Caltrans Statewide Small Business Council – Meeting Record

Lanatt Street Training Center – 3390 Lanatt Street, Sacramento, CA 95819

September 20, 2013, 8:30 a.m. to 12:30 p.m.

Action/Task	Who is responsible/ presented	By when	Status
A. Meeting called to order at 8:47 a.m. by René Halverson, Assistant Director, OBEO and Council Chair.			
B. Action Items to Date	René Halverson		
Action Items from the May 2013 SBC meeting:			
ACTION ITEM #1: Research and determine the most appropriate course of action in regards to the council's request to develop policy and guidelines to require Caltrans use domestic, not foreign, engineers on A&E contracts.	René Halverson	9/20/13	**COMPLETED** – Chair Halverson consulted with the Caltrans legal team to address this issue. Per the legal team's counsel, we are unable to set policy or include language in Caltrans contracts requiring vendors/ contractors/consultants performing work for Caltrans to only hire U.S. citizens, because not only could this potentially place restricts on the competitive bidding process, but it would also violate U.S. anti-discrimination laws.
ACTION ITEMS from the July 2013 SBC meeting:			
ACTION ITEM #1: Send the Supportive Services contract (including the scope of work) to Council Members.	Ramon Carlos	8/20/13	**COMPLETED** – the requested file is over 50mb large, which would require at least ten separate emails. Update on how best to provide this information digitally
ACTION ITEM #2: Provide a report that determines whether the closed A&E contracts met, exceeded, or did not meet their contract goal.	Ramon Carlos	9/20/13	**ASSIGNED** – goal information provided to the Committee Chairs for the September SBC meeting.
ACTION ITEM #3: Investigate DBE status of Sierra Group (A&E firm).	Ramon Carlos	9/20/13	**COMPLETED** – Sierra Group was certified 2003/2004 by L.A. Metro.
ACTION ITEM #4: Provide Caltrans identification badges for council members.	René Halverson	9/20/13	**COMPLETED** – badges will be processed as membership renewal applications are received and approved. For members outside Sacramento, it will be possible to work with their respective district offices.
ACTION ITEM #7: Post the RFP for Caltrans/FHWA Grants (On-the-Job Training/Supportive Services and National Summer Transportation Institute) on the Caltrans web site.	Sherri Gastinell	9/20/13	**ASSIGNED** – FHWA webinar to explain the grant process was cancelled and will be re-scheduled at a later date. Thus far, there has been no deadline set for grant proposals.
ACTION ITEM #8: Send draft of updated procurement fair manual to council members before the November 15 SBC meeting.	Ramon Carlos	11/15/13	**ASSIGNED** – update on the status of the revised manual to be presented during the November SBC meeting.
Action Items from the September 2013 SBC meeting:			

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ACTION ITEM #1: Provide members with the list of states contacted by Ramon Carlos regarding set asides.	Ramon Carlos	11/15/13	**ASSIGNED** – send the list of states contacted to the council members.
ACTION ITEM #2: Provide a report of work accomplished to date by Supportive Services contractor.	Ramon Carlos	11/15/13	**ASSIGNED** – report to be provided.
ACTION ITEM #3: Supportive Services contractor to attend the next SBC meeting scheduled for November 15, 2013.	Ramon Carlos	11/15/13	**COMPLETED** – GCAP, the vendor implementing the supportive services contract, has been invited to attend the next SBC meeting.
ACTION ITEM #4: Provide a report on the state currently in discussions with FHWA to develop a set aside program.	Ramon Carlos	11-15-13	**ASSIGNED** - update to be provided.
ACTION ITEM #5: Chair Halverson to take the language presented by Ms. Llewellyn to Caltrans Legal and OE for review and feedback.	Chair Halverson	11-15-13	**ASSIGNED** – update to be provided.
ACTION ITEM #6: Consider expanding the focus of the DBE Participation Committee to include A&E.	Chair Halverson	11-15-13	**ASSIGNED** – update to be provided.
ACTION ITEM #7: Provide a report on the DBE Participation Committee.	Chair Halverson	11-15-13	**ASSIGNED** – to be presented at the November 15 SBC meeting.

