



State of California • Arnold Schwarzenegger, Governor
State and Consumer Services Agency

DEPARTMENT OF GENERAL SERVICES
Executive Office

May 7, 2004

The Honorable Wesley Chesbro, Chair
Joint Legislative Budget Committee
State Capitol, Room 5100
Sacramento, CA 95814

Dear Senator Chesbro:

Pursuant to the requirements of Supplemental Report of the 2003 Budget Act, Item 1760-001-0666, the Department of General Services (DGS) prepared a report on the Procurement Training and Certification Program.

In keeping with our commitment to encourage conservation, we have posted this report to our website. The report can be viewed at <http://www.legi.dgs.ca.gov/Publications/2004LegislativeReports.htm>. The report is entitled *Procurement Training and Certification Program*.

If you wish to receive a printed copy of this report, please contact Joyce Gibson at (916) 375-4347. If you have any questions regarding this information, please contact Janice King, Acting Assistant Deputy Director, Procurement Division, DGS, at (916) 375-4419.

Sincerely,

Ron Joseph, Interim Director
Department of General Services

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SUPPLEMENTAL REPORT--REVISED 02/10/04

**PROCUREMENT TRAINING AND CERTIFICATION
PROGRAM**

**PREPARED BY
DEPARTMENT OF GENERAL SERVICES
PROCUREMENT DIVISION**

APRIL 2004

EXECUTIVE SUMMARY

This report is in response to Item 1760-001-0666 of the Supplemental Report of the 2003 Budget Act. It contains information on the status of the Department of General Services' (DGS) Procurement Training and Certification Program including a description of the training courses already conducted along with the number of staff attending these courses and those receiving certification. This report also includes descriptions for proposed training courses as well as those still under development.

On May 20, 2002, Governor Davis signed Executive Order D-55-02, directing a three-member Task Force (Governor's Task Force on Contracting and Procurement Review) to review the state's contracting and procurement procedures and make recommendations. As one of the recommendations of the Task Force, the DGS was to "develop and deliver to state agency contracting and procurement officials, a comprehensive training and certification program". The DGS' Procurement Training and Certification Program was developed as a result of this Task Force recommendation.

In order to implement this recommendation, the DGS partnered with California State University, Northridge (CSUN). Out of this partnership, the California Procurement and Contracting Academy (Cal-PCA) was created in order to provide professional development courses and workshops to the state procurement and contracting community. The DGS, along with the CSUN, have worked together to develop and deliver the coursework for all courses and workshops given to date as well as those under development.

Currently, there is a Basic Certificate Program that is being delivered to state contracting professionals, while the Intermediate and Advanced Certificate Programs are under development. Completion of the courses and workshops will lead participants to Basic, Intermediate, and Advanced level certificates. In addition, there will be two series of workshops that will be offered which will bridge students from the Basic to Intermediate Certificate Program (Basic Workshops) and from the Intermediate to the Advanced Certificate Program (Intermediate Workshops).

The Basic Certificate Program is a 64-hour course designed to give state contracting and procurement professionals the basic knowledge and skills needed for basic state procurement responsibilities. One hundred and two students have participated in the program to date, with 91 students receiving certification. Three "tracks" of the Basic Certificate Program have been completed, three additional "tracks" are full, and the DGS will be adding another two "tracks" to accommodate a waiting list. In addition, we are currently offering a series of the Basic Workshops.

The DGS and the CSUN are currently developing the Intermediate Certificate Program, while the development of an Advanced Certificate Program and the Intermediate Workshops will begin later this year.

Between now and the end of June 2005, the DGS expects to offer 14 "tracks" of the Basic Certificate Program, five of the Intermediate Certificate Program, one Advanced Certificate Program, and a series of 12 workshops. In the latter part of 2004, the Basic Certificate Program and one workshop will be offered on-line.

Procurement Training and Certification Program

This report is in response to Item 1760-001-0666 of the Supplemental Report of the 2003 Budget Act, which states:

The Department of General Services shall, by April 1, 2004, provide a status report to the chairs of the budget subcommittees in each house and the Chair of the Joint Legislative Budget Committee of the state's procurement training and certification program. The report shall include: (a) descriptions of training courses conducted over the past 12 months, (b) the number of state staff attending each training course by department, (c) description and status of the state's certification program, (d) the number of state staff receiving certification over the past 12 months by department, (e) descriptions of proposed training courses to be provided over the next 12 months and the estimated number of state staff to be trained, and (f) descriptions of training courses still under development.

