

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

March 25, 2025

FROM

LUTHER SNOKE, Chief Executive Officer, County Administrative Office

SUBJECT

Amendments to Contracts for American Rescue Plan Act Funding

RECOMMENDATION(S)

Approve the following amendments to contracts with subrecipients for American Rescue Plan Act funding for eligible projects in accordance with the Board of Supervisors approved Coronavirus Local Fiscal Recovery Fund Spending Plan to modify the deadlines for obligating project costs:

1. **Amendment No. 1 to Contract No. 22-783** with Colton Joint Unified School District for the Bloomington High School Baseball and Softball Field Improvements Project, modifying the deadline for obligating project costs by 90 days, from December 31, 2024 to March 31, 2025, with no change to the cost of \$1,800,000, or the term of August 1, 2022 through December 31, 2026.
2. **Amendment No. 1 to Contract No. 22-785** with Colton Joint Unified School District for the Joe Baca Middle School Soccer Field Improvements Project, modifying the deadline for obligating project costs by 90 days, from December 31, 2024 to March 31, 2025, with no change to the cost of \$1,150,000, or the term of August 1, 2022 through December 31, 2026.
3. **Amendment No. 2 to Contract No. 23-452** with the Town of Apple Valley for the Bear Valley Road Bridge Project, modifying the deadline for obligating project costs by 365 days, from March 31, 2025 to March 31, 2026, with no change to the cost of \$538,900, or the term of June 1, 2023 through December 31, 2026.
4. **Amendment No. 2 to Contract No. 23-919** with Phelan Pinion Hills Community Services District for the Phelan Community Park Improvements Project, modifying the deadline for obligating project costs by 275 days, from March 31, 2025 to December 31, 2025, with no change to the cost of \$457,194, or the term of February 1, 2023 through December 31, 2026.
5. **Amendment No. 2 to Contract No. 24-110** with the City of Barstow for the Barstow Cemetery Restroom Construction Project, modifying the deadline for obligating project costs by 151 days, from December 31, 2024 to May 31, 2025, with no change to the cost of \$446,672, or the term of December 1, 2023 through December 31, 2026.

(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

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FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). San Bernardino County (County) received a direct allocation of \$423.5 million under the American Rescue Plan Act – Coronavirus Local Fiscal Recovery Fund (ARPA Fund) to bolster the County's response to the COVID-19 pandemic and its economic impact. The Board of Supervisors (Board) approved an expenditure plan for the use of these funds, known as the County Local Fiscal Recovery Spending Plan (Spending Plan), on June 8, 2021 (Item No. 121) and amended the plan on August 24, 2021 (Item No. 21). First District is recommending the amendments to Contract Nos. 24-110, 23-452, and 23-919. Third District is recommending the amendment to Contract No. 24-110. Fifth District is recommending the amendments to Contract Nos. 22-783 and 22-785. This item will have no budgetary impact.

BACKGROUND INFORMATION

On March 11, 2021, the American Rescue Plan Act (ARPA) was signed into law and established the \$350 billion Coronavirus State and Local Fiscal Recovery Fund to distribute resources to state and local governments throughout the nation.

The County established an ARPA Team who reviews all potential projects to determine eligibility for ARPA funding and if the project and use is in accordance with the Board approved Spending Plan. When projects are deemed eligible, the ARPA Team works with the subrecipients to determine subrecipient compliance with ARPA guidelines, and subsequently initiates the contract process.

On March 1, 2022 (Item No. 32), the Board authorized the Chief Executive Officer (CEO) to execute the Board-approved standard ARPA contract template with subrecipients and directed that ARPA contracts executed by the CEO be brought back to the Board for ratification within 30 days of contract execution. Monthly reporting has been provided to the Board detailing the status of ARPA contracts.

On August 23, 2022 (Item No. 21), the Board ratified the CEO's exercise of the authority in executing Contract Nos. 22-783 and 22-785 on July 28, 2022 and August 9, 2022 respectively, with the Colton Joint Unified School District (District). These contracts pertain to the Bloomington High School Baseball and Softball Field Improvements and the Joe Baca Middle School Soccer Field Improvement Projects, with not-to-exceed amounts of \$1,800,000 and \$1,150,000, respectively for the contract term of August 1, 2022 through December 31, 2026. Both projects involve converting natural grass to synthetic turf systems and installing outdoor lighting at each respective school's athletic field. These improvements aim to reduce field downtime for regular maintenance and extend playfield availability for nighttime use.

