

BUSINESS ADVISORY COUNCIL BYLAWS



CALIFORNIA
High-Speed Rail Authority

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INTRODUCTION

Mission Statement

“The mission of the Authority’s Business Advisory Council is to amplify the collective voice of the small, disadvantaged, and disabled veteran business community and cultivate a meaningful partnership with the Authority.”

Vision

The Authority’s partnership with the Business Advisory Council (BAC) is founded upon a shared vision and commitment to build California’s first statewide high-speed rail system. The contributions and shared perspectives of the BAC provide a foundation for collaboration. Through this partnership, the Authority is given the opportunity to continually learn, improve, and adapt to changing circumstances in delivering and operating a safe, sustainable, equitable, and integrated transportation system.

Background

In 2012, the California High-Speed Rail Authority’s (Authority) Board of Directors (Authority Board) adopted the Small Business Program Plan (formerly named the Small and Disadvantaged Business Enterprise Program). The term “SB” represents the collective of small business certifications accepted for crediting toward the Authority SB Program goals and include:

State Regulated Goals

- Microbusiness (MB)
- Small Business (SB)
- Small Business for the Purpose of Public Works (SB-PW)
- Disabled Veteran Business Enterprise (DVBE)

Federal Regulated Goal

- Disadvantaged Business Enterprise (DBE)

On November 2, 2023, the Authority Board, by unanimous vote, approved the updating of the SB Program goals through Resolution [#HSRA23-07](#). With the support of BAC members and the Authority Board, Resolution [#HSRA23-07](#) effectively ended the practice of lumping all SB participation goals together into one overall goal. The Authority instead, implemented three (3) independent SB participation goals and is now able to effectively count progress toward each goal according to the state or federal regulation to which each certification is subject.

In an effort to provide maximum SB participation and opportunity, the Authority also tracks and reports the utilization of federally certified small businesses that hold Small Business Administration 8(a) (SBA 8(a)), Service-Disabled Veteran-Owned Business (SDVOSB), and Veteran-Owned Small Business (VOSB) certifications. See the Authority’s [SB Program](#) webpage for the most current SB participation goals and the business certifications that count toward the goals.

The Authority’s partnership with the BAC is driven by the following core principles and objectives:

- Achievable SB participation goals that are consistent with the market availability of SBs for Authority scopes of work

- Dedicated Authority personnel, Consultants/Subconsultants, and Contractors/Subcontractors committed to the effective implementation of the SB Program in conformity with state and federal regulations
- Addressing and diminishing barriers that threaten SB success
- Expanding business opportunities for SBs as the HSR system advances

Purpose

The purpose of the BAC is to serve as a forum to facilitate the discussion of how to increase engagement of SBs and ensure their equitable inclusion on the High-Speed Rail (HSR) Project. The BAC also serves as a vehicle to disseminate Authority-approved communications specific to HSR projects and programs.

The BAC provides the Authority with important input, feedback, and perspectives of California's diverse SB community that inform and impact the decisions made by the Authority Board. The Authority is strengthened by the shared perspective of the BAC and is better positioned to implement comprehensive solutions for SB participation in furtherance of the BAC strategic goals and objectives.

While the BAC is not a decision-making body for the Authority, the collaboration, and input provided by the BAC and other stakeholders all serve to advance the Authority's success in meeting the Authority SB Program goals in accordance with state and federal regulations.

The BAC is comprised of two membership types:

- Statewide Construction and Professional Trade Associations
- Businesses with SB certifications accepted for crediting under the Authority's SB Program, and businesses owners who are socially and economically disadvantaged, disabled veterans, LGBTQ members, and/or women

Additionally, the Authority welcomes non-voting partners and stakeholders, including representatives of state and federal departments and organizations, Prime Contractor SB officers, and others to participate in BAC Meetings.

BAC Contact Information

California High-Speed Rail Authority
Business Advisory Council
770 L Street, Suite 620
Sacramento, CA 95814
(916) 431-2930
TTY: 711
BAC@hsr.ca.gov

The BAC Landing Page

The [BAC Landing Page](#) is designed to be a one-stop shop for BAC representatives to access important BAC documents, rosters, forms, applications, agendas, meeting minutes, timelines, resources, SB Program plans and policies, and much more.

