

Section 1

Board of Supervisors

Overview

Introduction

The Workforce Development Department (WDD) administers the Workforce Innovation and Opportunity Act (WIAO) activities for San Bernardino County. The County Board of Supervisors (Board) sets the overall policy for WDD. In some instances, the Workforce Development Board (WDB) makes recommendations to the Board on WDD related issues.

This chapter provides a basic understanding of how WDD interfaces with the Board, describes the roles and functions of the WDD staff and procedures involved in submitting Board Agenda Item(s).

BAI

A Board Agenda Item (BAI) is a standard format for County staff to convey information and recommendations to the Board and the public. BAIs include a formal written report and may include supporting documents (i.e., contracts, ordinances, coversheets, etc.), submitted to the Board for consideration and action. The BAI is a summary of pertinent factual and financial information. The BAI also includes a staff recommendation and request for Board action.

BAIs are prepared, reviewed, submitted, and presented to the Board for action during meetings in accordance with the Clerk of the Board (COB)'s guidelines and procedures (detailed process and procedure for the BAI content may be found on the COB's intranet). Board meetings are public meetings, and the BAI is the method used for the communication of information to the Board and the public. It is imperative information contained in the BAI be accurate, complete and understandable.

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General Information

Introduction

The San Bernardino County Board of Supervisors (Board) sets all policy and makes financial decisions for all departments of County government. This section includes general information about Board Agenda Items (BAI).

Types of actions approved by BOS

Actions requiring Board approval or acceptance include, but are not limited to:

- Proposed departmental budgets
 - Grants (i.e., proposals, applications, etc.)
 - Acceptance of grant awards and other funds
 - Board items relating to the formation of the Workforce Development Board (WDB)
 - WDB travel
 - Contracts, agreements, and purchase orders when the annual aggregate cost for the fiscal year is expected to exceed the Purchasing Agent's approval authority, currently set at \$200,000 per year (as set forth in County Policy 11-04 in accord with Government Code section 25502.5)
 - Amendments to Board approved contracts or other actions
 - Memorandums of Understanding (MOU) with Non-County departments
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Grants

All grant applications and amendments must be submitted to County Counsel and the County Administrative Office (CAO) for review and approval prior to submission to the Board or Chief Executive Officer (CEO) for final authorization to submit to the grantor agency.

- Board approval is required to submit any application or amendment that is legally binding requiring discretionary general funding, additional staffing, governing board resolution, or other Board action.
- CEO or designee approval is required to submit all other non-binding grant applications and amendments.

All grant awards must be accepted by formal action of the Board. A copy or copies of the original submission or application shall be provided with award acceptance requests placed before the Board.

Note: Refer to the Clerk of the Board "Checklist for Submission of Agenda items" for required copies and requirements for Board-approved Grant Applications.

The Standard Contract [see the County contract template (refer to the COB intranet site for details)] or Non-Standard Contract Coversheet (for contracts from other entities and do not use a standard County contract template) will be used as a coversheet to the application if Board approval is required. The Chairman's Signature block on the coversheet must be included on the grant application document.

Notes:

- Refer to County Policy 05-13 and Standard Practice 05-13SP for information on "Grant Funding" and CAO website for the Grant Summary form.
 - Refer to BAI Guidelines 07-01 for complete details of what is included in the Grant BAI.
 - Refer to the **WDD Intranet>Resources & Refences>Quick Reference Guide>Grant Summary Process** for additional information on the process for grants.
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General Information, Continued

Contracts

Contracts with an annual aggregate cost of more than the Purchasing Agent's annual approval authority must be approved by the Board. The following applies:

- A separate Standard Contract or Non-Standard Contract Coversheet must be completed for each funding source involved.
 - The Chairman's Signature block must be typed on the signature page of the contract when the Standard Contract form is not used.
 - Documents must have a one-inch (1") top margin so information will not be lost when the documents are hole-punched for filing.
 - Signature block information, including the name of the person signing on behalf of the contractor, must be typed.
 - Clerk of the Board (COB) Checklist indicating the specific number of signed copies to be included with the **Final** package when additional original signature copies are required.
 - Contractor signatures are required on most agreements before going to the Board. Only agreements with Federal or State governments or utilities (Southern California Edison, Southern California Gas Company, Southwest Gas Company) will be executed by the County first.
 - Amendment numbers, State, and Federal contract numbers must be entered on the Agenda Item, when applicable.
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General Information, Continued

Overview of the process

The table below provides a basic overview of the BAI process; specific instructions by position are outlined further in the chapter.

