors who wanted to bid on #2L2201 but they did not bid because it seemed from the RTL date that the contract had already been bid, and Mr. Sartipi repeated that #2L2201 had not yet been readvertised. Mr. Guerrero asked that D4 post on its small business website [<http://www.dot.ca.gov/dist4/smallbusiness/>] a list of Minor B projects that shows #2L2201 as not yet bid. He commented that the D4’s small business website is way ahead and shows information that the other Caltrans websites do not have. Ms. LaCome agreed. Mr. Sartipi said that 08/09 projects will be RTL by

March of 2009 so that the funds can be encumbered prior to end of 08/09 fiscal year. Mr. Guerrero asked where the contractors could get the plans, and Ms. Logan said that she would find this out. [Update 8/14/08: Ms. Logan reported that she had contacted Mr. Guerrero to inform him that he can get the plans for #2L2201 from the plan room in Stockton.] Ms. LaCome suggested that Design put on its monthly report where the plans for each contract can be obtained and a contact telephone number. Ms. LaCome said that she thought the projects were already on the website, and Mr. Guerrero said that only the awarded ones were, not the upcoming ones. Mr. Sartipi said that he thought the projects on the website were carried-over from 07/08, and Ms. LaCome asked that the website be updated with projects for 08/09. Mr. Julian Camacho asked how contractors could get on the list to be contacted for upcoming Minor B projects, and Ms. Logan replied that if Mr. Camacho gives his contact information to her, she would have Mr. Larry Jones contact him. [Update 8/14/08: Ms. Logan reported that Mr. Walid Khalife is the one who contacts contractors in the Minor B simplified process.] Ms. LaCome informed Mr. Camacho that there is a D4 database of small contractors to be contacted for emergency contracts, and Mr. Camacho said that he thought he had seen that database, but was wondering how to get on the list for Minor B jobs. Ms. LaCome said that in the simplified process, if potential bidders are contacted, they can bid without going through long DPAC process, and Mr. Camacho said that the simplified process sounded like a good idea.

Architecture and Engineering A&E Update:

Mr. Romy Fuentes referred to the document "Recently Executed A&E Contracts / Recently Executed Non-A&E Contracts / Upcoming New A&E Contracts (8-12-08)" to brief the council on this topic. Referring to the "Recently Executed A&E Contracts", Mr. Fuentes prefaced his report noting that many of the firms are either protégés or mentors in the Calmentor program, and drew the council's attention to contract #04A2870 to point out Athalye Consulting Engineering as an example of a former protégé that is now a mentor. Referring to the section "Upcoming New A&E Contracts", Mr. Fuentes updated the council that contract #04NEW291-09 had been submitted to DPAC and the permanent contract number is 04A3157. Regarding contract #04NEW294-08/04A3144, this contract is the only one advertised this month, and the end date for submission of the RFQ is today (8-13-08). Mr. Lau asked Mr. Stewart Ng about Action Item #3408, and Mr. White said that this would be covered in Agenda Item #4 later in the meeting. Referring to the section "Recently Executed Non-A&E Contracts", Mr. Fuentes noted that "DVBE" had been added to Padilla and Associates contract #04A2854 and this contract has a DVBE goal of 3% with a 3.5% DVBE goal commitment at time of award. Mr. Guerrero asked Ms. Pat Padilla why Padilla and Associates was not listed as a DBE on contract #04A2854 and why the monthly A&E report does not report DBE attainment in general, and Ms. Padilla said that Caltrans was not required to track DBE information on projects that were not federally- funded.

Toll Bridge Program Update: Ms. Pat Padilla and Mr. Derek Pool referred to the following documents in their briefing: "SAS Project: Status of SB/DVBE Participation & Commitments (8-12-08)", "Oakland Touchdown #1 Project: Status of SB/DVBE Participation & Commitments (August 2008)", "Upcoming Contracting Opportunities (August 2008) Oakland Touchdown #1", and "Save the Date: YBITS#1 Outreach." Mr. Pool introduced Ms. Padilla who updated the council on the SAS (contract #04-0120F4) and Oakland Touchdown #1 (contract #04-0120L4) projects. Referring to the "SAS Project: Status of SB/DVBE Participation & Commitments (8-12-08)" document, Ms. Padilla noted that the total contract award value is in excess of \$1.4B, and the goals at the time of award required 0% SBE participation and 1.0% DVBE participation. The awarded contractor was American Bridge/Fluor Joint Venture who showed responsiveness to the DVBE requirement by listing CW Diving Service (Transportation Boating) for \$17.6M (1.23%), well in excess of the 1% participation required at the time of bid. Padilla and

