

Professional Services Business Owner Testimony: Anne Cervantes

Name: Anne Cervantes, Third Generation Mexican American and third generation Californian

Master of Architecture
Registered Architect
Small business owner

I am a product of Affirmative Action. I want to make it clear that nothing was handed to me without producing deliverables per my contractual agreement. As a Women of color I have had to work three times as hard to receive commissions and prove that I am the professional skill sets to produce the work.

Recommendations to improve participation in State Contracting.

7a. Request for Proposals Restrictive Selection Criteria

My experience in response to State Request for Proposals or Qualifications has been that the selection criteria are too restrictive.

For example, a Public Agency that was funded with State Park monies required Pre-Qualifications for an Architect to respond to the RFP. The Architect experience with Green Buildings is described in this RFP: "To qualify as a Prime Consultant or Lead JV Partner for this RFP, a Consultant must possess a minimum of ten (10) years experience that demonstrates the capability to provide professional architectural services and have the experience acting as the prime consultant on a project that is or in the process of achieving LEED certification." For a prime not to meet this criteria would have been non-responsive.

Another Example of restrictive selection criteria was for the Request for Proposals "Context Statement on Latinos in 20th Century California, Minimum qualifications requires the "Team principal has at least ten years' experience managing cultural resources projects". To make it less restrictive, the minimum qualifications could have stated the team. This RFP should have had less restrictive criteria that would allow Latino Historians, Architects, Landscape Architects, and Archeologists to participate in the response.

Can the State look at developing selection criteria, so that the Ethnic Context Statements can be done in First Voice? There are Latino Professionals that have the Historic Preservation skill sets to document their history in First Voice.

7a. Recommendation: Provide selection criteria that allow equivalent experience...

Revise the selection criteria to allow the prime consultant to augment their team with a consultant as an advisor to produce the specific scope of work. The scoring should not consider this as an equivalent to the years of experience required.

We need the State Agency's Project Managers to move away from the standard boiler templates used for the RFP process with less restrictive criteria.

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7b. Capital Improvement Plans are developed for and by Large Professional Service Firms that do not take into small businesses.

Capital Improvement plans define the scope of work and the budgets for each project. Often the Larger firms developing these documents do not take into account the small professional service firms to do a large project in phases when they develop the RFP.

7b. Recommendation: Augment the Capital Improvement Plan Project Team with a small business that is familiar with breaking down contracts.

Allow smaller business to be part of the Capital Improvement Consultant team in developing the project scope of work, project budgets, phasing and scheduling. Consult with Small Business Team member to break down project for small business utilization.

7c Agency Staff Retaliation

Before 209, MBE/WBE firms still had problems with Agency's staff retaliation.

Example 1: a State Agency project manager's opening remarks at the project kick off was "Your team was not our first choice." This project manager proceeded for the duration of the project to undermine our firm in the project deliverables with no accountability to the State Agency Director.

Example 2: CDA was selected as part of a joint venture team, to do a \$74 million dollar renovation and new construction, approximately 200,000 sf for a local State Agency. At the Board's Approval of the contract, one board member stated "we are going to watch you closely". Again, through the project, owner's representative tried to reduce our scope in the contract after the contract was signed, and manage to put obstacles put in our way in getting the project completed. The facility was completed and opened on schedule.

7c Recommendation: Develop a reviewing system to make Public Sector Project Managers Accountable for their actions of not implementing policy correctly

I am here today, because of the University and Public Contracting Affirmative Action Policies that allow me an opportunity to attend graduate school and fulfill my childhood dream of becoming an Architect.