
Exhibit 9-B Local Agency DBE Annual Submittal Form

TO: CALTRANS DISTRICT 5,
District Local Assistance Engineer

The amount of the Annual Anticipated DBE Participation Level (AADPL) and methodology are presented herein, in accordance with Title 49 of the Code of Federal Regulations, Part 26, and the State of California, Department of Transportation Disadvantaged Business Enterprise (DBE) Program Plan.

The County of Santa Barbara,
submits our AADPL information. We have established an AADPL of 9.6 % for the Federal Fiscal Year 2008/2009, beginning on October 1, 2008, and ending on September 30, 2009.

Methodology

USE OF A BIDDERS LIST

By using the required Bidders List, The County of Santa Barbara will calculate its weighted Base Figure by first determining the number of ready, willing and able DBEs in its FY 2007/08 Bidders List by work category, and dividing the number of DBEs by the total number of firms in the same work category. Through this method, the County of Santa Barbara can measure availability by the number of firms that have directly participated in, or attempted to participate in, County of Santa Barbara's DOT-assisted contracting for FY 2007/08.

Application of this formula yields the following baseline information:

$$\frac{\text{Number of Ready, Willing and Able DBE's}}{\text{Number of All Ready, Willing and Able Firms}} = \text{BASE FIGURE}$$

The Base Figure resulting from this calculation is as follows:

$$\text{Base Figure} = \frac{.7065 \text{ (DBE's in 234110)}}{\text{Firms in 234110}} + \frac{.2935 \text{ (DBE's in 541330)}}{\text{Firms in 541330}}$$

$$\text{Base Figure} = \frac{.7065(11)}{141} + \frac{.2935 (6)}{43}$$

$$\text{Base Figure} = \frac{7.7715}{141} + \frac{1.761}{43}$$

$$\text{Base Figure} = .0551 + .0409$$

$$\text{Base Figure} = .096 \times 100 = \underline{9.6\%}$$

Disadvantaged Business Enterprise Liaison Officer (DBELO)

The County of Santa Barbara has designated the following individual as the DBE Liaison Officer:

Mr. Scott D. McGolpin
Director of Public Works
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101
Attn: Gena Valentine Felix
(805) 568-3064
gvfelix@cosbpw.net

Prompt Pay

Federal regulation (49 CFR 26.29) requires one of three methods be used in federal-aid contracts to ensure prompt and full payment of any retainage, kept by the prime contractor or subcontractor, to a subcontractor. (Attached is a listing of the three methods. On the attachment, please designate which prompt payment provision the local agency will use.)

Submitted by:

[Signature of Salud Carbajal, Chair, Board of Supervisors of the
County of Santa Barbara, State of California]

Date

[Print Name, Salud Carbajal, Chair, Board of Supervisors of the
County of Santa Barbara, State of California]

Phone Number

Reviewed by Caltrans:

(Signature of Caltrans District Local Assistance Engineer [DLAE])

Date

Distribution: (1) Original –DLAE DBE Annual Submittal Form (05/01/06)
(2) Copy-local agency after signing by DLAE

(Attachment)

Prompt Payment of Withheld Funds to Subcontractors

Federal regulation (49 CFR 26.29) requires one of the following three methods be used in federal-aid contracts to ensure prompt and full payment of any retainage kept by the prime contractor or subcontractor to a subcontractor.

Please check the box of the method chosen by the local agency to ensure prompt and full payment of any retainage.

- No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors
- No retainage will be held by the agency from progress payments due the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor in 30-days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies specified in Section 7108.5 of the California Business and Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.
- The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies specified in Section 7108.5 of the California Business Professions Code. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to the contractor or subcontractor in the event of: a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.
-