Associates has worked with the prime contractor to identify all subcontractors and vendors working on this project and verified SBE and DVBE certification. As a result, Padilla and Associates has verified 19 firms that are SBEs, DBEs, and/or DVBEs, totaling \$48.6M in participation. Ms. Padilla noted that 16 of these are SBs, totaling \$9.7M in participation, and 2 (F&L Fuels and C&W Diving Service) are DVBEs, totaling \$20.6M in participation. Ms. Padilla of Padilla & Associates, Inc. explained that although the DBE statistics were listed, they were for informational purposes only since this was not a federally-funded project. In response to the council's request for information on local businesses, Ms. Padilla reported that 13 of these firms are local small businesses, totaling \$8.5M in participation. "Local small business" was defined as within the boundaries of District 4.

Regarding the handout "Upcoming Contracting Opportunities (August 2008) Oakland Touchdown #1", Ms. Padilla noted that there were no changes from the report given to the council in June except for the number of local small businesses. Padilla and Associates has now confirmed that the number of local small businesses is actually 12 but with an increase to \$34,458,145 in participation. [NOTE: In June, the number of local small businesses had been reported as 14 with \$34, 396,150 in participation.] Ms. Padilla observed that it is evident that local small businesses are representing a large percentage of the business overall and this speaks to the local benefit of the project. Referring to the handout "Upcoming Contracting Opportunities (August 2008) Oakland Touchdown #1", Ms. Padilla updated the council that a column had been added to the chart showing "Awarded To/Value." She reported that 5 of the elements of work noted as available "Subcontracting opportunities" had been awarded to a small business and that Statewide Construction, a small business with pending certification, had been awarded contracts in the amount of \$840,360.

Regarding the "Save the Date: YBITS#1 Outreach" handout, Ms. Padilla announced that there would be a Bidder's Conference / Contractor Outreach Event on 9/18/08 at 10am on Treasure Island which is the kick-off event for the Yerba Buena Island Transition Structure, Contract #1 (contract #04-0120S4). D4 SBC members would be receiving a formal invitation and are encouraged to attend. There will be pre-bid conference, a job walk, and a networking component to the all-day event; lunch will be provided and Director Kempton has been invited speak. Ms. Padilla noted out that there was an error on the Save the Date card, so the corrected version would be emailed to the council. [NOTE: The corrected version was emailed to the council members on 8/14/08.]

Referring back to his earlier question about DBE tracking, to which Ms. Padilla had responded that Caltrans was not required to track DBE information for projects that do not have federal funding, Mr. Guerrero pointed out that both the Oakland Touchdown #1 and SAS projects were also not federally-funded, but the DBE information was tracked anyway. Ms. Padilla explained that this information was being provided because the council had requested it. Mr. Guerrero asked if it was possible to track DBE statistics on other reports, as well. Mr. Sartipi replied that while it is possible to track this information on other reports, it is not feasible for D4 to do so because of limited resources. Ms. Fonseca added that Caltrans can ask for the DBE information but cannot require it and this explains why there is not more DBE information in Ms. Padilla's report.

Mr. Guerrero asked Mr. Derek Pool if any progress had been made on payment of time and material contractors on the Oakland Touchdown #1 project. Ms. LaCome asked Mr. Pool to check on this, and Mr. Pool said that he would follow up with Mr. Anziano on this issue and report back to the council [Action Item #3908]. For background, Ms. LaCome explained that this matter had been brought up at the last