Agenda review and remarks

- Membership applications – due on November 1, 2013 for the 2014 calendar year.
  a. Fred Jordan stated the membership list requirement is a concern and may delay submission of applications.
  b. The first meeting for 2014 will be held on January 17 at the District 11 Office in San Diego – primary members will be required to attend to set goals and objectives for each of the standing committees.
  c. Chair Halverson encouraged current members to share the cover letter and application with potential new members.
- Caltrans identification badges for primary council members – OBEO will process badges with the 2014 applications received during the November SBC meeting. Local districts will also be able to help with getting badges for those members outside of Sacramento.

Action Item review (from prior meetings) – refer to pages 1 and 2 of this meeting record for current status of action items as reported by Chair Halverson.

Discussion re: action items

1. Re: May meeting carryover, Action Item 1 – question arose about on-the-spot purchasing, which was answered by La Sonja Peisker: the current Caltrans accounting system known as E-FIS is unable to process on-the-spot purchasing, which is a statewide policy. However, District 11 will negotiate with the vendor on the spot, commit to the purchase with a written order with the explicit understanding the order will not be finalized until it is completed online at the office.
2. Re: States contacted regarding set asides – the council requested the list of states contacted by Mr. Carlos.

ACTION ITEM #1: Provide members with the list of states contacted by Ramon Carlos regarding set asides.

C. Highlights from the Director's Office – Chair Halverson provided a brief report on behalf of Director Dougherty.

1. San Francisco-Oakland Bay Bridge – opened successfully on Monday, September 2; bike path to be completed within the next two years.

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D. FHWA updates –in the absence of representatives of FHWA, Chair Halverson facilitated a brief FHWA-related discussion.

1. FHWA has provided $2.2 million for DBE Supportive Services contracts and On the Job Training grants to be applied to the upcoming federal fiscal year. Ramon Carlos and Sherri Gastinell, both of OBEO, have been developing a line item budget.
2. New Request for Proposals (RFP) will be released in early January 2014 – scope of work has been completed; intend to award by December 31, 2013; will be applied to three contracts – Northern, Southern, and Central California.
3. Bijan Sartipi, District 4 Director, noted California received $150 million this year through federal discretionary funds because of the state's good record.
4. Sam Hassoun noted there are still some utility companies struggling with certifying their sources for materials, which, if they cannot do so by the deadline, will impact construction. Although the utility companies have been given a time extension so as not to lose funds already encumbered, they still need to certify their sources.
5. Re: Supportive Services contractor – Council Member Diana Lacome requested a report of what has been done so far, adding the council would like the contractor to attend the SBC meeting.

ACTION ITEM #2: Provide a report of work accomplished to date by Supportive Services contractor.

ACTION ITEM #3: Supportive Services contractor to attend the next SBC meeting scheduled for November 15, 2013.

E. District Director updates

1. **District 8** – Susan Harris, Deputy Director, Administration, on behalf of Bassem Muallem, District Director
   a. The district continues to outreach to the DBE and DVBE communities to promote greater utilization of these firms in district contracts and procurement.
   b. Southern California Region Small Business Council – collaborative effort involving Districts 7, 8, and 12; first meeting scheduled for Oct. 16, 10:30 a.m. at the District 8 Office in San Bernardino; as of this meeting, there are 60 pre-registered attendees.
   c. Recent events include: *Construction Industry Outreach Meeting,* 8/13/13, hosted by Construction; *Doing Business with Caltrans*, 8/22/13, hosted by Administration; *Southwest Veterans Business Resource Center's Meet the Buyers Expo,* 8/27/13, attended by Administration.

   Upcoming events/meetings:
   d. Assembly Select Committee Hearing on Small Business Financing and Development Opportunities, 10/4/13, San Bernardino; to include a Small Business Fair.
   e. Mandatory Pre-Bid meeting for the C.V. Kane Safety Roadside Rest Area Upgrade, 10/22/13, District 8 Lab in Fontana; flyer for this event distributed at the meeting.
   f. Third Annual Small Business Summit, 11/12/13, sponsored by the City of Perris and the Southwest Veterans' Business Center; District 8 will have an information table.
   g. Thirteen projects have been identified and selected for Mandatory Pre-Bid meetings in 2014; many will deal with bridge work, road widening, and shoulder work.

