

## **SMALL BUSINESS PREFERENCE – LOWEST RESPONSIBLE BIDDER**

Eligibility for and application of the small business preference are governed by the JBE's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. Bidder will receive a small business preference if, in the JBE's sole determination, Bidder has met all applicable requirements. If Bidder receives the small business preference, the dollar amount of its bid will be reduced (for evaluation purposes only) by an amount equal to 5% of the lowest responsible bid, not to exceed \$50,000. If a DVBE incentive is also offered in connection with this solicitation, (i) the combined value of the small business preference and the DVBE incentive may not exceed \$100,000, and (ii) additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

Small business participation is not mandatory. Failure to qualify for the small business preference will not render a bid non-responsive.

To receive the small business preference, Bidder must be either (i) a Department of General Services ("DGS") certified small business or micro-business performing a commercially useful function, or (ii) a DGS-certified small business nonprofit veteran service agency.

If Bidder wishes to seek the small business preference, Bidder must complete and submit with its bid the [Small Business Declaration](#). Bidder must submit with the Small Business Declaration all materials required in the Small Business Declaration.

Failure to complete and submit the Small Business Declaration as required will result in Bidder not receiving the small business preference. In addition, the JBE may request additional written clarifying information. Failure to provide this information as requested will result in Bidder not receiving the small business preference.

If Bidder receives the small business preference, (i) Bidder will be required to complete a post-contract report; and (ii) failure to meet the small business commitment set forth in its bid will constitute a breach of contract.

**FRAUDULENT MISREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.**