On May 20, 2002, Governor Davis signed Executive Order D-55-02, which directed a three-member Task Force (Governor's Task Force on Contracting and Procurement Review) to review the state's contracting and procurement procedures and recommend any statutory, regulatory or administrative changes necessary to "ensure that open and competitive bidding is utilized to the greatest extent possible" by state agencies. The DGS provided staff support to the Task Force and developed the recommendations for their consideration. The Task Force submitted its final report to the Governor on August 30, 2002, consisting of recommendations designed to strengthen the contracting and procurement processes by improving the quality and openness of the process and implementing a set of checks and balances to ensure its integrity. As one of the recommendations of the Task Force, the DGS was to "develop and deliver to state agency contracting and procurement officials, a comprehensive training and certification program". The DGS' Procurement Training and Certification Program was developed as a result of this Task Force recommendation.

In order to implement this recommendation, the DGS partnered with California State University, Northridge (CSUN). Out of this partnership, the California Procurement and Contracting Academy (Cal-PCA) was created in order to provide professional development courses and workshops to the state procurement and contracting community. As part of this effort, the DGS, along with the CSUN, worked together to develop and deliver the instruction for all courses and workshops. Completion of these courses and workshops lead to Basic, Intermediate, and Advanced level certificates for each participant.

In addition to the creation of Cal-PCA, the DGS also conducted a training needs assessment of contracting and procurement officials in state service which confirmed that a significant percentage of these officials lacked the acquisition and contracting knowledge required for high performance.

A. Descriptions of Training Courses Conducted Over the Past 12 Months

Initial Training Efforts

Prior to the development and delivery of the Basic Certificate Program and in order to meet the immediate needs of our customer agencies, a two-day workshop was developed and delivered by Cal-PCA beginning in April 2003 and continuing through July 2003. A total of seven workshops were presented. The workshop covered two topics: Ethical Decision Making and Leveraged Procurement Agreements. Both of these topics became part of our Basic Certificate Program and are described below. A total of 587 procurement and contracting officials, representing 82 departments, attended the two-day workshops. Appendix A lists the number of participants by department. In addition, a special workshop on Ethical Decision Making was delivered to approximately 100 executives and managers of the Franchise Tax Board in September 2003.

Basic Certificate Program

The Basic Certificate Program is a 64-hour course designed to give state contracting and procurement professionals the basic knowledge and skills needed for employees who have state procurement responsibilities.

This course is divided into three modules and delivered over a period of several months to provide participants the opportunity to apply their newly-acquired knowledge at their worksites. This method allows the participants to return for the next module with pertinent questions and experiences to share. The modules are broken down as follows:

Module 1: 3 days

- Day 1: Orientation; State Codes and Regulations
- Day 2: Contract Law; Contract Structure
- Day 3: Ethical Decision Making; Ethics Orientation for State Officials

Module 2: 3 days

- Day 4: Acquisition Process: Acquisition Planning
- Day 5: Acquisition Process: Acquisition Phase
- Day 6: Acquisition Process: Post Award Administration

Module 3: 2 days

- Day 7: Leveraged Procurement Agreements
- Day 8: Case Study

Participants enroll in the entire eight-day Basic Certificate Program (referred to as a “track”). Tracks are delivered over several months, with new tracks starting nearly every month.

Course Descriptions

Orientation

This session focuses first on logistics and entry-level knowledge. Then, the session provides an overview of how procurement and contract operations function in both the public and private sectors. Participants learn about the various roles and duties of the procurement and contract professional in state service, and the relationship with other purchasing and program positions. Upon completion of this session, participants will be:

- familiar with the various roles of the procurement and contract professional;
- able to differentiate the roles of the Project Team Members; and
- exposed to procurement and contracting processes.

State Codes and Regulations

This session focuses on the legal authorization for State of California acquisitions. Participants receive an overview of the codes and regulations governing state procurement. Additionally, the course reviews the various manuals and other material used as resources for purchasing. Upon completion of this session, participants will have:

- an understanding of the state codes and rules governing procurement; and
- a general understanding of where to locate the rules, codes, etc., pertaining to the different types of procurement transactions.

Contract Law

This session explores the rationale behind contracting law. The session discusses the purpose of contracts, contract formation, and important contract terms and conditions. The session also focuses on funding requirements related to the acquisition process and the required contract forms. Upon completion of this session, participants will understand:

- the fundamentals of contract law and common contractual provisions;
- common contract types;
- the steps to create a scope of work/statement of work; and
- the basics related to funding.

Contract Structure

This session examines the roles and acquisition responsibilities of the state's oversight entities and client departments. It discusses standard contract terms and conditions, and preference programs. The session concludes with examples of specific departmental standards and internal requirements. Upon completion, participants will understand:

- acquisition authority within the state;
- common state terms and conditions;
- why and how to use the state's preference and participation programs; and
- how specific departmental requirements fit into the overall state requirements.