Statewide AGC meeting. D4 SBC members had been telling a representative of MCM how happy they were with MCM's progress bringing in small businesses, and the MCM rep said that there are two businesses that will never bid Caltrans projects again because of late payments. Ms. LaCome reported that she then went over to Director Kempton and Mr. Mark Leja and brought them to hear about this situation directly from the MCM rep. Ms. LaCome asked that Caltrans follow up on this matter and report to the council. She said that the MCM rep would be able to tell Mr. Pool exactly who these contractors were. Regarding the issue of the two unpaid contractors raised at the Statewide SBC meeting in Woodland, Mr. Sartipi had talked with Mr. Tony Anziano about this. Ms. LaCome said that these were the same two subcontractors discussed at the AGC meeting. Mr. Sartipi said that Mr. Anziano had called MCM, talked to the sub, and talked to the RE, and Mr. Sartipi recalled that the story was not as explained to Caltrans. Mr. Guerrero said that the Director's staff says that there have never been complaints about prompt pay, so he wanted to raise this as an example of Caltrans receiving a complaint about prompt pay. Mr. Sartipi asked Mr. Whipple if there is different payment for time and materials, and Mr. Whipple said that there is no difference in timing but there are issues that can affect payment, for example if paperwork is not filled out correctly. Mr. Sartipi said that if the subcontractor has not been paid for 11 months and the RE has not signed off on it, there must be a problem with the work. Mr. Whipple noted that there are many suppliers who mail stop notices right after delivering material with the bill without waiting to get paid, and Mr. Guerrero responded that it must not be customary for contractors to file stop notices because he has been able to find a contractor who does not follow this practice.

Ms. LaCome observed that MCM and American Bridge should be complimented for their efforts because, having started from zero percent small business participation to the percentage attained today, their progress has been commendable. Ms. LaCome asked Ms. Padilla to let MCM and American Bridge know this, and Ms. Padilla said that she would pass on this compliment to them. Mr. Guerrero asked Ms. Padilla to advise MCM that it would be receiving an award from the Statewide SBC at the AGC quarterly meeting. Ms. Fonseca told the council that the AGC quarterly meeting is on September 9th.

Action Item #3908 for Mr. Pool

Item #4: Review of Past Action Items

Mr. Brian White led a review of the action items from the 7-9-08 SBC meeting. Before covering the formal action items, though, Mr. White addressed questions from the council from the 7-9-08 minutes that were still unresolved.

1) **From 7-9-08 SBC Minutes p.4**, Mr. White read: *"Regarding contract #151311, Mr. Lau observed that this contract covers three counties and asked if there had been any discussion about breaking up this contract. Mr. Sartipi said that there had been discussion, and he asked Mr. Stewart Ng for an update on this. Mr. Sartipi underscored the importance of breaking down these contracts at the district level before the contracts are packaged because the Office Engineer cannot break them down. Mr. Ng said that contracts other than #151311 had been broken down and that the district is very cognizant of this. Mr. Sartipi asked Mr. Ng to look at this contract even though it had already been packaged."* Mr. Stewart Ng reported that contract #151311 had been pulled back and broken into 3 parts.

2) **From p. 4**: Mr. White read: *"Mr. Lau asked if the contract documents have language regarding meeting DVBE goals, and Mr. [Stanley] Ng said that the contract language was weakly written. Mr. Lau replied that if the contract language--weak or not-- says primes have to meet DVBE goals, the primes*

must show a good faith effort in doing so. Mr. Sartipi pointed out that because these are Force Accounts, they are not bid: this is not a matter of the contract language. Mr. Sartipi clarified that the real question is whether the district is adequately reaching out to DVBEs. Ms. LaCome asked if the council could have a look at the contract language. Mr. Ramirez recalled that DVBE goals are not mentioned in the contract language. Mr. Sartipi asked to have this information emailed to everyone before the next meeting." Mr. White said that this form ADM-0366 EFAs (NEW 04/02/08) "Confirmation of Verbal Agreement for Rates and Conditions on Emergency Force Account Highway Projects" had been emailed to the council members and was also contained in the meeting folders, with a box around the contract language of interest: "A Disabled Veteran Business Enterprise Participation Goal of 0 to 3% is required for the work to be performed." Mr. Stanley Ng explained that this is not the formal contract but the language is exactly the same as the formal contract except for some additional administrative clauses. Mr. Ramirez said that he had not seen this language in contracts before and Ms. LaCome agreed, and Mr. Ng replied that this is the most recent version. Mr. Sartipi pointed out that the revision date of April 2008 on the contract was located in the top left-hand corner.