Stage	Description
1	BAI Assigner will designate a staff person (BAI Writer) to write the BAI for the Board.
2	BAI Writer will: <ul style="list-style-type: none">• Email the BAI Submission Slip to the Workforce Development Department (WDD) Secretary II and/or the Executive Secretary for the WDB,• Write the BAI and develop any necessary attachments,• Name the documents following the COB requirements, and• Begin the review process of the BAI and include all the appropriate documents to be reviewed following the timeline for BAI submissions to the Board, and• Track the progress of the BAI prior to sending to the Department Submitter.
3	BAI Submitter will: <ul style="list-style-type: none">• Send BAI to the Assistant Director, Director, and CAO Analyst,• Post to the COB automated system,• Coordinate:<ul style="list-style-type: none">– Any revisions to the BAI, and– Complete final packaging.

SB 1439

Introduction

Senate Bill (SB) 1439 was signed into law by the Governor on September 29, 2022 and extends the prohibition on soliciting or accepting campaign contributions to all local government officials, including elected officials (such as councilmembers and governing board members). The California's pay-to-play" law was effective as of January 1, 2023.

This section provides information Workforce Development Department (WDD) staff must consider and follow when developing a Board Agenda Item (BAI).

Senate Bill (SB) 1439

SB 1439 extended the period on soliciting or accepting campaign contributions to all local government officials, including elected officials (such as councilmembers and governing board members) from three (3) months to 12 months. If a party (or an affiliated party, such as an agent or employee) has made a campaign contribution of \$250 or more within the preceding 12 months to a member of the Board of Supervisors (BOS), the Board Member may need to recuse himself/herself from participating in considering a matter if the matter involves a company/person who has made more than \$250 campaign contribution before the matter became pending, but with 12-months of the Boards decision if the member knows or has reason to know the participant has a financial interest in the matter.

Matters covered

Matters covered by SB 1439 include the following:

- Amendments to contracts
- Building and Development Plans
- Business Permits
- Contracts awarded via any procurement process (one exception, see excluded block)
- Land Use Rights
- Licenses
- Professional Services Contracts
- Public Use Permits
- Requests for Proposals where criteria other than cost was considered (information is required for *all* bidders)
- Solid Waste Franchises
- Private Development Plans

There is a process allowing for recused Board Members to be randomly selected so there is a quorum to vote on the matter.

Excluded

SB 1439 does not pertain to:

- Personal employment contracts
- Labor contracts with union organizations
- Contracts awarded **solely based** on lowest bid
- Contracts with public entities
- Matters where there is **NO** possibility the Board could be asked to decide on the matter

Notes: When in doubt, seek guidance from County Counsel.

