

## Memorandum

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Be energy efficient!*

**To:** DEPUTY DISTRICT DIRECTORS, Construction  
DEPUTY DIVISION CHIEF, Structure Construction  
CONSTRUCTION MANAGERS  
SENIOR CONSTRUCTION ENGINEERS  
RESIDENT ENGINEERS

**Date:** April 10, 2009

**File:** Division of Construction  
CPD 09-3

**From:** MARK LEJA   
Chief  
Division of Construction

**Subject:** Small Business Utilization Report—Pilot Program

The Department of Transportation (Caltrans) encourages the use of small and disadvantaged businesses on its contracts. CPB 09-3, "Race-Conscience/Race Neutral Disadvantaged Business Enterprise Program," describes reporting requirements for disadvantaged businesses. The requirements entail collecting information only at the completion of the project and do not include all small businesses or potential disadvantaged businesses. To address this information shortage, the construction industry and Caltrans have developed a pilot study program to analyze the use of small business on Caltrans projects. For certain projects, contractors will submit the Small Business Utilization Report on a voluntary basis, for which the contractor will be compensated a fixed amount of \$250.00 per report.

Selected construction contracts advertised after March 1, 2009, will include "Small Business Utilization Report" specifications requiring contractors to prepare and submit the Small Business Utilization Report. The reports should be submitted quarterly and at project completion. A copy of a report is attached.

For the selected projects, the resident engineer, at the preconstruction meeting, should encourage the contractor to participate in the pilot study and provide a copy of the form and where it can be found online:

<http://www.dot.ca.gov/hq/construc/forms.htm>.

The resident engineer will discuss submittal procedures with the contractor. Contracts will contain a fixed-price bid item to pay the contractor for each submitted report that meets the requirements.

Resident engineers should submit the report by mail, fax, or email to the Division of Civil Rights (see the address below).

Reports are due for the quarter on the 15th of the month following the end of that quarter. This due date allows enough time to include payment on the next estimate. Since current information is required, no payment is made for late reports, which is the reason contractors are not penalized for non-submittal. Resident engineers will review the reports for accuracy and completeness. Resident engineers should encourage the contractor to submit the report early so it can be reviewed and, if found to be incomplete, corrected before the submittal deadline.

Resident engineers must fax or email a copy of an accepted report to:

Division of Civil Rights  
Attention: Robert Padilla: MS#79  
P.O. Box 942874, Sacramento, CA 94274-0001  
Fax (916) 324-8760  
[Robert.Padilla@dot.ca.gov](mailto:Robert.Padilla@dot.ca.gov)

Resident engineers will file the original report in the project records.

The Small Business Utilization Report—Pilot Program will last until December 31, 2009. The final quarterly Small Business Utilization Report will be for the reporting period October 31, 2009, to December 31, 2009. Projects with contract acceptance dates on or before December 31, 2009, must submit a final Small Business Utilization Report form, but projects with contract acceptance date October 31, 2009, or later will not have to submit a final report.

If you have questions regarding preparation and submittal of the reports, please contact Robert Padilla, Disadvantaged Business Enterprise program manager, at (916) 324-0552 or [Robert.Padilla@dot.ca.gov](mailto:Robert.Padilla@dot.ca.gov). For other questions, please contact Rick Gifford, Division of Construction, at (916) 657-5211 or [rick.gifford@dot.ca.gov](mailto:rick.gifford@dot.ca.gov).

Attachment: Form EEO-0014, “Small Business Utilization Report”