MEMBERSHIP

Association Membership

Formal business trade Associations shall be organized under the *California Corporation Code (CCC) §200, 12000 Seq.* and be a non-profit as described in *CCC§ 5110 e.t. Seq.* Eligible Associations shall have a related business interest in Authority projects and contracts; specifically, businesses operating in the industries of construction, professional services, supplies, commodities, and IT goods and services.

SB Membership

Original BAC membership was extended to include SBs with an active business certification accepted for crediting toward the SB Program goals. The addition of SB members is intended to strengthen the depth and diversity of BAC representation. However, SB members must participate for the benefit of the BAC as a whole and may not limit their involvement to issues that advance only their own business interests. See the Authority's [SB Program](#) webpage for the most current SB Program goals and the business certifications that count toward the goals. This form can be found on the [BAC Landing Page](#).

BAC Membership Overall

- Membership consists of a maximum of 25 total members, including both Association and SB Members.
- Membership follows a 2:1 ratio, with two Association Members for every SB Member.
- Each Member holds a three (3) year consecutive term from the date of appointment to the BAC with the option to re-apply for successive terms.

Primary and Alternate Representative

- Each Member is limited to one (1) Primary and one (1) Alternate Representative.
 - It is optional for Members to have an Alternate Representative.
 - Requests for substitution of a Primary or Alternate Representative must be submitted using the [BAC Member Substitution Request](#) form. This form can be found on the [BAC Landing Page](#).
 - No substitutions may take place prior to the Authority's written approval.
 - Substitutions must be submitted by individuals with decision-making authority for the Member.
- All Members shall be represented by either the Primary or Alternate Representative during BAC Meetings.

Criteria for Business Advisory Council Admission

Association Membership

Association Membership applicants must be:

- An association or organization representing at least 25 Members
- Incorporated under the laws of California if applicant association is headquartered within the state

- Have a SB interest in state contracting, procurement and projects, specifically in the areas of construction, IT and/or Non-IT goods, and services

The [Association Membership Application](#) requires submission of the following information:

- Contact information for the Association
- Contact information for the proposed Primary and Alternate Representatives
- Authorization of Primary and Alternate Representative from the Association CEO/President provided on Association letterhead
- Association membership size
- Region of the state where primary headquarters are located or where the majority of work is conducted (e.g.: Central Valley, Northern or Southern California)
- Proof of active association status with the California Secretary of State
 - "Active" Statement of Standing
 - "Active" status according to the CA Franchise Tax Board (FTB)
- Identification of the Association's primary business interest, i.e., construction, IT and/or Non-IT goods and services
- Methods of disseminating information to Association membership
- National associations are considered on a case-by-case basis

SB Membership

SB Membership applicants must:

- Have an active SB certification accepted for crediting in the SB Program
- Be incorporated under the laws of California
- Have a SB interest in state contracting, procurement and projects, specifically in the areas of construction, IT and/or Non-IT goods, and services

The [SB Membership Application](#) requires submission of the following information:

- Proof of at least one current and active SB certification
See the BAC Bylaws "Terms and Definitions" section for a description of each SB certification.
- Business contact information
- Incorporated Businesses: Secretary of State "Active" Statement of Standing
- Sole Proprietors: Doing Business As (DBA)/Fictitious Business Name Statement (FBNS)/Business License
- Contact information of the Primary and Alternate Representatives, including email and phone number
- Business description and size (i.e., sole ownership/number of employees)
- Region of the state where primary headquarters are located or where the majority of work is

performed (e.g.: Central Valley, Northern or Southern California)

- Identification of the primary business interest, i.e., construction, IT and Non-IT goods and/or services
- Methods of disseminating information to the public (i.e.: Networking, advertisement, social media)

Government Agency/Organization Membership

Membership extends to federal, state, and local agencies, and other government funded organizations such as the Procurement and Technical Assistance Center, and Small Business Development Center. Such stakeholders, have a interest in the success of California's economy and SB community. In addition, these entities provide services and procurement opportunities to small, disadvantaged, and disabled-veteran owned businesses.

