



Board Agenda Item 55

DATE: August 9, 2016

TO: Board of Supervisors

SUBMITTED BY: Steven E. White
Department of Public Works and Planning

SUBJECT: 2016-2017 Local Agency Disadvantaged Business Enterprise Annual Submittal Form

RECOMMENDED ACTION:

Approve and authorize the Chairman to execute the Local Agency Disadvantaged Business Enterprise Annual Submittal Form with the California Department of Transportation for the Federal Fiscal Year 2016-2017.

The recommended action satisfies the requirements of Agreement 09-169, Disadvantaged Business Enterprise (DBE) Program Implementation Agreement for Local Agencies, between the California Department of Transportation (Caltrans) and the County which requires the annual submittal of Exhibit 9-B (Attached) to Caltrans for federally funded transportation projects.

ALTERNATIVE ACTION:

No viable alternative action has been identified. If the recommended action is not approved, Fresno County will not be eligible to receive federal funding for transportation projects in the Federal Fiscal Year 2016-2017.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. Staff costs associated with the general administration of the DBE program are paid out of the Road Fund.

DISCUSSION:

Since 1981, the United States Department of Transportation (DOT) has required recipients of federal-aid for transportation projects to adopt a DBE program to ensure nondiscrimination in the award and administration of DOT assisted contracts. Caltrans administers the program statewide and requires local agencies receiving federal-aid to submit an annual update of their DBE program. Local agencies are required to submit the Exhibit 9-B annually, implement race-neutral measures to meet the statewide annual DBE goal, and to establish project or contract specific goals to target DBE. As part of Exhibit 9-B, an established method of prompt payment of withheld funds to subcontractors and a mechanism for prompt pay enforcement is included (Attachment A and Attachment B of Exhibit 9-B). The Department establishes DBE contract goals on a project by project basis to facilitate DBE contractor and consultant participation.

OTHER REVIEWING AGENCIES:

Caltrans has reviewed the form and will sign after the form is approved by the Board of Supervisors and executed by the Chair.

REFERENCE MATERIAL:

BAI #44, May 5, 2009

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit 9-B

CAO ANALYST:

John Hays