Ethical Decision Making

This session discusses the ethics and values in the context of public sector management in which managers must make difficult decisions and evaluate the decisions and actions of others. Upon completion of this session, participants will:

- understand the importance of ethical leadership and organizational values in the context of public sector organizations;
- learn some fundamental frameworks for making decisions and evaluating the ethical behavior of others; and
- understand the potential conflicts arising from having to choose among several "right" but mutually exclusive alternatives.

Ethics Orientation for State Officials

This session addresses ethics as it relates to the state environment. Participants explore the various statutes, rules and regulations governing the conduct of state personnel both during their careers and after retirement. Upon completion of this session, participants will:

- understand the meaning of Conflict of Interest as it applies to careers with the state;
- become familiar with the Political Reform Act and its various applications; and
- satisfy the state Attorney General's mandatory two-year ethics training requirement.

Acquisition Process: Acquisition Planning

This session focuses on the requirements of successful contracting: careful planning and an extensive understanding of the ramification of decisions made at the start of the acquisition process. Upon completion of this session, participants will be able to:

- identify the key aspects of the acquisition need;
- distinguish between acquisition types and classify them appropriately; and
- understand key attributes of competitive and non-competitive acquisitions and when to use them.

Acquisition Process: Acquisition Phase

The focus of this session is informal acquisitions that use a competitive approach. Highlighted are the initial phases of the solicitation process: supplier outreach, solicitation creation, and process administration. Information provided will help participants:

- determine when a written solicitation is used;
- understand which type of solicitation to choose under what circumstances;
- prepare solicitation documents; and
- manage the solicitation process.

Acquisition Process: Post Award Administration

The first portion of the session follows the acquisition process through evaluation, selection, and contract award. The focus is informal competitive transactions. The second portion of the session provides an overview of activities performed during post award administration. Information provided will help participants:

- determine an applicable evaluation methodology;
- understand the protest process;
- successfully administer the contract; and
- understand documentation and reporting requirements.

Leveraged Procurement Agreements

This session provides buyers with the basic information and skills necessary to successfully use the state's leveraged procurement agreements. Upon completion of this session, participants will be able to:

- describe how leveraged procurement agreements fit into the overall array of the state's purchasing agreements;

- select from among the state's leveraged procurement agreements those that could be used for a given type of purchase;
- understand the rules and regulations for each leveraged purchasing agreement;
- complete an order for each leveraged procurement agreement;
- get assistance from the designated websites and resource personnel;
- manage the purchase order process in accordance with the rules applicable to that agreement;
- maintain necessary documentation regarding the purchase in their files; and
- provide the DGS with required reports.

Case Study

The final session is a comprehensive hands-on review of knowledge gained during the entire course. Through a case study, participants apply the knowledge, skills, and abilities acquired over the length of the course.

B. The Number of State Staff Attending Each Training Course by Department

A total of 587 procurement and contracting officials, representing 82 departments, attended the two-day workshops that were initially offered. Appendix A lists the number of participants by department. In addition, a special workshop on Ethical Decision Making was delivered to approximately 100 executives and managers of the Franchise Tax Board.

One hundred and two students, from 35 departments, have participated in the Basic Certificate Program, with 91 students receiving certification. Appendix B lists these students by department.

C. Description and Status of the State's Certification Program

During the summer of 2003, the Basic Certificate Program was developed. The initial three tracks (64 hours of training each) of the Basic Certificate Program were completed in January 2004. An additional three scheduled tracks are full. Through June 2004, we will be adding two more tracks to accommodate a waiting list of approximately 100 students.

An evaluation of the first three tracks indicates that participants viewed the content and delivery as above average, most notably in the relevancy of the information and the usefulness for the job.

We are presently developing a 32- or 40-hour Intermediate Certificate Program. The subjects being considered for inclusion are: defining acquisition requirements, establishing evaluation methodologies, contract formation, understanding terms and conditions, contract modifications, and post-award administrative issues. Tentative plans call for the first track of the Intermediate Certificate Program to be offered in September 2004.

We expect to begin development of an Advanced Certificate Program late in Fiscal Year 2003-2004. This Program is scheduled to be offered in Fiscal Year 2004-2005. The data suggests the need to shift from technical procurement and contracting topics to the fundamentals of managerial and leadership roles. We will explore including topics such as budget development, budget and financial management, strategic planning, and change management.