Application criteria for this membership type includes providing the:

- Contact information for the agency/organization and its Primary and Alternate Representatives
- Primary area of operation by regional coverage (e.g.: Central Valley, Northern or Southern California)
- Identification of the primary business interest, such as business opportunities, resources, support services, etc.

BAC voting rights are not extended to Government Agency/Organization representatives holding this membership type.

Application Process

Each BAC membership application is reviewed by Authority Management, where final approval is made by the SB Advocate or designee. Each application is evaluated on the qualifications of the applicant, with the goal of ensuring balanced and diverse statewide membership representation. Applicants receive notification of the decision within 30 days of their application submittal.

When BAC membership reaches 25 members, the Authority establishes and monitors a wait list. The Authority reviews applications for additional terms from current members in the order they are received. While applications for membership are accepted on a continuous basis, the Authority gives priority consideration to new applicants who have never served on the BAC.

The application for BAC membership as an Association or SB can be found on the [BAC Landing Page](#).

Membership Dissolution

Causes for Membership Cancellation

All Members of the BAC are required to adhere to the Authority's Standard Code of Conduct Policy.

BAC Members are subject to removal for any of the following causes:

- Primary or Alternate Representative speaking for or acting on behalf of the BAC, the Authority, or its Board of Directors
- Absence of an Authority approved Primary Representative

- Disruptive and/or abusive behavior or language expressed during BAC Meetings
Such prohibited actions may include consistent interruption of speakers, outbursts, or personal insults during meetings
- Display of unprofessional conduct in public directed toward Authority personnel, BAC Members, and/or stakeholders
- Dissolution of a Member Association or SB entity
- Expired or inactive SB certification with the Department of General Services (DGS), and/or the US Department of Transportation (DOT)
- Attendance of less than 50% of BAC meetings during the 12-months following membership approval
 - Attendance by anyone other than the identified Primary or Alternate Representative is considered an absence by the BAC Member
- Using membership on the BAC or Committee(s) for personal gain, including:
 - Attempts to gain access to non-public or confidential project or contract information
 - Attempts to gain unfair advantages to contract opportunities
 - Attempts to gain access to government officials

Notification of Membership Cancellation

Members will first receive a written warning for actions or behaviors that place their membership at risk. If the issue persists, the Authority will issue a written notice of its intent to terminate membership. Members may appeal the proposed removal within 30 calendar days by submitting a written response that includes a plan to remedy the cause(s) for removal. Appeals must be sent to the Authority Executive Team, using the [BAC Inbox](#).

Based on the Member's response or lack thereof, the Authority issues a final determination for the remainder of the membership term. The Member is notified within 10 calendar days of receiving the appeal or within 45 days after issuing the cancellation notice, based on whichever scenario occurs first.

Membership Withdrawal

To withdraw membership, the BAC Member must submit a written notice of withdrawal to the Authority Executive Team, using the [BAC Inbox](#). The Authority Executive Team will respond and confirm receipt of the withdrawal within 10 calendar days of submission. Members who have effectively withdrawn membership are removed from all BAC and Committee rosters.

Primary or Alternate Representative Resignation

If there is a change of the Primary or Alternate Representative, the Member must notify the Authority Executive Team within 60 days of the Representative's resignation. The notification must include:

- The name(s) and title (Primary or Alternate) of the representative(s) resigning
- The name, title, and contact information for the proposed replacement representative(s)
- Submission of the required supplemental information for the proposed representative(s)

For proposed changes of either representative, please use the [Representative Substitution Request](#) form located on the [BAC Landing Page](#). The Authority Executive Team will confirm receipt and provide a response for the proposed representative change within 10 calendar days of submission.

ROLES AND RESPONSIBILITIES

Authority Participation

- **Authority Executive Team**

The Executive Team is the collective of the Authority Executives, SB Chief, Assistant SB Chief, and the SB Advocate. The Executive Team facilitates, supports, and makes the final determinations regarding BAC meetings, Bylaws, processes, meeting refinements and activities.