3) From p. 5: Mr. White read: "*Mr. Ramirez said that at a recent meeting in San Diego with a public utility, 150 to 200 DVBEs attended and it was extremely successful. Mr. McElhinney asked Mr. Ramirez to share with Caltrans this database of 150-200 DVBE names to help in developing D4's DVBE contact list.*" Mr. White reported that Caltrans had been in contact with Mr. Ramirez several times during the month and that Mr. Ramirez is still working on getting the list. In the meantime, Mr. White reported that both he and Ms. Condie emailed a DVBE list from the DGS database to the council members in order to start the process. Mr. Sartipi retained as a formal action item for Mr. Ramirez to share with Caltrans the database of 150-200 DVBE names [Action Item #4008]. Mr. Ramirez said that they are in the process of evaluating the DVBEs that are qualified to do the work and so are going beyond DGS's efforts. Ms. LaCome asked if the DVBEs on this list were in Southern California only, and Mr. Ramirez said that they were in fact located statewide and were part of a group that he and others started among themselves. Mr. Sartipi said that one of the challenges District 4 has is identifying enough DVBEs to participate on the projects. Mr. Camacho said that HCA has lists of Mexican/Latino contractors in San Diego, Los Angeles, the Valley, and the Bay Area and many HCA contractors have heard negative reports about working with Caltrans, so in Los Angeles the Deputy District Director of Construction putting on a workshop to show HCA contractors what is required to successfully bid on Caltrans contracts. Mr. Camacho suggested that he and Mr. Ramirez try to do something similar in the Bay Area, and Mr. Sartipi said that the council could take that suggestion under consideration but then proposed something else: that Mr. Camacho and Mr. Ramirez put together a forum for Hispanic contractors or schedule time on the agenda of any association meeting so that Caltrans staff could come to make a presentation, provide information and look-ahead reports, and explain how to access Caltrans websites and publications. Mr. Sartipi noted that Caltrans is the only game in town now, and emphasized that he wants to change the negative view some contractors have about Caltrans because it is not consistent with what Caltrans actually does. Mr. Camacho said that he is providing all of the look-ahead information, the websites, and other information presented at SBC meetings to HCA members; however, what the contractors need is to have the boilerplate stripped away from the contract language and have the work itself explained to them in layman's terms. Mr. Guerrero noted that the boilerplate is very important for the contractors to understand because if they don't, they can get into trouble. Ms. LaCome pointed out to Mr. Camacho that Mr. Guerrero and Mr. Eddy Lau are outstanding trainers and would be an excellent resource to help contractors learn how to do business with Caltrans. Mr. Lau observed that what is needed is more than a workshop: the better direction is to foster mentor-protégé relationships to coach small businesses how to

do business with the government. This opportunity is being provided by AGC, and Mr. Lau suggested that Mr. Camacho take advantage of it. Mr. Camacho said that often mentors do not know or understand the specialties of the protégés and for this reason may not be helpful. In response, Ms. Padilla said that the mentor-protégé program has been very successful on the A&E side and that the mentors have understood the specific skill sets of the protégés. Ms. LaCome noted that this topic was enthusiastically discussed at length at the last AGC meeting. Mr. Whipple said that it is important to see what Mr. Ramirez and Mr. Camacho are doing in Los Angeles, but that the mentor-protégé program seems to be the better direction to take. Ms. LaCome pointed out that at the AGC members did not seem to be aware of the various training opportunities available, and Ms. Padilla noted that the CCCP [<http://www.buildcalifornia.org/>] is an excellent resource for the AGC and should be integrated into the mentor-protégé program. Ms. Fonseca said that she would send the contact information for CCCP to Mr. Sartipi so that CCCP could be invited to District meetings.

