

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

December 7, 2021

FROM

BRENDON BIGGS, Director, Department of Public Works – Transportation

SUBJECT

California Department of Transportation Documents Associated with U.S. Department of Transportation Assisted Projects

RECOMMENDATION(S)

1. Ratify the Director of the Department of Public Works approval of the following California Department of Transportation documents:
 - a. Exhibit 9-A “DBE Implementation **Agreement No. 21-902** for Local Agencies” dated October 20, 2020.
 - b. Exhibit 9-B “Local Agency DBE Annual Submittal Form” dated August 30, 2021.
2. Direct the Director of the Department of Public Works to transmit any nonsubstantive amendments to Exhibit 9-A, to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Brendon Biggs, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

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

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

FINANCIAL IMPACT

Approval of this item will not require the use of Discretionary General Funding (Net County Cost), nor will there be a financial impact to the County.

BACKGROUND INFORMATION

On October 26, 2021 (Item No. 30), the Board of Supervisors (Board) amended and restated County Policy 11-12 to update and address various topics associated with U.S. Department of Transportation assisted projects such as Title VI of the Civil Rights Act of 1964, Americans with Disabilities Act (ADA), Equal Employment Opportunity, and Disadvantaged Business Enterprise (DBE). Policy 11-12 also designates County staff responsible for Policy implementation and delegates certain Board authority to designated County staff to approve documents. In particular, Policy 11-12 delegates to the County’s DBE Liaison Officer, which is identified in Policy 11-12 as the Engineering Manager for the Contracts Division of the Department of Public Works, the authority to complete, sign, and submit to the California Department of Transportation (Caltrans), Local Assistance Procedures Manual (LAPM) Exhibit 9-A, or any non-substantive amendments to said agreement to formally acknowledge the County’s commitment to implement Caltrans DBE Program and to comply with all of the applicable responsibilities. Policy 11-12 also authorizes the County’s DBE Liaison Officer to complete, sign, and submit to

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Caltrans on an annual basis Caltrans LAPM Exhibit 9-B “Local Agency DBE Annual Submittal Form.”

This item recommends that the Board ratify Caltrans LAPM Exhibit 9-A “DBE Implementation Agreement for Local Agencies” and LAPM Exhibit 9-B “Local Agency DBE Annual Submittal Form” previously approved by the Director of the Department of Public Works on October 20, 2020, and August 30, 2021, respectively. Caltrans LAPM Exhibit 9-A formally acknowledges the County’s commitment to implement the Caltrans DBE Program and to comply with all of the applicable Caltrans Local Assistance Procedures Manual responsibilities. Caltrans LAPM Exhibit 9-B provides Caltrans information for the upcoming federal fiscal year. While the Director signed Caltrans LAPM Exhibits 9-A and 9-B pursuant to authority delegated to the Director by the Board on September 15, 2009 (Item No. 26), due to the amount of time that has passed since the 2009 Board delegation and because the amended and restated County Policy 11-12 approves Caltrans LAPM Exhibit 9-A in its current form, it is recommended that the current Board ratify the Exhibits 9-A and 9-B approved by the Director of Public Works. Also, this item will require the Director of the Department of Public Works to transmit any nonsubstantive amendments to Exhibit 9-A approved by the County’s DBE Liaison Officer pursuant to Policy 11-12, to the Clerk of the Board of Supervisors within 30 days of execution.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott M. Runyan, Supervising Deputy County Counsel, 387-5455) on October 26, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on November 12, 2021; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on November 15, 2021.


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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 7, 2021



cc: PW/Trans- Silao w/agree
Contractor- C/O PW/Trans w/agree
File- w/agree w/attach
LA 12/9/2021