Professional Development Workshops

Cal-PCA has finalized the course content for five of a series of eight Basic Workshops to be offered as a bridge from the Basic to the Intermediate Certificate Program. Specific workshops currently being offered include: (1) Leverage Technical, (2) Non-Competitive Bidding, and (3) Documentation. Two previously developed workshops, (4) Services Contracting (2-day program) and (5) Ethics will also be offered during this period.

Three additional Basic Workshops are being developed and are scheduled to be offered later in 2004. These are: (6) Evaluation Criteria, (7) Statement of Work, and (8) Conducting Goods Acquisitions.

Cal-PCA will also be developing Intermediate Workshops to be offered as a bridge from the Intermediate to the Advanced Certificate Program. Specific workshops will be developed in the latter part of 2004 and may include: (1) Conducting IT Acquisitions, (2) Contract Management, (3) Acquisition Activities (e.g., bidder conferences, confidential discussions, acceptance testing), and (4) Price Analysis/Risk Analysis.

On-line Training Development and Delivery

A major step for Cal-PCA is the development of on-line training programs. Currently, the Basic Certificate Program, the Statement of Work Workshop, and the Documentation Workshop are being developed for on-line delivery. By the end of this fiscal year, these three courses are expected to be offered on-line.

In addition, Cal-PCA will also place an existing supplier program, "How to do Business with California", on-line, thereby substantially increasing the number of suppliers that are able to access the program.

D. The Number of Staff Receiving Certification over the Past 12 Months by Department

Of the 102 participants in the Basic Certificate Program that are listed by department in Appendix B, 91 have received basic certification. The remaining 11 will receive certification once they complete the course-hours required for certification. All are scheduled to complete the course-hours over the next two months.

E. Descriptions of Proposed Training Courses to be Provided over the Next 12 Months and the Estimated Number of State Staff to be Trained

During the period April 2004 through June 2005, we expect to offer 14 additional tracks of the Basic Certificate Program, with an estimated 35 participants in each track.

The first four-day Intermediate Certificate Program will be offered during the first part of Fiscal Year 2004-2005; we plan to offer five additional tracks, with an estimated 35 participants in each track. One Advanced Certificate Program with 25 participants will also be offered later in Fiscal Year 2004-2005.

In addition to the Certificate Programs, there will be two series of workshops that will be offered as a bridge from the Basic to Intermediate Certificate Program (Basic Workshops) and from the Intermediate to the Advanced Certificate Program (Intermediate Workshops). As noted above (see Professional Development Workshops), specific workshops currently being offered include: (1) Leverage Technical; (2) Non-Competitive Bidding; and (3) Documentation; (4) Services Contracting; and (5) Ethics. Three additional Basic Workshops are being developed and are scheduled to be offered sometime after July 2004.

Intermediate workshops will be developed in the latter part of 2004 and may include: (1) Conducting IT Acquisitions, (2) Contract Management, (3) Acquisition Activities (e.g., bidder conferences, confidential discussions, acceptance testing), and (4) Price Analysis/Risk Analysis.

Listed below are the number of tracks for the Basic and Intermediate Workshops to be conducted along with the anticipated number of students enrolled in each session.

Basic Workshops	Sessions	Students
Statement of Work	11	275
Documentation	11	275
Non Competitive Bid	8	200
Evaluation Criteria	10	250
Services Contracting	6	150
Ethics	7	175
Leverage Technical	6	150
Goods Acquisitions	6	150

Intermediate Workshops	Sessions	Students
IT Acquisitions	1	25
Contract Management	1	25
Acquisition Activities	1	25
Price/Risk Analysis	1	25

F. Descriptions of Training Courses Still Under Development

The Intermediate and Advanced Certificate Programs are currently under development. The Intermediate Certificate Program course content is in the planning stage and, as stated above, may include topics such as: defining acquisition requirements, establishing evaluation methodologies, contract formation, understanding terms and conditions, contract modifications, and post-award administrative issues.

The Advanced Certificate Program is presently in the discussion stage. We anticipate offering course material that will take the participants away from the technical aspects of contracting and procurements and into related managerial areas.

By the end of June 2005, the DGS expects to offer five tracks of the Intermediate Certificate Program and one track of the Advanced Certificate Program.

Initial Training Workshops Participants by Department

The following is a listing of the number of employees by department that attended the seven Ethical Decision Making and California Leveraged Procurement workshops from April – June 2003. There were a total of 587 participants. An additional 100 participants attended a special workshop on Ethical Decision Making that was held for the Franchise Tax Board.