- **BAC Chair**

The BAC Chair is appointed by the Authority's Chief Executive Officer (CEO) or by the CEO's designee. The responsibilities of the BAC Chair include:

- Presiding over all BAC meetings
- Appointing an Authority BAC Liaison to provide administrative support to the BAC
- Implementing decisions of the Authority Executive Team
- Facilitating coordination of the BAC meeting date, time, and location
- Disseminating the minutes, agenda, and schedule special presentations
- Ruling on matters of procedure
- Presiding over BAC membership application process

- **SB Program Team**

The SB Program Team shares the following responsibilities:

- Creating the agenda for BAC Meetings, securing speakers, and disseminating related BAC communications to BAC Members
- Attending BAC meetings and supporting the BAC by taking roll call, recapping outstanding action items, and managing time throughout the meeting
- Completing meeting minutes after each meeting and disseminating them to BAC Members

BAC Members

Each BAC Member serves on the BAC with the purpose of offering advice and achievable solutions that support, encourage, and promote SB success.

- **Primary Representative**

Primary representatives must actively participate on the BAC. Active participation includes (but is not limited to):

- Attending BAC Meetings
- Serving on a BAC Committee
- Actively engaging in the annual Strategic Planning Meeting
- Participating in SB Outreach as requested by the Authority Executive Team
- Attending Authority-hosted events (i.e.: workshops, Meet the Primes, Pre-bid Forums, etc.)
- Partnering or co-hosting SB-related events with the SB Program Team
- Disseminating Authority-approved programming and project-related information

- **Alternate Representative**

Alternate Representatives serve in the absence of the Primary Representatives. Alternate Representatives may participate on as many Committees as desired whether or not the Primary Representative is a member of the Committee.

BAC MEETING OPERATIONS

Meeting Date and Location Selections

BAC Meetings are conducted virtually. The Authority publishes the BAC Meeting schedule at the beginning of each year. Notice of the meeting calendar for the year is provided to the BAC shortly after the finalization of the Authority Board meeting schedule. The Authority Executive Team retains the discretion to adjust the BAC Meeting frequency and dates as needed.

During odd-numbered years, the first BAC Meeting of the year is dedicated to voting on and establishing the 2-year Strategic Goals. Whereas, during even-numbered years, the first BAC Meeting of the year is focused on reviewing these goals and assessing progress made over the previous year.

BAC Meeting dates and links are available on the [BAC Landing Page](#).

BAC Motions and Voting Rights

Except where otherwise expressed in these Bylaws, the BAC adheres to and operates in accordance with Robert's Rules of Order. The Authority Executive Team determines the meaning and interpretation of the Bylaws. The Authority considers BAC recommendations, advice, and motions, and retains the final decision on their implementation.

The BAC Chair recognizes motions and enforces voting rights, including ensuring that:

- Only voting Members make motions or vote on issues before the BAC.
- When both the Primary and Alternate Representatives are present, only the Primary Representative has the authority to cast the Member's vote. The Alternate Representative casts a vote only in the absence of the Primary Representative.
- BAC quorum consists of 51% of the voting Members.
- Committee quorum consists of 51% of the active Committee Members.
 - Active Committee Members are representatives who have attended at least one effectively noticed Committee meeting.
 - New members must attend at least one (1) Committee meeting during the current year before they acquire Committee voting rights.
 - Committee voting rights are established separately for each Committee.
- Publication of Committee rosters on the [BAC Landing Page](#).
- Partners, Stakeholders, and government agencies and other invited guests hold non-voting status.

Agenda and Meeting Minutes

Meeting Agenda

The meeting agenda is distributed to all active BAC Members and relevant Authority staff ten (10) calendar-days before the scheduled BAC Meeting. The BAC Meeting schedule for the year is available on the Authority's website and can be accessed from the [BAC Landing Page](#).

Meeting Minutes

- The BAC Meeting minutes provide a summary of the agenda issues discussed during the meeting.

- Draft meeting minutes are distributed to the BAC Members within 30 calendar days following the BAC Meeting.
- Approval of meeting minutes from the previous BAC Meeting is a standing agenda item. The meeting minutes become official once approved by the BAC.

Meeting Etiquette

All Members are responsible for adhering to the meeting ground rules. The ground rules direct individual and group behavior and are established to ensure that all are afforded the opportunity to engage, function and make decisions in a productive and safe forum.

