



**Item Number: 14**

**City Council / Board of Directors**

**Written Communications**

**Meeting of: May 4, 2021**

**Submitted By:**

Brian Gengler, City Engineer

**Subject:**

Disadvantaged Business Enterprise (DBE) and Labor Compliance Services

**Recommendation:**

Staff recommends that the Honorable City Council approve a Consultant / Professional Services Provider Agreement with Padilla & Associates in an amount not to exceed of \$69,893.43.

**Fiscal Impact:**

There will be a \$69,893.43 fiscal impact resulting from this action. An additional appropriation is not required. There are sufficient funds budgeted in the projects for which the DBE and labor compliance services will be provided. The budget account numbers, expenses and amounts available are shown below.

Budget Account No.	Description	Expense	Amount Available
3524500-55315-60013	Green Tree Blvd. Extension	\$39,046.00	\$875,030.57
3524500-55315-60014	Bear Valley Rd. Bridge over BNSF Railroad	\$30,597.43	\$31,000.00

**Background:**

On March 16, 2021, City Council awarded a construction contract to Skanska USA Civil West California District, Inc., for the Green Tree Blvd. Extension Project.

At the March 16, 2021, Regular City Council meeting, it was moved by Mayor Pro Tem Irving, moved and approved by a majority vote of the City Council to agendize an item for a presentation, discussion and possible action to host pre-bid outreach events for all contracting and procurement opportunities that carry DBE goals.

On April 6, 2021, Padilla & Associates, a consultant under contract with the City to provide DBE services, gave a presentation about what would be required for a potential virtual DBE outreach event. City Council directed staff to host a pre-bid DBE outreach event.

**Discussion:**

Two federally funded projects with DBE requirements will be starting construction in 2021. The Green Tree Blvd. Extension Project will likely be starting by late May with an estimated duration of 22 months. The Bear Valley Road Bridge over BNSF Railroad Project will likely start before the end of 2021 and has an estimated duration of 14 months. There are several monthly monitoring and reporting requirements for both the DBE program and the labor compliance program for both projects.

Staff will need assistance in assuring that the DBE and labor compliance requirements are met for these two projects during the course of construction. Padilla & Associates has performed well in providing DBE services for the City and for the Southern California Logistics Airport Authority (SCLAA) for several federally funded projects since 2018.

Staff requested a proposal from Padilla & Associates to provide these services in accordance with Section 2.28.280 (c) of the Victorville Municipal Code, "Award of consultant/professional services contracts based upon competence, contracts / informal process". In summary, the requested services include: training for staff; electronic reporting; monthly monitoring for DBE compliance; DBE good faith effort reviews; participation in pre-construction meetings; labor compliance monitoring and enforcement oversight; and project registrations.

In addition, a virtual DBE outreach event will be held to inform small businesses and DBE firms about upcoming City and SCLAA projects that will have DBE participation. The cost for this event will be \$5,750.00.

Staff has reviewed the proposed scope of services and found it to be responsive to the needs of the City and SCLAA. The proposed fee for these services is \$69,893.43. Staff has evaluated the fee and considers it be reasonable for the proposed services.

Staff recommends that the Honorable City Council approve a Consultant / Professional Services Provider Agreement with Padilla & Associates in an amount not to exceed of \$69,893.43.

Staff is available for any questions Council may have.

**Attachments:**    A. Agreement