   Additionally, the district will build on the success of 2013 activities in 2014 and work to increase small business outreach by: increasing the number of mandatory pre-bid conferences; hosting a procurement fair; partnering with transportation partners to host a small business expo; developing and updating an interactive website; increasing overall small business utilization in construction projects; joining its partners for the Regional Small Business Council.
   h. Ms. Harris further stated statistics for DBE, SBE and DVBE will be provided at future SBC meetings.

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2. **District 4** – Bijan Sartipi, District Director
   a. As of September 6, the district has 152 active construction projects, estimated value of $4.8 billion.
   b. Small business outreach event was coordinated by district staff on 8/29/13; highlighted 20 construction contracts valued at $241 million.
   c. As of 9/18/13:
      01. 32 A&E contracts with federal funds with a value of $97 million with a 15.7% non-UDBE, 13.1% UDBE, and 25.4% DBE achievement.
      02. There are also 12 non-federal A&E contracts valued at $143 million with 11.1% DVBE and 39.4% SBE achievement.
   d. Re: construction projects
      01. Twelve projects for $153 million being advertised.
      02. Five projects that have bids opened awaiting award valued at $10 million.
      03. Seven projects are ready to list, but not yet allocated by the CTC valued at $123 million.
      04. Three projects in Headquarters Office Engineer review for Ready To List (RTL) valued at $51 million.
      05. As of the close of the last fiscal year (6/30/13), the district has twenty Director's Orders valued at $54.6 million, of which 14% is to be awarded to SBEs (sixteen different contractors, of which five are SBEs); eighteen Director's Orders valued at $4.5 million, of which 69% is SBE.
      06. Toll Bridge program – as of June 30, a total of $259 million is to be paid to 330 SBEs, DVBEs, and DBEs.
      07. Bay Bridge - $198 million has been paid to 220 local SBEs, DVBEs, and DBEs.

   Discussion:
   - Traffic management is part of construction projects; goals apply to this work as well.
   - Project look ahead – provided by the local SBC; statewide look ahead report available online; Mr. Sartipi will send the link to OBEO for distribution to council members.

3. **District 3** – Liza Whitmore, DSBL for Director Carrie Bowen
   a. DBE utilization is at 8% to 9%, sometimes that percentage can go to 42%.
   b. District 3 Small Business Program – successful; main intent is to promote and increase the participation of SB, DVBE, and DBE in the district's procurement and contracting. Latest fiscal year 2012-2013 DPAC report indicates the district achieved 60.1% SB participation for all its state contracts, which is over $11 million. DVBE participation still needs work – for state funded contracts, only reached 2%.
   c. A&E contracts – doing well; recent hazardous materials contract with Geocon closed out with 20% DBE participation. Current environmental contracts with AECON and Pacific Legacy currently at over 6% of their 17% DBE goal.
   d. Mandatory Pre-Bid Meeting, District 3 Design-Build Sacramento River and West End Viaducts Deck Rehabilitation project, 8/29/13; well attended by mostly DBE firms.
   e. North Region Calmentor Program – 7 pairings of Mentor and Protégé firms; large event planned for the Redding area in 2014, which will be a collaboration between Districts 1, 2, and 3; currently finalizing a new brochure.
   f. Business Information Seminar, scheduled for December (date TBA) – featuring DGS , the local Small Business Development Center; seminar will provide instructive assistance to vendors and service providers interested in working with District 3.
   g. Connecting Point, Nov. 14, Citrus Heights Community Center, Sacramento, presented by the Sacramento Public Agency Consortium (SacPAC); Ms. Whitmore will be one of the panelists for the workshop, "Bringing Government Contracting to You;" good opportunity for businesses to connect with federal, state,

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county, local and public utility agencies; expect 600 to 800 to attend.			