The ground rules are:

- Speak to the purpose of the BAC and advance the BAC Strategic Goals
- Provide equitable and fair participation by each Member
- Give equal and fair consideration to the opinion, perspective, and contributions of each Member
- Seek common ground and understanding and/or respectfully agree to disagree
- Seek unity, cooperation, consensus, and resolution

COMMITTEE PARTICIPATION

A Committee is an Authority approved sub-unit of the BAC. The objective of BAC Committees is to:

- Provide targeted action that address and advance the BAC Strategic Goals
- Propose solutions to issues impacting Authority SBs and the SB community

Primary Representatives must serve on at least one (1) Committee. Primary and Alternate Representatives may serve on the same Committee, as well as additional committees simultaneously.

Please review the BAC Committee Charter, found on the [BAC Landing Page](#) for comprehensive details regarding Committee Member roles and responsibilities.

BAC Committees

The BAC is comprised of the Committees below:

- Construction Committee:
 - Addresses issues related to Authority construction activities and equity in contracting on the HSR Project
 - Represent the perspective of the SB community as it relates to construction industry opportunities, and challenges
- Legislative Committee:
 - Tracks and reviews legislation that provide support to under-represented and under-utilized SBs
 - Organizes and coordinates events and opportunities to increase awareness of legislation impacting small and disadvantaged businesses
 - Collaborates with Stakeholders and SB technical assistance organizations to increase support of the SB community
 - Facilitates and bridges gaps in connecting with diverse SBs to advance and cultivate a meaningful partnership with the Authority
 - Supports the Authority through information sharing of legislative initiatives that amplify the collective voice of SBs
- Outreach Committee:
 - Uplifts and supports marginalized and small businesses by providing access to information and resources for Authority programs and projects
 - Organizes, coordinates outreach events, facilitates partnerships, supports the SB Program Equity Outreach Plan
 - Discusses learned and best practices to continue advancing and promoting the Authority's mission
 - Supports the Authority by proactively cultivating initiatives to increase the pool of diverse businesses, including SBs, MBs, DBEs, DVBES, and businesses owned by, members of historically discriminated racial groups, Tribal groups, women and members of the LGBTQ community

- Professional Services Committee:
 - Represents the collective voice of the BAC Professional Services members
 - Addresses issues related to the professional service activities and opportunities on the HSR Project

Committee Reporting Requirements

Committee Chairs are responsible for reporting the following:

Item	Reporting Requirement	Due Date	Submission Method
Newly elected or appointed Officers	Submit results after election/appointment decisions	Within 10 calendar days of the decision	BAC Inbox
Committee Officers List	Submit full list of Officers after term expirations	Within 10 calendar days of the decision	BAC Inbox
Committee Goals	Submit goals for the upcoming year	By February 28 each year	BAC Inbox
Committee Meeting Summary	Submit Committee meeting notes	Within 30 calendar days after the meeting	BAC Inbox
Report Committee Goals progress	Present update of Committee activities, actions to advance goals	During each BAC meeting	Presentation at BAC meeting

Additional reporting requirements are detailed in the BAC Committee Charter found on the [BAC Landing Page](#).

Establishing A New Committee

The Primary Representative must submit a request to form a new Committee to the Authority Executive Team, using the New Committee Formation Request Form, found on the [BAC Landing Page](#). The submission for a new Committee, at a minimum, must identify a Representative to serve as the founding Committee Chair. Only a Primary Representative, in good standing, is eligible to serve as a founding Committee Chair.

Once the new Committee has been approved by the Authority Executive Team, the Committee shall:

- Operate within the scope of its identified objectives
- Identify at least three (3) representatives who agree to participate on the Committee
- Install both a Chair and Vice Chair
- Hold elections for seated positions at the expiration of each term
 - Members may not exceed two (2) years in a Chair and/or Vice Chair position.

- Elections are to be held during the last BAC Meeting of the calendar year.

Ad Hoc Committee

An Ad Hoc Committee is a subcommittee that is formed for a specific task or objective and is dissolved after the completion of the task or achievement of the objective. The recommendation to form an Ad Hoc Committee is made by the Committee Chair and approved by the Committee majority. The recommendation must be noted in the meeting minutes with a description of the Committee's objective and the duration of its existence.

