

Based on the information reviewed, Paving Net:

- is not responsible for the execution of a distinct element of the work of a contract. The contractor selects the supply vendor through a drop-down list and determines the price quote.
- is not carrying out the obligation by actually performing, managing, and supervising the work involved.
- is not performing work that is normal for its business services and functions.
- is further subcontracting 100 percent of the work, which is greater than that expected to be subcontracted by normal industry practices.
- on-line service is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of a DVBE participation.

My determination is that Paving Net's on-line service does not meet all the requirements of performing a commercially useful function as stated in Military and Veterans Code §999.

Caltrans does not provide an appeal hearing on determinations of commercially useful functions.

Please contact Ramon Carlos at (916) 324-6990 if you have further questions on the determination from OBEO.

Sincerely,



BLANCA RODRIGUEZ
Acting Deputy Director
Office of Business and Economic Opportunity

c: Malcolm Dougherty, Acting Caltrans Director
Robert Padilla, DBE Program Manager, OBEO