



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 3/20/2018

Agenda Placement: 6R

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Steven Lederer - Director of Public Works
Public Works

REPORT BY: Nate Galambos, ENGINEERING MANAGER - 259-8371

SUBJECT: Approval of Disadvantaged Business Enterprise Program for Napa County Airport Federal Aviation Administration Funded Projects

RECOMMENDATION

Director of Public Works requests the Board adopt the Napa County Disadvantaged Business Enterprise (DBE) Program for contracts utilizing Federal Aviation Administration (FAA) Airport Improvement Program (AIP) funds, authorize the County Executive Officer to sign the DBE Policy Statement, and direct staff to establish a DBE goal for the federal fiscal years 2018 through 2021 for Federal Aviation Administration funded projects pursuant to FAA requirements and the adopted plan.

EXECUTIVE SUMMARY

As a recipient of Federal funds, Napa County is required to develop and implement a Disadvantaged Business Enterprise (DBE) program in accordance with the Code of Federal Regulations (CFR) Title 49 Part 26. Public Works and Airport staff have worked with Napa County Counsel's Office and staff from the Federal Aviation Administration to develop the Napa County DBE Program for Airport projects utilizing FAA Airport Improvement Program (AIP) funds.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Local agency recipients of Federal funds are required to comply with 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 Federal-Aid funded transportation projects and requires local agencies who receive the federal funds to develop a Disadvantaged Business Enterprise (DBE) program. The primary remedial goal and objective of the DBE program is to level the playing field by ensuring small businesses owned and controlled by socially and economically disadvantaged individuals are provided a fair opportunity to compete for federally funded transportation contracts.

Napa County staff working with County Counsel has prepared a DBE program in compliance with Title 49, Part 26 with guidance from Federal Aviation Administration (FAA) staff. While the contents and elements of the DBE program have been submitted to the FAA for review and concurrence, and feedback has been incorporated, the County is not required to obtain approval from the FAA prior to implementation. Upon adoption of this program, Napa County staff will maintain it on an ongoing basis and provide required annual reporting to the FAA with respect to goal attainment and good faith efforts along with several other reporting elements.

Without creating a DBE program in accordance with federal regulations, the County will not be eligible to receive FAA grant funding exceeding \$250,000 in a federal fiscal year. Therefore, the Airport would not be able to implement their Capital Improvement Program repairing and rehabilitating many of their runway and taxiway facilities, including the currently proposed Runway 18R-36L project.

In addition to developing this DBE program for adoption, County staff has also been conducting outreach efforts to specific DBE contractors to make them aware of the Airport's upcoming runway rehabilitation project. Efforts such as these are in line with the DBE program and shows that the County is making good faith efforts to meet our stated goals.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Bret Prebula