

**Resolution 2012 – 71**  
**Kootenai County Commissioners Public Transit**  
**Disadvantaged-Business Enterprise Program**  
**Continuing Resolution**

**WHEREAS**, Kootenai County Board of County Commissioners have received Federal finance assistance, and have signed assurances that will comply with 49 CFR Part 26; and

**WHEREAS**, Kootenai County Board County Commissioners have received funding from the Department of Transportation and other federal departments of over \$250,000; and

**WHEREAS**, Kootenai County Board of County Commissioners have established a Disadvantaged-Business Enterprise (DBE) Program in accordance with the regulations of the U.S. Department of Transportation 49 CFR Part 26; and

**WHEREAS**, Kootenai County Board of County Commissioners must adopt a DBE policy statement, and to appoint a person to serve as DBE Officer and Liaison to Kootenai County's chief executive officer; and

**WHEREAS**, it is the policy of the Kootenai County Commissioners to ensure the DBE's as defined in 49 CFR Part 26 have an equal opportunity to receive and participate in U.S. Department of Transportation assisted contracts; and

**WHEREAS**, Kootenai County Board of County Commissioners in accordance with the regulations of U.S. Department of Transportation 49 CFR Part 26, have established a DBE goal based on the DBE goal methodology detailed in Appendix C of Kootenai County's Disadvantaged-Business Enterprise Program; and

**WHEREAS**, it is also the policy of Kootenai County's Public Transit System:

To ensure nondiscrimination in the award and administration on Department of Transportation assisted contracts;

To create a level playing field on which DBE's can compete fairly for Department of Transportation assisted contracts;

To ensure that the DBE program is narrowly tailored in accordance with applicable law;

To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBE's;

To help remove barriers to the participation of DBE's in Department of Transportation assisted contracts;

To assist the development of firms that can compete successfully in the marketplace outside of the DBE program;

**WHEREAS**, Jody Bieze will be appointed the DBE Officer and Liaison of the DBE Program; and

**WHEREAS**, implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by the Kootenai County Board of County Commissioners in their financial assistance agreements with the Department of Transportation; and

**WHEREAS**, if any section, subsection, paragraph, sentence, clause, or phrase of this resolution should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this resolution which shall remain in full force and effect; and to this end the provisions, of this resolution are hereby declared to be severable; and

**WHEREAS**, Kootenai County's Resolution 2008-119 and Resolution 2011-57, and all provisions of any Kootenai County Resolution not consistent with this Resolution are hereby repealed as of the effective date of this Resolution; and

**WHEREAS**, this Resolution shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of The Coeur d'Alene Press;

**NOW THEREFORE, BE IT THEREFORE RESOLVED** that the Kootenai County Board of County Commissioners will disseminate the Policy Statement of the Kootenai County Disadvantaged-Business Enterprise Program to Kootenai County and all the components of the organization;

**BE IT FURTHER RESOLVED** that the Board of County Commissioners will distribute the Policy Statement to Disadvantaged-Business Enterprise and Non-Disadvantaged-Business Enterprise business communities that may perform work for Kootenai County on Department of Transportation financial assisted contracts through the advertisement for solicitation of various bids.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the following vote was recorded:

Commissioner Nelson:  
Commissioner Green:  
Chairman Tondee:

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of County Commissioners of Kootenai County, Idaho, on the \_\_\_\_\_ day of July 2012.

Dated this 10<sup>th</sup> day of July, 2012

KOOTENAI COUNTY  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
W. Todd Tondee, Chairman

\_\_\_\_\_  
Daniel H. Green, Commissioner

\_\_\_\_\_  
Jai Nelson, Commissioner

ATTEST:  
CLIFFORD T. HAYES, CLERK

By: \_\_\_\_\_  
Deputy Clerk