Department	Participants	Department	Participants
African American Museum, Calif.....	5	Health Planning & Development, Office of Statewide.....	1
Aging, Dept. of	4	Health Services, Dept. of.....	4
Agricultural Labor Relations Board	1	High Speed Rail Authority.....	1
Air Resources Board	2	Highway Patrol, Dept. of the Calif.....	4
Alcohol and Drug Programs, Dept. of	7	Horse Racing Board, Calif.	1
Atascadero State Hospital.....	31	Housing and Community Development, Dept. of.....	2
Business, Transportation and Housing Agency	1	Industrial Relations, Dept. of.....	3
Calif. Children and Family First Comm.	3	Inspector General, Office of.....	1
Calif. Victim Compensation & Government Claims Board	1	Integrated Waste Management Board, Calif.	4
Child Support Services, Calif. Dept. of.....	2	Library, Calif. State	1
Colorado River Board of Calif.	2	Managed Health Care, Dept. of.....	3
Community Services & Development, Dept. of	1	Managed Risk Medical Insurance Board, Calif.	2
Conservation Corps, Calif.	17	Mandates, Comm. on State	1
Conservation, Dept. of	1	Mental Health, Dept. of.....	27
Consumer Affairs, Dept. of.....	1	Metropolitan State Hospital.....	7
Controller, State	3	Military Department.....	3
Corporations, Dept. of.....	3	Motor Vehicles, Dept. of	9
Corrections, Board of	3	Napa State Hospital.....	2
Corrections, Dept. of.....	16	Parks & Recreation, Dept. of	1
Criminal Justice Planning, Office of	4	Patton State Hospital	5
Developmental Disabilities, State Council On	2	Personnel Administration, Dept. of.....	4
Emergency Medical Services Authority	1	Personnel Board, State.....	1
Emergency Services, Office of.....	2	Pesticide Regulation, Dept. of	2
Employment Development, Dept. of	16	Planning and Research, Office of.....	2
Employment Training Panel	2	Postsecondary Education Comm., Calif.	2
Environmental Health Hazard Assessment, Office of	1	Prison Terms, Board of.....	1
Equalization, Board of.....	1	Public Defender, State	1
Exposition and State Fair, Calif.....	3	Public Employees' Retirement System.....	1
Fair Employment and Housing Comm.	1	Rehabilitation, Dept. of	9
Fair Political Practices Comm.	1	Science Center, Calif.	1
Fairview Developmental Center	5	Social Services, Dept. of.....	5
Finance, Dept. of.....	2	Sonoma Development Center	1
Financial Institutions, Dept. of.....	1	State Lands Comm.	3
Fish & Game Comm.....	1	Stephen P. Teale Data Center.....	2
Food & Agriculture, Dept. of.....	2	Toxic Substance Control, Dept. of.....	2
Forestry & Fire Protection, Dept. of	5	Transportation, Dept. of.....	50
Franchise Tax Board.....	3	Treasurer, State	2
Gambling Control Comm., Calif.	2	Unemployment Insurance Appeals Board, Calif. 2	
General Services, Dept. of.....	196	Veterans Affairs, Dept. of.....	18
Health & Human Services Agency Data Center.....	7	Water Resources Control Board, State	3
		Water Resources, Dept. of	30
		Youth Authority, Dept. of.....	1

**Basic Certificate Program
Participants by Department**

The following is a listing of the number of participants, by department, that attended Tracks 1, 2, and 3 of the Cal-PCA Basic Certificate Program. There were a total of 102 participants.

Department	Participants
Alcohol and Drug Programs, Dept. of	2
Consumer Affairs, Dept. of.....	1
Corrections, Board of	5
Corrections, Dept. of	2
Electricity Oversight Board.....	1
Employment Development, Dept. of	3
Equalization, Board of	3
Fair Employment and Housing, Dept. of	2
Finance, Dept. of.....	2
Fish & Game, Dept. of.....	3
Food & Agriculture, Dept of.....	3
Forestry and Fire Protection, Dept. of.....	3
Franchise Tax Board.....	2
General Services, Dept. of.....	17
Health and Human Services Data Center.....	2
Health Planning & Development, Office of Statewide.....	2
Health Services, Dept. of	3
Highway Patrol, Dept. of the Calif.	2
Industrial Relations, Dept. of.....	4
Integrated Waste Management Board, Calif.....	1
Justice, Dept. of	2
Mental Health, Dept. of	3
Military Department.....	3
Motor Vehicles, Dept. of.....	3
Parks & Recreation, Dept. of	4
Prison Industry Authority	3
Public Defender, State	2
Rehabilitation, Dept. of.....	4
Social Services, Dept. of.....	2
Statewide Health Planning, Office of	1
Stephen P. Teale Data Center	3
Transportation, Dept. of	1
Veterans Affairs, Dept. of.....	3
Water Resources Control Board, State.....	3
Water Resources, Dept. of.....	2