Action Item #4008 for Mr. Ramirez

Action Item #2108 is complete: To recap the context of the action item, Mr. White read from p. 3 of the 4-16-08 SBC minutes: "*Ms. LaCome observed that there seemed to be projects available to bid that were not reported to the SBC, and she asked to have these projects included in the small business utilization reports given to the council so that the council could have the complete picture of District 4 contracts.*" Mr. White reported that the service contracts that are on the DPAC website are not on any of the utilization reports that had been provided to the council. He passed out to the council the "D4 Maintenance, Administration, & Right of Way Contracts over \$5K Upcoming Contracting Opportunities" report which he announced would become a new monthly report for the council that provides a look-ahead showing contracts that are over \$5K. These contracts are either in DPAC or in the district process of being requested and are only advertised for 14 days. Mr. White emphasized that this new report is a synopsis and more detailed information could be found on the DPAC website [<http://caltrans-opac.ca.gov/contrac2.htm>]. Mr. White said that he would be able to give the SBC members advance notice of these contracts because he had made arrangements with the D4 Budgets office to view the Form 360s as the forms pass through Budgets, even before this information reaches DPAC. The Form 360 is filled out by the unit that wants the work done (mostly in the Maintenance field offices but some in Administration and others in Right of Way), then the form goes to the D4 Budgets office and then to DPAC. He reported that he is working to encourage the staff who fills out the Form 360 to request a minimum of 25% SB and 5% DVBE participation. He asked the council if they would like to have this information emailed to them as the report is updated since the contracts would only be advertised for 14 days, and the council said that they would like Mr. White to do this. He said that this information would be provided to the council at monthly meetings and would be posted on the D4 small business website [<http://www.dot.ca.gov/dist4/smallbusiness/>]. Mr. Sartipi said that Mr. White had worked very hard at mining the data and that this report was very good. Mr. White concluded by noting that the council would have a complete picture of all D4 contracts when the council considers the usual SBC monthly reports along with the new "D4 Maintenance, Administration, & Right of Way Contracts over \$5K Upcoming Contracting Opportunities" report just presented by Mr. White, as well as the new information that Ms. Condie would be providing later in her action items. Mr. White added that the best access to information about contracts under \$5K is to be registered with DGS. Ms. LaCome commented that this was really great information. Mr. Guerrero asked where he could pick up the plans, and Mr. White replied that the specs and plans would be available on the DPAC website [<http://caltrans-opac.ca.gov/contrac2.htm>]. Ms. LaCome suggested that Mr. White put footnote at the bottom of his report

with a link to the exact web address for finding the specs on the DPAC website, and Mr. Sartipi added that Mr. White should use the words "will be available" in this footnote to make clear the lag between the time that a contract appears on the "D4 Maintenance, Administration, & Right of Way Contracts over \$5K Upcoming Contracting Opportunities" look-ahead report and the time that the plans become available on the DPAC website [<http://caltrans-opac.ca.gov/contrac2.htm>]. Mr. Camacho asked about the licensing requirements for the contracts, and Mr. Sartipi said that this would be specified on the DPAC website [<http://caltrans-opac.ca.gov/contrac2.htm>]. **Action Item #3308 is complete:** Mr. Sartipi said that he had talked at length to the Chief Engineer, Mr. Anziano, the Director, and the Chief Deputy Director and they looked at ways to break contract #04NEW294-08 into further pieces and could not find a way to break the contract down as suggested. **Action Item #3408 is complete:** Mr. Stewart Ng has analyzed the four surveying contracts and determined that the reason for the imbalance in contract amounts was due to a workload issue. Mr. Ng is working with the functional group to do workload balancing. **Action Item #3508 is complete:** Mr. Romy Fuentes confirmed that there was a 25% DVBE goal for contract #04A2538. The contract manager established this goal based on the pool of available DVBE subs who could participate at the time the contract was procured, and the goal was specific to this type of work. Mr. Fuentes noted that this contract has an achievement of 43% now with 75% of the work completed, which exceeds the goal. **Action Item #3608 is complete:** Ms. Barbara Condie reported that she had called Mr. Guerrero to find out what webpages he was referring to when pointing out a discrepancy between the DPAC website and the monthly D4 SBC Construction reports, and Mr. Guerrero had been correct that DPAC contracts were not on the monthly D4 SBC Construction reports. She explained that the monthly D4 SBC Construction reports contained only contracts that passed through the Office Engineer. She said that on the DPAC website [<http://caltrans-opac.ca.gov/contrac2.htm>], there are 19 different categories of contracts. Once a category is chosen, a summary of the contract is available and the complete bid packages including the contract can be viewed and downloaded [<http://caltrans-opac.ca.gov/f12a1201.htm>]. In response to Mr. Sartipi's question, Ms. Condie confirmed that D4's Minor B contracts show up on the DPAC website. Mr. Guerrero commented that he had gone to D4's website and found other information, but he was unable to specify to the council exactly what page or section within D4's website he was referring to. Ms. Condie said that when she called Mr. Guerrero's office last month he had not told her about this, and Mr. Guerrero said that he had just found this other information last week. Mr. White noted that D4's small business website [<http://www.dot.ca.gov/smallbusiness>] does not edit or reproduce information from other Caltrans sites or from DGS, but only provides the links. **Action Item #3708 is complete:** Ms. Condie reported that some subs were listed more than once on the "Apparent Low Bidder's Listed Subs at time of Bid" section of the "Forecast" spreadsheet because the primes listed the subs by item, so if a sub is doing more than one item, the sub is listed more than once. **Action Item #3808 is complete:** Ms. Condie said that the various contract databases are not cross-referenced or linked; however, the DGS website is an excellent resource for finding information. Referring to the DGS website screen prints contained in the meeting folders, Ms. Condie explained how to navigate the DGS website by walking the council through the process: from the DGS homepage [<http://www.dgs.ca.gov/default.htm>], click the "State Contract Procurement Resource System" link, then the "Bid Opportunities" link, then the "View by Category" link, and then the "Construction" link. This link takes the council to a page [https://www.cscr.dgs.gov/cscr/contract_ads/display/contract_subcat_index.asp?GUID=] which displays the subcategories of contract within the category Construction. Ms. LaCome asked if the DGS website has all Caltrans Minor B contracts and all Office Engineer contracts, and contracts with other agencies, statewide contracts, and contracts searchable by district, and Ms. Condie said that it was theoretically true that the DGS website provided access to this information because the DGS website was an attempt to pull all of the information together into one place. Ms. LaCome observed that the DGS