The District has encountered significant delays in awarding construction-related contracts and has requested an extension of the obligation deadline from December 31, 2024 to March 31, 2025 to finalize obligations for these two projects. All other terms and conditions remain unchanged.

On May 23, 2023 (Item No. 33), the Board ratified the CEO's exercise of the authority in executing Contract No. 23-452 on May 9, 2023, with the Town of Apple Valley (Town). The contract pertains to the Bear Valley Road Bridge Project, which involves improving the storm drain system to provide drainage relief to the Bear Valley Road and Outer Bear Valley Road neighbor. The not-to-exceed amount for this contract is \$538,900, with the term from June 1, 2023, through December 31, 2026.

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On August 22, 2023 (Item No. 28), the Board ratified the CEO's exercise of the authority in executing Contract No. 23-919 on August 9, 2023 with Phelan Pinion Hills Community Services District (CSD). The contract pertains to the Phelan Community Park Improvements Project, which aims to enhance the community's mental, social, spiritual, and physical health by promoting socialization and increased physical activity. The project includes the construction of additional facilities such as tennis and pickleball courts, a community education garden, walking paths with exercise equipment, and shaded areas. The not-to-exceed amount for this contract is \$457,194, with the term from February 1, 2023, through December 31, 2026.

On January 23, 2024 (Item No. 26), the Board ratified the CEO's exercise of the authority in executing Contract No. 24-110 on January 4, 2024, with the City of Barstow (City). The contract pertains to the Barstow Cemetery Restroom Construction Project, which involves installing a pre-manufactured modular restroom at Mountain View Memorial Park Cemetery to provide facilities for individuals with disabilities in compliance with Americans with Disabilities Act, as well as for employees, volunteers, and the general public. The contract had a not-to-exceed amount of \$400,000 for the term of December 1, 2023, through December 31, 2026.

On September 24, 2024 (Item No. 31), the Board approved Amendment No. 1 to Contract No. 23-452 to modify the obligation deadline from December 31, 2024 to March 31, 2025, due to significant procurement delays encountered by the Town, which had requested an extension of the deadline to establish obligations for this project.

However, the Town encountered additional delays in completing the construction contract award process and has requested an extension of the obligation deadline from March 31, 2025 to March 31, 2026, to finalize all necessary procurement-related activities. All other terms and conditions remain unchanged.

On September 24, 2024 (Item No. 31), the Board approved Amendment No. 1 to Contract No. 24-110, increasing the not-to-exceed amount from \$400,000 to \$446,672 and amending the scope of expenditures as originally identified in Exhibit A. This amendment was necessary because the lowest responsive formal procurement bids received by the City exceeded the original subaward amount, resulting in the total estimated project cost exceeding the budget by \$46,672.

Additionally, the City encountered delays in the procurement process and has requested an extension of the obligation deadline from December 31, 2024, to May 31, 2025, to complete all necessary procurement-related activities. All other terms and conditions remain unchanged.

On December 17, 2024, (Item No. 39), the Board approved Amendment No. 1 to Contract No. 23-919 to modify the obligation deadline from December 31, 2024, to March 31, 2025, due to significant procurement delays encountered by the CSD, which had requested an extension of the deadline to establish obligations for this project.

However, the CSD has encountered additional procurement delays in completing its request for proposal process. Extending the obligation deadline from March 31, 2025 to December 31, 2025 will provide sufficient time for the CSD to finalize procurement and execute the necessary project contracts. All other terms and conditions remain unchanged.

PROCUREMENT

Not applicable.

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REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on February 26, 2025; Purchasing (Jessica Barajas, Supervising Buyer, 387-2070) on February 26, 2025; Risk Management (Gregory Ustaszewski, Staff Analyst II, 386-9039) on February 26, 2025; Finance (Joon Cho, Chief Administrative Analyst, 387-5402) on February 25, 2025; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on March 5, 2025.

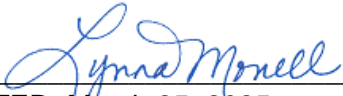
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 25, 2025



cc: CAO - Erickson w/agrees
Contractor - c/o CAO w/agree
File - w/agree
CCM 03/28/2025