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SB 1439, Continued

BAI Impacts	SB 1439 prohibits accepting, soliciting, or directing a campaign contribution of more than \$250 from any part, participant, or a party's or participant's agent, while a license, permit, or entitlement for use is pending, and for 12 months after a decision is made on the matter.
Pending matter	<p>While a matter is pending, a Board member cannot accept, solicit, or direct a campaign contribution of more than \$250 from a company/person involved with the matter. A matter is considered pending before the Board, the first date any of the following occurs:</p> <ul style="list-style-type: none">• An application is filed with the County,• The County has begun reviewing the matter, or• The matter has been presented to the Board for its determination or action.
BAI	<p>Effective July 11, 2023, all contracts/agreements that involve matters covered by SB 1439 going to the BOS must either contain the:</p> <ul style="list-style-type: none">• SB 1439 language and SB1439 Contractor Reporting Form, or• BAI should include SB1439 as a missing standard term. <p>If SB1439 form is not submitted or completed the BAI will be rejected until the form is submitted. The SB1439 Contractor Reporting Form will be attached with the BAI for BOS approval. Example contracts are youth contracts, CYEP/CSEP and others (not for grant approvals or similar items).</p>
Campaign Contribution Disclosure	<p>When a covered matter is coming before the Board, is there a Campaign Contribution Disclosure Information Attachment included in your Contract?</p> <p>If yes:</p> <ul style="list-style-type: none">• Email the completed Campaign Contribution Disclosure Information Attachment to CAO Special Projects no later than the Wednesday prior to the Board Meeting.• Provide the contract with the completed Campaign Contribution Disclosure Information Attachment to Agenda Review for upload, matching the hardcopy given to Clerk of the Board. <p>If no, or if there is no contract for the matter:</p> <ul style="list-style-type: none">• Send the separate Campaign Contribution Disclosure Board Agenda Item Report to the entity to complete and return to the department.• Once received, email the completed form to CAO Special Projects no later than the Wednesday prior to the Board Meeting. This is not uploaded or submitted to the Clerk of the Board. <p>Note: The Campaign Contribution Disclosure Information Attachment form is located on the WDD Intranet>Forms>Admin.</p>

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SB 1439, Continued

Contractor or Property Information Report

The Contractor or Property Information Report applies to those requesting a license, permit or responding to an RFP.

It is the WDD Staff Analyst's responsibility to:

- Obtain the form from the entity or individual, and
- Retain the form with the appropriate application and/or project paperwork.

The SB1439 Contractor Reporting Form is located in the **WDD Intranet>Forms>Administrative.**

Board consideration

When an item is being presented to the BOS, WDD Staff Analyst will complete the SB1439 Board Agenda Item Information Report. Some key points to consider:

- BAI information and question #12 must be completed.
 - Questions 1-11 must be completed by the entity or individual that is the subject of the BAI.
 - If a question does not apply, a response of N/A or Not Applicable must be entered
 - The form must be complete, or it will cause a delay in the item being added to the Board agenda.
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Board Agenda Item (BAI)

Introduction

Board Agenda Items (BAIs) provide a standard format for County staff to convey information and recommendations to the Board and the public. BAIs include a formal written report and may include supporting documents (i.e., contracts, ordinances, coversheets, etc.) submitted to the Board for consideration and action. The purpose of the department's Board agenda procedures is to streamline the process and ensure deadlines are met.

The County Administrative Office (CAO) staff review agenda documents thoroughly. It is important the documents are submitted without errors.

Deadlines

The Department requests **Drafts** to be submitted nine (9) weeks before the Board date. The BAI Writer must start drafting contracts and BAI at least ten (10) weeks before the Board date.

Note: Refer to the Board Agenda Review and Submission Deadlines Calendar for BAI deadlines. Calendar is located in the **Admin Share Drive in the Board Agenda Item folder**.

Retro Items

Retro items are any items where the date of the grant/contract, etc., starts prior to the BOS date. **Example:** WDD receives contract documents for a grant on 1/19; the grant starts on 2/1 but the soonest available BOS meeting is 2/28.

Any "retro" BAIs requires BAI Department Submitter to send an email to the CAO Special Projects (CAO-SP) **BEFORE** the item is due to them for review. The following information must be included in the email:

- Subject line: Retro Item: BAI (Refer to the Abbreviations required by the COB section for BAI document naming convention),
- Stem sentence should state: Retro Item for approval
- Date WDD received the grant/contract award and from whom,
- Dollar amount of the grant/contract along with the time length (July 1 – June 30, etc.),
- Purpose of the grant/contract, what program and benefits for the grant, and
- Why the item is being presented as a retro item and is there any impact (**Example:** this item is being presented at this time, as this is the first date available following the required operational, fiscal, and legal reviews. Approval by the Board at this time will have no impact on (name of the program affected by the grant/contract) programs services and activities).