website may be the most thorough, but Mr. Guerrero said that he thought that the Caltrans websites were the easiest to navigate. Mr. Camacho commented that a contractor has to be registered with DGS to access this site, and Ms. Condie said that the registration is extremely easy to do and all that needs to be supplied is name, address, and phone number. Mr. Nader Eshghipour added that during registration a person can ask to receive an email notification when new jobs come up. Mr. Camacho asked if only a summary of the contract was obtainable, and Ms. Condie replied that she had been able to download an entire 321-page contract. Ms. Fonseca added that informal bids are the only type of contract not required to be on the State Contracts Register. Mr. Pat Lowry of Alta Vista Solutions Inc. informed the council that the DGS website allows DVBEs to place free contractor advertisements to facilitate partnerships. Ms. LaCome observed that it must be very difficult for contractors who are not computer savvy to find this information if the council has had such difficulty. Ms. Condie said that Mr. White would place a link to the DGS and DPAC webpages on the D4 small business website.

Item #5: New Business

None.

Item 6: Adjournment and Announcements

Mr. George Crosby announced a DBE information meeting regarding FHWA goals would be held on August 19th in the auditorium in the D4 District Office. Also, he reported that the outreach event on July 8th had a very good turnout and attendees showed a lot of interest. Ms. Fonseca announced that the council members should have received an email regarding upcoming public information meetings to prepare for approval of a race conscious program. This will be discussed at length at the Statewide SBC meeting on Friday in Sacramento. Mr. Guerrero asked if Ms. Fonseca was aware of the action items that had been deferred to the Statewide SBC, and Ms. Fonseca said that she had received these action items and had assigned staff to respond to each one. Mr. Samson Wong introduced himself as the Project Director for the Small Business Transportation Resource Center, which is a resource for technical and financial assistance for small businesses to access transportation contracts. He announced that the SBDC is very close to getting a bank for a short term lending program. He wanted to pass out flyers and business cards and said that he would be attending the meetings in the future. Mr. Sartipi reported to the council that at the Statewide SBC meeting in Stockton, there had been discussion about the level of detail in D4's monthly reporting and some discrepancies between HQ and district-level reports because of timing of report preparation. This month, Ms. Fonseca sent Mr. Robert Padilla and other staff members to meet with D4 and review how D4 mines data and gathers the information for its monthly reports. Mr. Sartipi adjourned the August meeting at 3pm and announced that the next D4 SBC meeting would be on Friday September 12th, 2008 at 1pm in the Executive Conference Room.