4. **District 11 –** La Sonja Peisker, Small Business Office Chief
   a. 10th Annual Procurement Fair, March 26, 2014, Balboa Park Club Ballroom, San Diego – last year's event drew over 800, so the district is expecting the same response; over 20 public agencies, Caltrans Cal-Card purchasers, insurance, bonding and small business loan representatives.
   b. Women in Transportation Seminar Award for Innovative Transportation Solutions (Technology Category) given to the district for the Interstate 5 Quiet Grind Project, a pilot project using Next Generation Concrete Surface, a new pavement grind to reduce freeway noise of tires on pavement.
   c. SR 76 Middle Project selected as the California Transportation Foundation's 2013 Conventional Highway Project of the Year.
   d. The district was the recipient of four Caltrans 2013 Excellence in Transportation awards:
      01. Transportation Related Facilities for the district's Barrier Transfer Machine Facility, which stores barrier transfer machines and provides a location for barrier machine repair as opposed to the middle of the freeway.
      02. Transportation Innovations for our Next Generation Concrete Surface Special Grind Pilot – this new surface treatment reduces traffic related noise.
      03. Public Awareness Campaigns for the district's State Route 52 Sunny Side Gateway Project, a campaign which succeeded in getting Santee residents to accept ownership and provide input during the life of the construction project.
      04. 2013 American Society of Civil Engineers "Outstanding Award" in the Highway and Road category for the Highway (Rural) State Route 78/111 Expressway Brawley Bypass, which created an 8-mile corridor around the city of Brawley that reduced traffic noise and maintenance costs.
   e. Small Business utilization
      01. State funded contracts, 7/1/12 to 6/30/13 – SB, $9.8 million (60.2%); DVBE, $750,000 (4.6%).
      02. Federally funded projects, 7/1/13 to 8/30/13 – DBE, $2.3 million (6.8%).
   f. Look Ahead Projects – potential opportunities for SB participation
      01. Rainbow Truck Inspection Facility – to upgrade electrical and modify the building; estimated cost $1 million; proposed advertise date is December 2013.
      02. Descanso Maintenance Station, San Diego County, Route 8 – to perform pavement rehabilitation; estimated cost $1 to $10 million; proposed advertise date is December 2013.
   g. Minor B updates
      01. For fiscal year 2012/2013 – 19 Minor B contracts awarded, total of $2.3 million, of which $2.2 million was awarded to SB contractors for a total of 94.7% SB utilization.
      02. For fiscal year 2013/2014 – currently at 10 projects for $1.3 million.
   h. Upcoming SB events
      01. Meet the Buyers Matchmaking Event, Oct. 4, SDG&E Innovation Center, hosted by the Small Business Development Center – district will have an exhibitor table, participate in individual matchmaking sessions.
      02. Blue Book Event, Oct. 16, hosted by GC Blue Book – the district will have an exhibitor table.
      03. DBE Certification Workshop, Oct. 30, presented by OBEO, held at the District 3 Office.
   i. CalMentor Program update
      01. The fourth cycle will hold their graduation ceremony on Sept. 26 in San Diego at the Handlery Hotel; fourteen pairs to receive certificates of completion, with four pairs to receive the outstanding achievement award for going above and beyond the MOU for the program.
      02. The fifth cycle will include twenty-four pairs.

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j. Corridor updates
   01. I-805 North Design Build – construction begun; UDBE, 8% goal, which has been met 100%, totaling over $6 million.
   02. I-5/I-805 Carroll Canyon Project – adding two miles of HOV lanes and a direct access ramp.
   03. SR-76 East, Phase 2 – widen and realign to a conventional 4-lane highway; to begin in Winter 2013/2014; advertising in September or October 2013.
   04. SR-15 Mid-City Centerline BRT Stations at El Cajon Blvd. and University Ave. – to be administered by SANDAG.
   05. Mira Mesa Direct Access Ramp, I-15, Miramar College Transit Station – construction began summer of 2012; to be completed in summer 2014.
   06. Sabre Springs/Penasquitos Parking Structure and Transit Station upgrades – design build contract administered by SANDAG.

DISCUSSION:

- Council Member Eddy Lau requested a breakdown of commitment vs. actual for I-805.
- Request Ms. Peisker break out work that a SB would do on the construction side; check if applicable to A&E.

F. Presentation, *BidSync: How to do business with California State Government*, Wayne Gross, Department of General Services (DGS), Outreach Liaison

Refer to Mr. Gross' handouts distributed at the meeting.

