Board Agenda Item 41

DATE: November 3, 2020

TO: Board of Supervisors

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

SUBJECT: Disadvantaged Business Enterprise Implementation Agreement

RECOMMENDED ACTION(S):

Approve and authorize Chairman to execute a revised Disadvantaged Business Enterprise Implementation Agreement (Exhibit 9-A) with the California Department of Transportation for Federally Aided Highway Projects.

Federal law requires the County to adopt a Disadvantaged Business Enterprise (DBE) Program in order to receive Federal transportation funding. This action will conform the County's DBE Program for DBE participation based upon the requirements of Federal law. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, Fresno County will not be eligible to continue to receive federal aid monies for transportation projects.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions.

DISCUSSION:

The United States Department of Transportation (DOT) requires recipients of Federal aid for transportation projects to implement the California Department of Transportation's (Caltrans) DBE program to ensure nondiscrimination in the award and administration of DOT assisted contracts administered by Caltrans. The Board adopted the DBE program on January 30, 2007 and adopted the required DBE Implementation Agreement on May 5, 2009. On September 4, 2020 Caltrans issued an update to the DBE Implementation Agreement (Exhibit 9-A), revising and clarifying sections pertaining to Prompt Payment. The County is required to submit the Implementation Agreement to Caltrans in order for the County's DBE program to continue to conform to Caltrans' DBE program.

OTHER REVIEWING AGENCIES:

Caltrans has prepared the Implementation Agreement.

REFERENCE MATERIAL:

BAI #33, January 30, 2007

BAI #44, May 5, 2009

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit 9-A - DBE Implementation Agreement

CAO ANALYST:

Samantha Buck