

ATTACHMENT K
BIDDER DECLARATION

Complete this form only if Consultant wishes to claim the DVBE incentive associated with this solicitation. Please review the “Bidder Declaration Instructions” prior to completing this form. If Consultant submits incomplete or inaccurate information, it will not receive the DVBE incentive.

SECTION I. COMPLETE IF CONSULTANT IS A DVBE

If Consultant is not a DVBE, do not complete or submit this form.

1. DGS Supplier ID number: _____
2. DVBE Certification active from _____ to _____
3. Describe the goods and/or services to be provided by Consultant itself in connection with the solicitation:

4. Explain how Consultant is performing a “commercially useful function” for purposes of this contract. (Please see the instructions for the definition of “commercially useful function.”)

5. The disabled veteran owners and managers of Consultant must complete and sign the **DVBE Declaration** (a separate document; Attachment L to the RFP). Consultant must submit the completed DVBE Declaration along with this Bidder Declaration.
6. Consultant must submit a copy of its DVBE certification approval letter along with this Bidder Declaration as required by the RFP.

SECTION II. CERTIFICATION

I, the official named below, certify that the information provided in this form is true and correct. I am duly authorized to legally bind Consultant to this certification. This certification is made under the laws of the State of California.

<i>Company Name (Printed)</i>	<i>Tax ID Number</i>
<i>Address</i>	<i>Telephone Number</i>
<i>By (Authorized Signature)</i>	
<i>Printed Name and Title of Person Signing</i>	
<i>Date Executed</i>	<i>Executed in the County of _____ in the State of _____</i>

BIDDER DECLARATION INSTRUCTIONS

General Instructions

In this form, (i) “DGS” refers to the Department of General Services; and (ii) “Consultant” refers to a person or entity that submits a response to a competitive solicitation issued by the Judicial Council.

If Consultant wishes to claim the DVBE incentive in a solicitation where a DVBE incentive is offered, it must complete this Bidder Declaration. If no DVBE incentive is offered, or Consultant does not wish to claim the DVBE incentive, Consultant should not complete this Bidder Declaration.

Pursuant to Military and Veterans Code section 999, a person or an entity is deemed to perform a “commercially useful function” if a person or entity does all of the following: (a) is responsible for the execution of a distinct element of the work of the contract; (b) carries out the obligation by actually performing, managing, or supervising the work involved; (c) performs work that is normal for its business services and functions; (d) is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment; and (e) is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices. Note: a person or entity will not be considered to perform a “commercially useful function” if its role 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 DVBE participation.

The Judicial Council will, in its discretion and in accordance with the RFP, determine whether Consultant is eligible to receive the DVBE incentive based on information provided in this Bidder Declaration. The Judicial Council may, but is not obligated to, verify or seek clarification of any information set forth in this Bidder Declaration. If Consultant submits incomplete or inaccurate information, it will not receive the DVBE incentive.

Instructions for Section I

Skip this section if Consultant is not itself a DVBE.

1. Provide Consultant’s DGS Supplier ID number. This number is in Consultant’s DGS Supplier Profile, accessible at: <https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx>
2. Provide the applicable dates. These dates are listed in Consultant’s DGS Supplier Profile, accessible at: <https://caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx>
3. Provide a detailed description of the goods and/or services the Consultant itself will provide for the contract. In other words, provide a detailed description of the goods and/or services that will not be subcontracted. Attach additional sheets if necessary.
4. Provide an explanation of how the Consultant’s goods and/or services constitute a “commercially useful function” for purposes of the contract. Attach additional sheets if necessary.
5. The DVBE Declaration is separate from the Bidder Declaration. Consultant must submit along with this Bidder Declaration a DVBE Declaration completed and signed by the disabled veteran owners and managers of Consultant.
6. Each entity certified as a DVBE by DGS will have received a DVBE certification approval letter. Consultant must submit a copy of its DVBE certification approval letter.

Instructions for Section II

Provide Consultant’s full legal name, tax ID number, address, and telephone number in the appropriate boxes. The certification must be signed by an authorized Consultant representative in the box labeled “*By (Authorized Signature).*” Provide the name and title of the authorized Consultant representative, and the date, county and state where that person signed the certification, in the appropriate boxes.