The retro justification and approval from the CAO-SP must be included in the Background section of the BAI as well as the impact of approving the item. The following table outlines the process for a retro item justification.

Stage	Description
1	Staff analyst will send email with the retro justification to the BAI Department Submitter.
2	BAI Department Submitter will review the retro justification and send to the Director for approval

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Board Agenda Item (BAI), Continued

Retro Item (continued)

Stage	Description	
3	Director will review the retro justification, and determine:	
	If ...	Then ...
	Approved,	Email the BAI Department Submitter that the justification is approved and to send email to the CAO-SP.
4	Not approved,	<ul style="list-style-type: none">Email the BAI Department Submitter that the justification is not approved, andProvide reason for denial and/or what corrections are needed.
	BAI Department Submitter will: <ul style="list-style-type: none">Email the approved retro item justification to the CAO-SP following the guidelines listed above, orMake the corrections, if applicable, orNotify the Staff Analyst and his/her supervisor the retro item justification was not approved.	

Resources

The BAI procedures for the preparation, guidance (e.g., hearings, etc.) and revision of agenda items are available on the Clerk of the Board's (COB) intranet site. Any questions about the [COB's agenda process](#), contact the BAI Submitter for assistance.

BAI Templates

There are two (2) specific templates County departments will use for submitting BAIs for Board approval, they are:

- Board/Entity Agenda Item – the template WDD would generally use, and
- Multiple Entities Agenda Item – An item or action affecting two (2) or more entities from among the County of San Bernardino and its separated entities (The Board sits as the Governing Board (or body) of several legally separate, but affiliated, entities). For multi-jurisdictional items, each entity is listed on the BAI and the Board is asked to take action as the Governing Board of each listed entity.

Always retrieve a new template to ensure the most updated version of the BAI template is being used. The templates are located at the COB's [intranet site](#) in the "Agenda Forms" section.

Staff will follow the instructions contained within the template exactly as displayed, including capitalization, numbering, format, bolding, font size, etc. **Do not alter format or font.** Staff can reuse text only (**cut and paste text only**) from an old document into the BAI template but must ensure the most current template is being used to complete the BAI.

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Board Agenda Item (BAI), Continued

BAI Heading The BAI templates include specific headings with drop down options for staff to select when completing a BAI. Of the two (2) BAI headings to select from the drop-down menu, select:

- Governing body – Board of Supervisors

A screenshot of a BAI template heading. The text reads: "REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT AND RECORD OF ACTION". Above the word "BOARD" is a dropdown menu with the text "CHOOSE ONE" and a downward arrow. The word "BOARD" is highlighted with a red box.

Note: To view the drop-down options on the template, double click on the word “Board of Supervisors” and/or “County of San Bernardino”.

Item Number A sequential number (item number) is assigned to the BAI by the COB once it has been successfully added to the BOS agenda. The item number is hidden and is not reflected onto the BAI until after the agenda is produced.

Signatures The County has a new policy on Electronic Signatures. Staff will follow the guidelines outlined in County Policy Manual #03-12 and #03-12 SP1. If the Electronic Signature guidelines are not followed, then staff will need to obtain wet signatures.

For wet signatures, the contracts must have **all required signatures** in **Blue ink** at least 11 working days before the Board date. Normally two (2) originally signed contracts are required unless contractor or state requires additional originals.

Unless the Vendor/Contractor/Provider or state requires a wet signature, a facsimile signature is acceptable. Electronic Signature paragraph must be included in the BAI. Refer to **COB** for appropriate wording to use for Electronic Signature.

General standards The following is a list of some standards and general guidelines to remember when writing an effective BAI (refer to BAI guidelines 03-03 for entire list):

- Acronyms and abbreviations should only be used if the name/topic is referenced more than once.
- The County of San Bernardino is typically defined as the “County” with a capital “C” and region with a lower case “c”.
- Center headers and right justify all numbers and/or amounts in table columns, unless using a table with only one row.
- Do not use cents (e.g., \$365.851.00), if possible; however, be consistent with the format.
- Do not use “Approval of this item...” as the first sentence in Background. When using numbers in an agenda item:
 - Spell out the numbers 1-9, or as first word; no need to include both [e.g., one (1)],
 - Used numerical reference for 10+; unless it is the first word.
- Insert a statement linking the recommendation back to the BOS goals and objectives.