1. Brochure, *How to do business with California State Government,* is available in both English and Spanish.
2. After establishing your user name and password, it is not necessary to purchase anything presented, because you will not need it – the State cannot charge for its services. BidSync tracks access by the public. Go directly to the E-Procurement web site operated by the DGS. You can also contact your local DSBL for assistance in this process.
3. If a firm wants to work with Caltrans, it does not need to go to BidSync.
4. Registering with BidSync requires four basic steps which takes about five minutes to complete; follow the brochure "to the letter."
5. Certification – if a firm is a DVBE or LLC, complete the SB certification first (Step 13), because the system will not certify you on the spot should you initially say you are a DVBE or LLC. Use the phone number provided in the certification section should you have any questions.
6. Re: NAICS code – this is a federal code; the state uses what it calls the "UN" code.
7. Recommended firms connect with SB advocates with agencies they are interested in contracting with; networking is the key.
8. Micro-businesses – this is a subset of SB, must have 25 employees or less; certifiable by this system; certification good for 2 year cycle.
9. Advocate list – available when applicants reach Step 5; additionally, the E-Procurement web site menu provides a list of advocates.

G. July 19, 2013 Meeting Record approval – Chair Halverson

1. Motion by Paul Guerrero to table the meeting record pending clarification of Vincent Mammano's statement, p. 3, Action Item Review, Discussion, no. 1, c., regarding federal set asides for SB. In particular the statement , "...California law does not allow restrictions." Seconded by Elias Cortez.
2. The meeting record will be tabled until the next council meeting in November.

H. Ad Hoc Committee Report, African American DBE Participation – Eddy Lau, Chair

The committee will not be meeting today. Since meeting in Stockton, the following work has been done:

1. Reviewed the list of African American firms receiving contracts.
2. Survey conducted via telephone to determine if there were particular circumstances that led to a successful award.

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3. Next meeting will be held on Thursday, November 14 from 10 a.m. to 12 p.m.; requested a meeting room.			
I. Committee Meeting Reports			
1. Professional Services – Johnathan Hou, Chair a. Attended by ten council members, three Caltrans staff. b. Sanjay Singh, OBEO Certifications, provided a presentation on the DBE Certification process – discussed work codes, NAICS code, CUF; much work left to do. c. Cathrina Borros, District 59, Translab – presentation on materials testing; provided greater clarification.			
2. Commodities – Chris Chavez, Chair a. Name change - from OBEO to Civil Rights; 90% of the council is in favor. b. Current policy states primes can receive 100% credit for utilizing a DBE, but only 60% if it is a supplier – possible to change to 100% for DBE suppliers as well. c. Changing language to state firms can meet their DBE goal by utilizing commodities suppliers – latest word from Alicia Sequeira is this is in the works and will happen. d. Committee meeting attendance again poor – has been recruiting new council members; requesting suggestions from fellow council members. 01. Council Member Debbie Hunsaker noted the time conflict with other committees. 02. Suggestion to merge Commodities with Construction was deemed unacceptable by other members. 03. Staggering meeting times throughout the day might be the solution; suggested commodities meet at 2:00 p.m.			
3. Local Assistance – Richard Hernandez, Chair a. The committee is now working with Ray Zhang, as Denix Anbiah has left Caltrans for the City of West Sacramento. b. Revisited past deliverables. c. Fostering SB – many local agencies are not aware of this; if a local agency does not have a plan to foster SB, it should follow the plan set forth by Caltrans, however there are concerns. 01. The plan put together by Caltrans is lacking, has no "teeth"; would like to work with OBEO to "put more teeth" into the plan. 02. Survey conducted by Ramon Carlos regarding set aside programs for SB – Mr. Carlos mentioned there is one state currently in discussions with FHWA to do this; can the committee get a report on this? 03. Once a firm is no longer a DBE, it must compete against million dollar companies; if a contract does not have SB goals, many former DBEs find themselves out of the running. 04. Current objective is to get the Caltrans plan out to local agencies. d. Local Assistance Manual, Chapter 9 01. Changes made in 2011 need to be incorporated. 02. New revised edition due out on December 31, 2013. e. NAICS code 01. LA Metro is much more flexible in its utilization of DBEs to fulfill its goals.			

