**Steps in Establishing a DVBE Program**

**1. Designate a DVBE Advocate**

Military and Veterans Code (MVC) section 999.12 requires the JBE to designate a DVBE Advocate. The DVBE Advocate’s responsibilities include identifying potential DVBE contracting opportunities, and making information regarding pending solicitations available to DVBEs.

**2. Adopt DVBE rules and procedures**

Public Contract Code (PCC) section 10115.3(b) requires the JBE to adopt DVBE rules and procedures. A sample set of rules and procedures is provided on the JBCL Page (www.courts.ca.gov/18759.htm). Use of the sample rules and procedures is optional; the JBE may develop its own rules and procedures. If the JBE uses the sample rules and procedures, it should (i) delete all comments in the document, (ii) replace references to “the JBE” with the JBE’s proper name, and (iii) make any customizations desired by the JBE.

The DVBE rules and procedures may be included in the JBE’s Local Contracting Manual.

**3. Adopt related forms**

As a practical matter, the JBE will need a number of forms in order to administer its DVBE program.

A sample set of forms for use with the DVBE program is provided on the JBCL Page. Use of the sample forms is optional; the JBE may develop its own forms. The sample forms are designed to work with the sample rules and procedures mentioned in Section 2 above. If the JBE uses the sample forms, it should (i) delete all comments in the forms, (ii) replace references to “the JBE” with the JBE’s proper name, and (iii) make any customizations desired by the JBE. If changes are made to the sample rules and procedures, corresponding changes will need to be made to the forms.

The sample forms comprise:

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| **Form** | **How used** |
| DVBE Waiver Form | Used when the JBE is waiving the DVBE incentive for a specific solicitation. If the DVBE incentive is waived for a solicitation, no other DVBE forms are used for that solicitation. |
| Bidder Declaration | Included with the solicitation document when a DVBE incentive is offered. A Bidder[[1]](#footnote-1) that wants to claim the DVBE incentive must complete and return this form with its bid.[[2]](#footnote-2)  |
| DVBE Declaration | Included with the solicitation document when a DVBE incentive is offered. Bidder must submit with its bid a DVBE Declaration completed and signed by each DVBE that will provide goods and/or services in connection with the contract.  |
| Post-Contract Certification Form | Completed by the vendor once the contract is finished, if DVBE subcontractors were used. |

**4. Develop DVBE language for solicitation documents**

The JBE will need language for its solicitation documents that explains how the DVBE incentive works.

Sample language for IFBs and RFPs is provided on the JBCL Page. Use of the sample language is optional; the JBE may develop its own language. The sample language designed to work with (i) the sample rules and procedures mentioned above, and (ii) the sample IFBs and RFPs posted on the JBCL Page. If the JBE uses the sample language, it should (i) delete all comments in the sample language, (ii) replace references to “the JBE” with the proper defined term in the solicitation document, and (iii) make any customizations desired by the JBE. If changes are made to the sample rules and procedures, corresponding changes will need to be made to this sample language.

 **5. Consider posting a webpage with DVBE information**

The JBE may wish to include a page on its public website providing information about the DVBE incentive and providing resources for DVBEs.

Sample text for a webpage is provided on the JBCL Page. Use of the sample text is optional; the JBE may develop its own text. If the JBE uses the sample text, it should (i) replace references to “the JBE” with the JBE’s proper name, and (ii) make any customizations desired by the JBE. If changes are made to the sample rules and procedures, corresponding changes will need to be made to the sample text.

1. The term “Bidder” in this document refers to a person or entity that submits a response to a competitive solicitation issued by the JBE, including both IFBs and RFPs. [↑](#footnote-ref-1)
2. The term “bid” in this document refers to a response to a competitive solicitation issued by the JBE, including both IFBs and RFPs. [↑](#footnote-ref-2)