District 4 Small Business Council Action Items as of August 13, 2008:

No.	Item	Assignee	Date	Status	Comments
3908	Mr. Guerrero asked Mr. Derek Pool if any progress had been made on payment of time and material contractors on the Oakland Touchdown #1 project. Ms. LaCome asked Mr. Pool to check on this, and Mr. Pool said that he would follow up with Mr. Anziano on this issue and report back to the council.	Mr. Pool	8-13-08	New	
4008	Mr. Sartipi retained as a formal action item for Mr. Ramirez to share with Caltrans the database of 150-200 DVBE names.	Mr. Ramirez	8-13-08	New	

District 4 Small Business Council Items Deferred to Statewide Council as of August 13, 2008

No.	Item	Assignee	Date	Status	Comments
1306	DDD Hess will follow up with HQ to ascertain services provided by GCAP as per contract received.	DDD Hess	3/8/06	Ongoing	Reinstated 8/9/06. Contract under review. Council members Guerrero and Altaha will serve on RFP review committee.
1706	DDD Hess will examine existing web-based registration for contractors with Office of Civil Rights	DDD Hess	4/12/06	Ongoing	8/9/06: Will need additional time for review and analysis.
3206	Elevate the concerns of the District 4 Small Business council regarding Caltrans' plan to implement the new insurance limits on January 1, 2007.	DDD Hess	9/13/06	Ongoing	Issue shared with Olivia Fonseca. Update provided on 10/11/06. Statewide SBC issue. Discussion included in 08/16/06 Statewide SBC minutes. Victor Salazar, HQ, is the lead on this issue.
1607	Mr. Finney agreed to research whether supply line items may be separated out of Prime contracts.	DDD Finney	3/14/07	Ongoing	An e-mail was sent to Deputy Fonseca on 5/16/07 by Mr. Hess. Mr. Hess will follow up on this item at the Statewide SBC meeting on 6/15/07.
2008	Reevaluation of the Good Faith Effort (GFE) Process for DBE and DVBE Outreach by HQ Civil Rights	Ms. LaCome & DDD Hess	4-16-08	New	DD Fonseca was informed of this action item on 4-18-08 by Mr. White and then emailed the text of it on 4-21-08

2508b	Mr. Guerrero wanted to know how quickly newly certified small businesses--who submit their names 'via the web'---get on D4 Maintenance's Emergency Contact Information list	DDD Hess	4-16-08	New	DD Fonseca was informed of this action item on 4-18-08 by Mr. White and then emailed the text of it on 4-21-08
2908	Mr. Guerrero requested that that all of the action items deferred to Statewide SBC be followed up on and that the Statewide SBC report back to the D4 SBC as to how these action items have been dealt with or resolved.	DDD Hess	4-16-08	New	DD Fonseca was informed of this action item on 4-18-08 by Mr. White and then emailed the text of it on 4-21-08
3308	Mr. Lau asked that Caltrans break up contracts like 04NEW294-08 into further pieces. For example, Caltrans should break down the work into two categories: domestic US and international. Also, within the international category, Caltrans should break down contracts by countries. In addition, whoever gets the contract should use local talents, and international firms should use local qualified inspectors because this would save money as well as provide opportunities for local small business. He underscored that he is not asking for a sacrifice of quality.	Mr. Anziano	7-9-08	New	Also listed as District 4 Action Item #3308

District 4 Small Business Council Meeting Schedule
Remaining Meetings for 2008

Type Meeting	Date/Time	Meeting Location
Monthly Meeting, District 4 Small Business Council	9/12/08, 1:00 p.m. (Friday)	Exec. Conference Room, District 4 Offices, Oakland
Monthly Meeting, District 4 Small Business Council	10/08/08, 1:00 p.m. (Wednesday)	Exec. Conference Room, District 4 Offices, Oakland
Monthly Meeting, District 4 Small Business Council	11/07/08, 9:30 a.m. (Friday)	Exec. Conference Room, District 4 Offices, Oakland
Monthly Meeting, District 4 Small Business Council	12/12/08, 1:00 p.m. (Friday)	Exec. Conference Room, District 4 Offices, Oakland