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Board Agenda Item (BAI), Continued

Content of a BAI

The BAI has nine (9) distinct sections requiring information to be entered. Area code is only required if the area code is not 909. Table below outlines the BAI sections.

Topic	Description
Board Meeting Date	<ul style="list-style-type: none"> Format: Month DD, YYYY Items longer than one page, the date and subject will be entered on subsequent pages once the agenda is created by the COB.
From	Format: NAME, Title, Department Name
Subject	<ul style="list-style-type: none"> Subject should be: <ul style="list-style-type: none"> Clear and concise statement of the BAI topic, similar to the subject line of an interoffice memo. Sentence case and constructed as a statement addressing the...What is it? With whom? and, For what? (WWW questions) Do not use any acronyms or abbreviations. <p>Example: Amendment of Memorandum of Understanding Between the County of San Bernardino and the San Bernardino County Museum Association.</p> <ul style="list-style-type: none"> If the BAI seeks action on a revenue contract, the word "Revenue" goes before the word Contract or Agreement.
Recommendation	<ul style="list-style-type: none"> Cannot use any text/tables and/or bullets. Multiple Recommendations – use the numbering/outline format provided in the template. Information is concise, complete, accurate, and easily understood by the public. Begins with an action word and explains, in one sentence, the recommended action (i.e., the who, what, when, where, why, and how much), Should succinctly state the: <ul style="list-style-type: none"> Recommended action Topic or subject matter Agency involved/parties to the agreement Purpose and/or services Dollar amount Time period effect (including options to extend, if any), and Recommendation requiring four or five votes, the voting requirement must be stated at the end of the specific Recommendation Includes information on who is presenting the BAI in the following format: (Presenter: Name, Title, Phone number).

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Board Agenda Item (BAI), Continued

Content of a BAI, continued

Topic	Description
County and Chief Executive Officer Goals and Objectives	<ul style="list-style-type: none"> Select the Goals and Objectives supported by Board approval of the recommended action(s) by removing those goals and objectives that are not applicable. Goals are in bold type, and/or Objectives are not bolded but use bullet. <p>Example: Create, Maintain and Grow Jobs and Economic Value in the County.</p> <ul style="list-style-type: none"> Focus on training, education, employment and support services for the unemployed and underemployed, developing a more highly educated and trained workforce.
Financial impact	<p>The financial basis and logic underlying the recommended action. The financial section includes the three components:</p> <ol style="list-style-type: none"> Discretionary General Funding (Net County Cost) <ol style="list-style-type: none"> Begin statement on how the recommended action(s) will or will not impact or result in the use of Discretionary General Funding Revenue/expenditure: <ol style="list-style-type: none"> All cost and/or revenue associated with approval of the recommended actions, ongoing cost or one-time cost. Source of funds to be used. Net financial impact to the department and community. Departmental budget impact (i.e., were the costs associated with the approval of this item included in the department's budget). Fiscal years impacted; include breakdown costs/amount for each fiscal year. A statement must be included to address whether or not the department has adequate budget and/or spending appropriations to cover associated costs, and if there is an impact when a retro item was submitted.
Background Information	<p>Pertinent information supporting the recommendation, which is provided to the Board, the public, and others. A verbatim restating of the Recommendation(s) is not acceptable. Section should include the following components:</p> <ul style="list-style-type: none"> Initial statement, 1-3 sentences summarizing the "ask" and what result or outcomes would be achieved by the Board approval, Sentence or two describing how the previously stated Board County Goals and Objectives would be achieved through approval of the recommendation(s), Relevant history, Legislative or regulatory mandate, Purpose of the recommended action, References to past Board actions and/or policy documents as appropriate and relevant to the current recommendation. If references to specific actions are used, enter information as follows: Date (Item No. XX), Benefit/impact to the public: who will benefit, how they will benefit, and if possible, how many will benefit,

