



Agenda Date: 2/1/2005
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NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Kim Henderson for Robert Peterson - Director
Airport
REPORT BY: Juan Arias, Civil Engineer , 259-8374
SUBJECT: Adoption of Napa County's Disadvantaged Business Enterprise (DBE) Program methodology and goal for Fiscal Year 2004/2005 for FAA funded projects

RECOMMENDATION

Director of Public Works/Aviation requests adoption of the Disadvantaged Business Enterprise program methodology and goal for Fiscal Year 2005 for Federal Aviation Administration (FAA) funded projects.

EXECUTIVE SUMMARY

The County of Napa is required by Federal Law to adopt a Disadvantaged Business Enterprise (DBE) program goal and methodology every year for Federal Aviation Administration (FAA) funded projects. The draft goal and methodology for Fiscal Year 2005 has been approved by the FAA, has been advertised in a local paper and builders exchange and the required public comment period has elapsed. Formal adoption by the Board of Supervisors is now required.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

There is no Environmental Impact for this item.

BACKGROUND AND DISCUSSION

The U.S. Department of Transportation's (DOT) Disadvantaged Business Enterprise (DBE) program is intended to remedy past and current discrimination against disadvantaged business enterprises to ensure a "level playing field" and foster equal opportunity in DOT-assisted contracts, improve the flexibility and efficiency of the DBE program, and reduce burdens on small businesses.

Local agency recipients of Federal funds shall comply with all the elements of Title 49, Part 26 of the Code of Federal Regulations (CFR) entitled "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." These provisions apply to all Federal-aid funded transportation projects and require local agencies participation. After October 1, 2000, each local agency was to implement a Disadvantaged Business Enterprise (DBE) Program and establish an annual overall goal prior to submitting a "Request for Authorization" to proceed with a Federal-aid project.

On July 12, 2004 Public Works staff received correspondence from the FAA requesting an updated goal for Fiscal Year 2005 covering the period of October 1, 2004 through September 30, 2005 by August 13, 2004. Through the same correspondence, the FAA informed Public Works staff that, once the updated goal was submitted, the County could begin to solicit bids or proposals for FAA assisted contracts, which include contract goals derived from a proposed overall goal. Public Works Staff submitted a draft overall goal, methodology, breakout of estimated race-neutral and race-conscious participation to the Federal Aviation Administration (FAA) for FAA funded projects for Fiscal Year 2005 on August 13, 2004. The contents and elements of the draft were reviewed and approved by the FAA and an approval letter dated December 23, 2004 was received by Public Works Staff on December 30, 2004.

A 30-day public notice of the Goal was published in the Napa Valley Register on October 6, 2004 and in the Solano-Napa Builders Exchange Construction News on October 8, 2004. Comments were accepted on the Goal for forty-five days from the dates of the Notices. No comments were submitted to the Department of Public Works during the forty-five day period.

The Department of Public Works therefore recommends the adoption of Napa County's DBE program methodology and goal for Fiscal Year 2005 for FAA funded projects.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Michael Stoltz