If the purpose of the Ad Hoc Committee is not achieved within the specified timeframe, the Committee must determine to either dissolve or revise the initial objective and duration of the Ad Hoc Committee. The Committee's decision must be noted in the meeting minutes and Committee goals and objectives should be updated as necessary.

Committee Roles and Responsibilities

- **Committee Chair** - Only an active Primary Representative is eligible to serve as a Committee Chair. The Committee Chair:
 - Is elected by a majority of the active Committee Members
 - Serve a minimum of one (1) year—not to exceed two (2) calendar years, where term extensions are approved at the Authority Executive team's discretion
 - Presents a summary of all discussions and agreements of the Committee meetings to the BAC
 - Is limited to one Committee Chair seat for the term duration
- **Committee Vice Chair** - Any active Primary or Alternate Representative is eligible to serve as a Committee Vice Chair. The Vice Chair:
 - Is elected by a majority of the active Committee Members
 - Serves a minimum of one (1) year—not to exceed two (2) calendar years
 - Serves and assumes the roles and responsibility of the Chair in the Chair's absence
- **Committee Secretary** - Any active Primary or Alternate Representative is eligible to serve as a Committee Secretary. The Secretary:
 - Prepares the Committee agenda and oversees the preparation of meeting minutes
 - Solicits agenda items from Committee Members and submits all agenda items in writing to the Committee no later than ten (10) calendar-days prior to the scheduled Committee Meetings
 - Disseminates meeting summaries within ten (10) calendar days prior to the scheduled Committee Meeting
 - Submits all Committee documents, including the agenda and action items, using the [BAC Inbox](#)
- **Committee Member** – Provides Committee related input that affects or impacts SBs.

Committee Voting Rights

Similar to the BAC, Committees adhere to and operate in accordance with Robert's Rules of Order.

- The right to make a motion or vote on issues before the Committee is limited to active Committee Representatives.
 - An active Committee Representative:
 1. Attends at least 50% of Committee meetings during a calendar year after joining or;
 2. Is a new Committee Member who has attended at least one Committee meeting
- A BAC Member holds one (1) position and is entitled to one (1) vote.
 - Both the Primary and Alternate Representative may participate on the same Committee, however only the Primary Representative may cast a vote if both representatives are present.
- A quorum for a Committee shall consist of 51% of the Committee members.
 - Committee rosters must be updated and submitted to the Authority Executive Team, using the [BAC Inbox](#), within ten (10) calendar-days following an election or whenever there are membership changes during the calendar year.

Additional Committee rules and guidelines can be found in the Committee Charter, located on the [BAC Landing Page](#).

Committee Meeting Dates

- The Authority provides a virtual platform for Committee meetings following each scheduled BAC meeting.
- Additional Committee meetings are scheduled at the Committee Chair's discretion upon the Committee's request.
- Authority staff provide administrative assistance when requested based on available resources.

Committee Dissolution

At the discretion of the Authority Executive Team, all Committees are subject to dissolution for any of the following causes:

- Failure to install a Chair and Vice Chair for two consecutive meetings
- Failure to establish quorum of active Committee Members for more than 51% of Committee meetings for the calendar year
- Failure to progress Committee goals and objectives
- Failure to establish goals and objectives that advance one or more of the BAC Strategic Goals

Before initiating dissolution proceedings, the Authority will provide the Committee with a written Notice of Deficiency identifying the specific performance issues. Upon receipt of the Notice, the Committee will be provided a 90-day remediation period to develop and implement a Corrective Action Plan that addresses the identified deficiencies. The Committee must document corrective actions taken and demonstrate measurable improvement within this timeframe. If the Committee fails to remedy the deficiencies within the remediation period, the Authority may proceed with Committee dissolution in accordance with BAC governance procedures.

COMMUNICATION

BAC Landing Page

The [BAC Landing Page](#) is designed to be a one-stop shop for BAC representatives to access important BAC documents, rosters, forms, applications, agendas, meeting minutes, timelines, resources, SB Program plans, SB policies, and more.