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02. Firms should be licensed and certified in order to be awarded a contract as a DBE. f. Design/Build continues to be a challenge.			
ACTION ITEM #4: Provide a report on the state currently in discussions with FHWA to develop a set aside program.			
4. Construction – Rebecca Llewellyn for Debbie Hunsaker, Chair a. Presentation by Earl Seaberg, changes in e-bidding with Caltrans. 01. Contracts $270,000 or greater. 02. Indicators (red or green highlighted items) to let the user know something is missing in the bidding process. 03. No design/build projects. 04. The new contracts listing form will be included in the e-bidding process. 05. Mr. Seaberg's presentation was very thorough; would benefit all council members. b. Insurance has been a long-time issue – Ms. Llewellyn presented language taken from a Local Agency in San Diego; would like Caltrans to consider revising the insurance language requirements for subcontractors. Chair Halverson will take this language to Legal and the OE for review. c. Discussion regarding the training of Resident Engineers.			
ACTION ITEM #5: Chair Halverson to take the language presented by Ms. Llewellyn to Caltrans Legal and OE for review and feedback.			
J. New Business – Chair Halverson, Facilitator 1. The Supportive Services contractor should attend the SBC meeting. 2. Send the link to the Caltrans Look Ahead report. 3. What training do the consultants hired by Caltrans receive – Mr. Sartipi responded the contractor hiring the consultant controls this. 4. The DBE Participation Committee should consider expanding their focus to A&E – Chair Halverson will take this into consideration, discuss with Director Dougherty.			
ACTION ITEM #6: Consider expanding the focus of the DBE Participation Committee to include A&E.			
K. Public Comment – Chair Halverson, Facilitator 1. Provide a report on the DBE Participation Committee. General discussion about the need to hear everyone's perspective, provide SB representation at AGC meetings, code of conduct, need to utiize DBEs rather than go with GFE.			
ACTION ITEM #7: Provide a report on the DBE Participation Committee.			
Meeting adjourned: 12:39 p.m.			
Next meeting: November 15, 2013, Sacramento, specific details to be sent to members.	Carole Ching to notify SBC members.	10/14/13	Meeting reminder emailed to members; attached hotel information.

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DOCUMENTS included in the meeting packet/distributed during the meeting:

- Meeting agenda
- Meeting record, July 19, 2013, draft
- FHWA Federally funded contracts (awarded) August 2013
- Award Tracker Report, July 2013
- Caltrans Statewide SBC Code of Conduct
- Fact Sheet, Evaluating DVBE and SB Participation – Role of OBEO, May 2013; Fact Sheet, Monitoring DVBE Participation During Construction
- PowerPoint handout, *Department of General Services Procurement Division, BidSync,* Wayne Gross, DGS
- DGS brochure, *How to do business with California State Government."*
- District and Local Assistance IA Contact List
- Bundled/Non-Bundled Contracts, State Contracts Index Listing (available on the DGS web site), DGS
- SBC membership packet

PRESENT

Council Members:

1. Ajiake, Matthew (Alt.)
2. Chaudhary, Arvin
3. Chavez, Chris
4. Cortez, Elias
5. Cunningham, Lee (teleconference)
6. Diaz, Juan
7. Garcia, Rodrigo
8. Guerrero, Paul
9. Halm, Eric
10. Hernandez, Richard
11. Hou, Johnathan
12. Hunsaker, Debbie (teleconference)
13. Jordan, Fred
14. LaCome, Diana
15. Lau, Eddy
16. Llewellyn, Rebecca
17. Lowry, Patrick
18. McGlover, Stephen (teleconference)
19. Patten, Zeke (teleconference)
20. Ulmer, Bill
21. Vargas, Jesus

Caltrans Staff:

1. Halverson, René, Assistant Director, OBEO & Council Chair
2. Carlos, Ramon, OBEO
3. Ching, Carole, OBEO
4. Effinger, Rob, Project Delivery (teleconference)
5. Frank, Angela, OBEO
6. Gastinell, Sherri, OBEO (teleconference)
7. Harris, Susan, District 8
8. Knox, Thomas, District 7 (teleconference)

9. Knudsen, David, District 8 (teleconference)
10. Negri, Francesca, DPAC
11. Peisker, La Sonja, District 11
12. Ruble, Penny, District 3
13. Sartipi, Bijan, District 4 Director
14. Singh, Sanjay, OBEO
15. Whitmore, Liza, District 3
16. Zhang, Ray, Local Assistance

Guests:

1. Hassoun, Sam, AGC
2. Gross, Wayne, DGS

Public Participants:

1. Dean, Marvin, Kern Minority Contractors Association
2. Colmenares, Margarita, SHPE
3. Guzman, Robert, SHPE Greater Los Angeles
4. Holman, Margarita, Intercept Security

Approved by:

René Halverson

RENÉ HALVERSON
Assistant Director, Caltrans, Business and Economic Opportunity
California Department of Transportation