

AMENDED IN SENATE AUGUST 6, 2012  
AMENDED IN ASSEMBLY MARCH 27, 2012  
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1960**

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**Introduced by Assembly Member Dickinson**  
*(Coauthor: Assembly Member Ma)*

February 23, 2012

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An act to amend Section 10111 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1960, as amended, Dickinson. State contracts: reports: lesbian, gay, bisexual, and transgender businesses.

Existing law requires the Department of General Services to make available a report on contracting activity containing specified information, including the level of participation of business enterprises, by race, ethnicity, and gender of owner, in specified contracts.

This bill would require the Department of General Services to include in the report on contracting activity information regarding the level of participation of lesbian, gay, bisexual, or transgender owned businesses in specified contracts, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 10111 of the Public Contract Code is
- 2 amended to read:

1 10111. Commencing January 1, 2007, the department shall  
2 make available a report on contracting activity containing the  
3 following information:

4 (a) A listing of consulting services contracts that the state has  
5 entered into during the previous fiscal year. The listing shall  
6 include the following:

7 (1) The name and identification number of each contractor.  
8 (2) The type of bidding entered into, the number of bidders,  
9 whether the low bidder was accepted, and if the low bidder was  
10 not accepted, an explanation of why another contractor was  
11 selected.  
12 (3) The amount of the contract price.  
13 (4) Whether the contract was a noncompetitive bid contract,  
14 and why the contract was a noncompetitive bid contract.  
15 (5) Justification for entering into each consulting services  
16 contract.  
17 (6) The purpose of the contract and the potential beneficiaries.  
18 (7) The date when the initial contract was signed, and the date  
19 when the work began and was completed.

20 (b) The report shall also include a separate listing of consultant  
21 contracts completed during that fiscal year, with the same  
22 information specified in subdivision (a).

23 (c) The information specified in subdivisions (a) and (b) shall  
24 also include a list of any contracts underway during that fiscal year  
25 on which a change was made regarding the following:

26 (1) The completion date of the contract.  
27 (2) The amount of money to be received by the contractor, if it  
28 exceeds 3 percent of the original contract price.  
29 (3) The purpose of the contract or duties of the contractor. A  
30 brief explanation shall be given if the change in purpose is  
31 significant.

32 (d) The level of participation, by agency, of disabled veteran  
33 business enterprises in statewide contracting and shall include  
34 dollar values of contract award for the following categories:

35 (1) Construction.  
36 (2) Architectural, engineering, and other professional services.  
37 (3) Procurement of materials, supplies, and equipment.  
38 (4) Information technology procurements.

1 Additionally, the report shall include a statistical summary  
2 detailing each awarding department's goal achievement and a  
3 statewide total of those goals.

4 (e) The level of participation by small business in state  
5 contracting including:

6 (1) Upon request, an up-to-date list of eligible small business  
7 bidders by general procurement and construction contract  
8 categories, noting company names and addresses and also noting  
9 which small businesses also qualify as microbusinesses.

10 (2) By general procurement and construction contract categories,  
11 statistics comparing the small business and microbusiness contract  
12 participation dollars to the total state contract participation dollars.

13 (3) By awarding department and general procurement and  
14 construction categories, statistics comparing the small business  
15 and microbusiness contract participation dollars to the total state  
16 contract participation dollars.

17 (4) Any recommendations for changes in ~~statutes~~ *statutes* or  
18 state policies to improve opportunities for small businesses and  
19 microbusinesses.

20 (5) A statistical summary of small businesses and  
21 microbusinesses certified for state contracting by the number of  
22 employees at the business for each of the following categories:  
23 0–5, 26–50, 51–75, and 76–100.

24 (6) To the extent feasible, beginning in the year 2008, the  
25 number of contracts awarded by the department in the categories  
26 specified in paragraph (5).

27 (7) The number of contracts and dollar amounts awarded  
28 annually pursuant to Section 14838.5 of the Government Code to  
29 small businesses, microbusinesses, and disabled veteran business  
30 enterprises.

31 (f) The level of participation of business enterprises, by race,  
32 ethnicity, and gender of the owner, in contracts to the extent that  
33 the information has been voluntarily reported to the department.  
34 In addition, the report shall contain the levels of participation of  
35 business enterprises, by race, ethnicity, and gender of *the* owner,  
36 and whether the business is a lesbian, gay, bisexual, or transgender  
37 owned business for the following categories of contracts, to the  
38 extent that the information has been voluntarily reported to the  
39 department:

40 (1) Construction.

- 1     (2) Purchases of materials, supplies, or equipment.
- 2     (3) Professional services.
- 3     (g) In the years 2011 and 2012, any errors reported to the
- 4 department by an awarding agency as required by Sections 10302,
- 5 10344, and 12104.5, in the previous fiscal year.
- 6     (h) The amendments made to this section by the act adding this
- 7 subdivision shall apply on and after January 1, 2013.

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