Formal Communication with the Authority Board of Directors, Executives and Primes

- **Request to Attend BAC Meetings**

BAC Meetings are the intended forum to provide Members with direct access to Authority Executives that include the SB Chief, Assistant SB Chief, SB Advocate, and the BAC Chair. However, if at any time, Members would like to request the attendance and participation of a specific Board Member, Authority Executive or Prime, Members may make such requests using the [BAC Request Form](#).

- **Requests to Meet Outside of BAC Meetings**

Requests to meet with the Authority, including the Authority Board, Executives, or staff, outside of scheduled BAC meetings, require a two-thirds BAC membership consensus. After obtaining consensus, Members may submit the meeting request using the [BAC Request Form](#). Representatives who participate in such meetings, attend in their capacity as BAC Members and solely represent the perspective of the BAC to which there is a two-thirds consensus.

These communication guidelines do not prohibit or interfere with a Member's right to address the Authority Board during public comment as a member of the public.

Informal Communication

- **BAC Inbox**

The [BAC Inbox](#) is intended for communication between BAC members and the SB Program Team that involves the activities of the BAC, including BAC:

- Meetings
- Bylaws
- Committee Charter
- Strategic Goals
- Agendas
- BAC Request Form
- Membership applications and rosters, etc.

Members are also encouraged to use the [BAC Inbox](#) for distribution of SB information and events sponsored by their Associations and/or SB.

Email Communication

Email is the preferred method of communication and encouraged as a best practice. BAC Members are expected to:

- Work with their company or association's IT Department to ensure incoming BAC and Authority emails are sent to the Inbox and not the "Junk" or "Spam" folders

- Provide the association or business IT Department with BAC contact emails to be considered “safe to receive from”
- Ensure that any email address provided to the BAC is accurate and updated as needed

BAC Request Form

The [BAC Request Form](#) was implemented to streamline, track, and report progress of BAC requests, and avoid the duplication of work among Authority teams. The SB Program Team will review each request to determine if the data/information or action requested may be achieved, completed, and produced by the Authority with available resources. The Authority responds to BAC Requests within ten (10) calendar-days.

Members may use the [BAC Request Form](#) for making the following requests:

- **SB Data/Information Request**

A SB Data/Information request is a request for BAC or Authority SB data/information not available and/or accessible on the [BAC Landing Page](#).

- **Action Item Request**

An Action Item is a task or item that the Authority is unable to complete or produce during BAC Meetings and Special Meetings. Requested Action Items meeting these standards are listed on the Action Item Summary.

SB Data/Information and Action Item requests must:

1. Describe the information/data or action being requested
2. Provide the reason for the request
3. Identify the Strategic Goal the request addresses
4. Describe the intended outcome (if any)
5. Provide supplemental documentation supporting the request (if any)

Action Item Summary

The Action Item Summary is a list of all Action Items for the current year and is posted on the [BAC Landing Page](#). Action Items that have been closed are identified as “Complete” on the summary. The current year Action Item Summary is updated monthly. The Authority advances Action Items to the maximum extent permitted by law and regulation, while operating within the limits of available Authority resources.

TERMS AND DEFINITIONS

Administrative Policies – a set or system of rules that govern the procedures for managing an organization and are meant to establish efficiency, consistency, responsibility, and accountability

Alternate Representative – Authority confirmed BAC Member Representative who holds voting privileges in the absence of the Primary Representative

Association/Organization – An association of people or companies in a particular business or trade, organized to promote their common interests

Business Advisory Council (BAC) – Collective of business trade associations/organizations and SB Representatives who provide input to the Authority in implementing its policies and practices that affect and/or impact SB utilization and participation in the Authority’s contracting programs

BAC Bylaws (Bylaws) – A set of policies and procedures that govern the actions of a group or individual according to industry best practices

BAC Meeting – BAC Member meetings that are scheduled at the beginning of the calendar year and published on the Authority’s website and the BAC Landing Page

BAC Member – Authority confirmed business trade associations/organizations and owners of small, disadvantaged, women, disabled veteran, and LGBTQ business entities that make up the full council

BAC Stakeholders – Non-voting Authority partners and invited guests including representatives of state and federal departments and organizations, industry experts, and Prime Contractor SB officers who attend BAC Meetings

