

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

September 24, 2024

FROM

LUTHER SNOKE, Chief Executive Officer, County Administrative Office

SUBJECT

Amendments to Contracts for American Rescue Plan Act Projects

RECOMMENDATION(S)

1. Approve **Amendment No. 1 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 90 days, from December 31, 2024 to March 31, 2025, for American Rescue Plan Act funding for eligible projects in accordance with the Board of Supervisors' approved Coronavirus Local Fiscal Recovery Fund Spending Plan, with no change to the cost of \$538,900, or the term of June 1, 2023 through December 31, 2026.
2. Approve **Amendment No. 1 to Contract No. 24-110** with the City of Barstow for the Barstow Cemetery Restroom Construction Project, increasing the contract by \$46,672 from a not-to-exceed amount of \$400,000 to \$446,672, for American Rescue Plan Act funding for eligible projects in accordance with the Board of Supervisors' approved Coronavirus Local Fiscal Recovery Fund Spending Plan, with no change to the term of December 1, 2023 through December 31, 2026.

(Presenter: Luther Snoke, Chief Executive Officer, 387-4811)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

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

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

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

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

Focus on Recovery and Resiliency Following Major Emergency Responses such as the December 2, 2015 Terrorist Attack (SB Strong) and the Global COVID-19 Pandemic.

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). The First District has recommended executing the amendment in Recommendation No.1. The First and Third District Board Offices have recommended executing the amendment in Recommendation No. 2 from each District's

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allocation. Sufficient appropriation is included in the ARPA Fund's 2024-25 budget and will be included in future recommended budgets.

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 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 was for the Bear Valley Road Bridge Project, which will remove and replace the 1963 (eastbound) portion of the bridge and rehabilitate the 1988 (westbound) portion of the bridge, in the not-to-exceed amount of \$538,900 for the contract term of June 1, 2023 through December 31, 2026.

The rehabilitation will include widening to facilitate six travel lanes, a center median, shoulders with Class II bike lanes, a barrier-protected multi-use path on the north side of the bridge, and a barrier-protected sidewalk on the south side of the bridge. The bridge will be widened approximately 31 feet to the north and 15 feet to the south to allow room for the added shoulders, median, sidewalk, and Class I path. Construction activities will include partial bridge removal and rehabilitation; bridge footing, pier, and abutment work; bridge deck widening; utility relocation including the overhead electrical transmission lines; new storm drain facilities; approach roadway widening; Americans with Disabilities Act (ADA) modifications; and restriping between Mojave Fish Hatchery Road and Jess Ranch Parkway.

The Town has encountered significant procurement delays and requested an extension of the December 31, 2024 deadline to establish obligations for this project. All other terms and conditions remain unchanged.

On January 23, 2024 (Item No. 26), the Board ratified the CEO's exercise of delegated authority in executing Contract No. 24-110 on January 4, 2024 with the City of Barstow (City) for the Barstow Cemetery Restroom Construction Project. The scope of the project is the installation of two ADA compliant restrooms adjacent to the existing Barstow Cemetery District (District) office building in the not-to-exceed amount of \$400,000 for the contract term of December 1, 2023 through December 31, 2026.

The District was established to operate the Mountain View Memorial Park located at 37067 Irwin Road in Barstow. It is a self-governed special district with five trustees appointed by the Board. The City agreed to manage the project for the District.

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The City intended to utilize the original ARPA contract cost of \$400,000 towards the installation of two modular restroom units. The lowest responsive formal procurement bids the City received for the project came in \$46,672 over budget. Amendment No. 1 to Contract No. 24-110 will increase the not-to-exceed contract amount from \$400,000 to \$446,672 and amend the scope of expenditures as originally identified in Exhibit A. All other terms and conditions remain unchanged.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Julie Surber, Principal Assistant County Counsel, 387-5455) on August 28, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on August 30, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst II, 386-9008) on August 29, 2024; Finance (Joon Cho, Chief Administrative Analyst, 387-5402) on September 4, 2024; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on September 9, 2024.

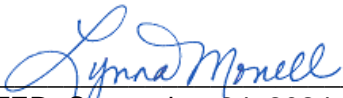
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: September 24, 2024



cc: Administrative Office - Erickson w/agree
 Contractor - c/o Administrative Office w/agree
 File - w/agree
MBA 09/26/2024