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Board Agenda Item (BAI), Continued

Content of a BAI, continued

Topic	Description
Background Information, continued	<ul style="list-style-type: none"> Summary of the steps leading to the recommendation (e.g., research, advertising, survey/questionnaire, competitive request for purchase, Consequence, if any, for failure to approve the recommended action. Effective dates of the recommended action, Explanation of the selection process (e.g., the number of proposals received, how the selection was made, and the selection criteria), and Retro Item justification information, if applicable.
Procurement	<p>Enter "N/A" if not applicable, or enter procurement information:</p> <ul style="list-style-type: none"> Why the particular source is the only one capable of providing the required goods or services. What other sources were contacted and why they cannot fulfil the County's requirements. Statement about when and how the competitive solicitation was advertised and/or was distributed to potential vendors. How it was determined the price and contract conditional being offered are reasonable and within market guidelines. The number of bids/proposals received. The name and location (and bid amount/proposed cost, if applicable) of each vendor who submitted a bid/proposal. Department/agency/organization, which participated in the evaluation process. The basis of the evaluations of the bids/proposals. Selection of the bid/proposal and/or proposer/contractor. Basis for any rejected bids/proposals. <p>Note: Refer to BAI guidelines 07-01 for entire list of what must be included in the procurement section. Additionally, this language must be reviewed and approved by the Purchasing Lead Buyer assigned to the department.</p>
Review by others	<ul style="list-style-type: none"> Lists, in chronological order, the names and titles of individuals, Departments or groups who reviewed the BAI and the review dates. Finance and County Finance and Administration should always be the final reviewers. Review dates by these two groups is usually inserted by the CAO Finance Analyst. We need to identify those reviewing departments and when their review will be required (like instances when ATC will be required, ISD, RESD, etc.) Sentence will say: <ul style="list-style-type: none"> This item has been reviewed by County Counsel (County Counsel Reviewer, Title, phone number) on mm/dd/yyyy; by Purchasing (Reviewer name, Title, phone number) on mm/dd/yyyy; by Finance (Name of the Administrative Analyst, phone number) on mm/dd/yyyy; and Finance and Administration (Finance Analyst's Reviewer, Title, phone number) on mm/dd/yyyy. <p>Note: BAI Writer will enter all the information until the Finance review. The BAI Submitter will enter the mm/dd/yyyy for Finance. Guidelines for the BAI and the BAI's template are available on the COB website at http://countyline/cob/ and take priority over description in this section.</p>

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Board Agenda Item (BAI), Continued

Proof of Insurance

The assigned BAI Writer is responsible to ensure the contractor attaches **proof of insurance** to signed contracts.

Vendors/providers are required to provide proof of insurance prior to being awarded a contract; what vendors/providers are not required to do is add the County to the insurance policy until they are awarded the contract.

The designated BAI Writer will deliver original signed contracts with proof of insurance to County Counsel to obtain signature on contracts. Refer to the BAI Writer section for more information.

Per [County Policy 11.07SP](#), the contractor will provide evidence in the form of a Certificate of Insurance or a letter of Self-Insurance for Workers' Compensation insurance coverage that meets State Labor Code requirements prior to the contract being submitted for Board approval.

Additional Item/ Late Add

An "Additional Item" is any BAI being requested to be added after the initial deadline for CEO review:

- Cutoff for these items is 5:00pm – six working days prior to the BOS meeting, and
- Request will be evaluated by CAO-Special Projects.

Any BAI being requested to be added after the "Additional Item" deadline is considered a Late Item. Late Items:

- Are submitted after 5:00pm – six working days prior to the BOS meeting that due to its urgent nature cannot wait for the next meeting
- Request will be reviewed by the Chair of the Board and CEO, followed by a response sent to the department from CAO-Special Projects

Late Adds are not to be used as the normal process for BAI's; this should only occur if an award/application has a short turnaround due date and must be coordinated with the assigned CAO Analyst.