BAC Strategic Goals – Long-term objectives established by the BAC during the Strategic Planning Meeting

California High-Speed Authority (Authority) – State of California department responsible for planning, designing, building and operation of the first high-speed rail system in the nation

Committee – The collective of Primary and Alternate Representatives who convene to focus on advancing BAC Strategic Goals and Committee objectives

Committee Meeting – Meetings organized and held by BAC Committee Members

Committee Member – Collective of Authority confirmed BAC Primary and Alternate Representatives who provide business trade association/organization or SB representation on a BAC Committee

Disabled Veteran Business Enterprise (DVBE) – A for-profit business that is at least 51 percent owned by a veteran of the United States military who has at least a 10 percent service-connected disability. Such business must meet the certification requirements set forth in California Military and Veterans Code section 999(b)(7). This certification is issued by the California Department of General Services and there is no gross receipts requirement for CA certified DVBEs.

Disadvantaged Business Enterprise (DBE) – A for-profit business that is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged. In the case of a corporation, 51 percent of the stock is owned by one or more such individuals; and whose management and daily

business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it and has been certified as disadvantaged in accordance with 49 C.F.R. Part 26. The Authority recognizes DBE certifications issued by the California Unified Certification Program (CUCP).

Microbusiness (MB) – A for-profit business whose gross annual receipts are less than \$6,000,000; or is a manufacturer with 25 or fewer employees. Such business must meet the certification requirements set forth in California Government Code section 14837(d) and California Code of Regulations sections 1896.4 (Definitions) and 2894.12 (Eligibility). This certification is issued by the California Department of General Services. **Please note:** The Department of General Services (DGS) may adjust personal assets and gross receipts values. Please refer to the linked regulations for updated amounts.

Primary Representative – Authority confirmed BAC Member Representative who holds the voting privileges of their Association or SB

Robert’s Rules of Order – A guide for running meetings effectively and efficiently

Service-Disabled Veteran Owned Small Business (SDVOSB): A SB according to SBA’s size standards that is at least 51% owned and controlled by one or more service-disabled veterans who have an eligible service-connected disability. Full eligibility requirements may be found in Title 13 Part 125 Subpart B of the Code of Federal Regulations.

Small Business (SB) – A for-profit business that is independently owned and operated, with its principal office located in California, and with owners living in California, has average annual gross receipts of \$18 million or less over the previous three (3) tax years, is not dominant in its field of operations, and has 100 or fewer employees. Such business must meet the certification requirements set forth in California Government Code section 14837(d) and California Code of Regulations sections 1896.4 (Definitions) and 2894.12 (Eligibility). This certification is issued by the California Department of General Services. **Please note:** The Department of General Services (DGS) may adjust personal assets and gross receipts values. Please refer to the linked regulations for updated amounts.

The Authority also uses the term “SB” to represent the collective of the small business certifications accepted for crediting toward the Authority SB Program goals that include MB, SB, SBPW, DBE, DVBE certified businesses.

Small Business Administration (SBA) 8(a) Certification: A for-profit SB at least 51% owned and controlled by U.S. citizens who are socially and economically disadvantaged, has assets totaling \$6 million or less, and demonstrates the potential for success such as having been in business for two years.

Small Business for the Purpose of Public Works (SB-PW) – A for-profit SB that is independently owned and operated, with its principal office located in California, and with owners, officers, members/managers, partners living in California, has an average of \$43 million or less in gross annual receipts over the previous three (3) tax years, is not dominant in its field of operations and has 200 or fewer employees. Such business must meet the certification requirements set forth in California Government Code section 14837(d) and California Code of Regulations sections 1896.4 (Definitions) and 2894.12 (Eligibility). This certification is issued by the California Department of General Services. **Please note:** The Department of General Services (DGS) may adjust personal assets and gross receipts values. Please refer to the linked regulations for updated amounts.

Special Meeting – A BAC Meeting that is held outside of the calendared and published annual BAC Meeting schedule

Veteran Owned Small Business (VOSB): A SB according to SBA’s size standards that is at least 51% owned and controlled by one or more US military veterans. Full eligibility requirements may be found in Title 13 Part 125 Subpart B of the Code of Federal Regulations.