An email to request an Additional or Late Item must be submitted to CAO-Special Projects with justification as outlined in Section 6 of the BAI Guidelines

- Items require sufficient justification stating the nature of the item, why the item is late, why it cannot wait for the next meeting, and the date/time the item will be ready for review or attach the item if ready
- Requests for Items without sufficient justification may be rejected and include direction to submit for the next scheduled meeting

Example: Submitting an application for an award with a short turn around due date. When circumstances warrant, a "Late Add" request can be submitted prior to a Board meeting.

To initiate a "Late Add" request, the BAI Submitter submits the following information after the approval of the WDD Director or their designee, to Special Projects team:

- A brief description of the Recommended action,
 - An explanation as to why the action cannot be delayed until the next meeting,
 - An explanation of why the request is late, and
 - An estimate of when the item will be ready for submission.
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Board Agenda Item (BAI), Continued

Abbreviations required by the COB

The BAI Writer shall name documents using specific abbreviations as required by the COB. Document names should be simple and descriptive because the documents will be displayed on COB's website for public viewing.

Examples (prefix – department – Board date – brief summary of agenda item):
(Summary part of the title should be in sentence case, NOT all caps)

- BAI-WDD-01-01-17-Youth Grant
- CON-WDD-01-01-17-Youth Grant-First Institute
- ATT-WDD-01-01-17-Youth Grant-Reporting Requirements

The table below is a list of the required abbreviations by the COB.

Document Type	Prefix	Suffix
Board Agenda Item (minutes)	BAI-	Description of subject
Application	APP-	Description of application
Appointment	APT-	Description of appointment
Attachment	ATT-	Description of attachment
Confidential Attachments	HIDE-	Description of document
Contract (Agreement)	CON-	Name of contractor
Coversheet	COV-	Name of contractor/entity
Exhibit	EXH-	Description of document
Map	MAP-	Description of map
Memorandum of Understanding	MOU-	Name of party
Notice of Hearing	NOH-	Description of notice
Ordinance	ORD-	Description of ordinance
Policy	POL-	Description of policy
Request for Proposal	RFP-	Description of RFP
Resolution	RES-	Description of resolution

Under rare circumstances, documents may require to be “confidential” and are not available for staff or public review. Confidential documents should include the “HIDE” prefix (e.g., HIDE-DOC TYPE-DEPT-DATE-Subject).

Attachments

BAI attachments cannot be larger than 10 megabytes in size and should be emailed to the Department BAI Submitter via the normal email submission process.

Special Projects Analyst

The role of the Special Projects Analyst at the CAO's office will be to:

- Email the Department's BAI submitter when the BAI is **Final**, or
- Send an email on behalf of the Chief Executive Officer (CEO) to inform the department the BAI is being returned for corrections, and
- Inform BAI Submitter if BAI is ok to Final.

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Board Agenda Item (BAI), Continued

Delegation of Authority

The Board of Supervisors is the legal authority and responsible for entering into and amend agreements as a matter of law and/or County policy. County Counsel has determined there are limited circumstances under which the BOS' authority can be delegated (i.e., contracts and grants) to other departments/entities. All actions under the Delegation of Authority must be reviewed in advance by County Counsel and the County Administrative Office (CAO).

Delegation of Authority allows the WDD Director to sign documents or make any non-substantial changes to a current contract and/or service agreements with County Counsel's approval. The Delegation of Authority – Review form must be sent to County Counsel prior to the execution of the contract or grant.

Delegation of Authority - CAO

Once documents proposed for signature have been signed by County Counsel, the WDD Staff Analyst will submit the signed documents in hard copy, as well as by email, to CAO Special Projects Team for review.

CAO Special Projects Team will respond to the department via email with its approval/disapproval.

Delegation of Authority BAI example

When a new contract/grant is going to the BOS for approval, WDD Staff Analyst will discuss with his/her supervisor if the Delegation of Authority should be included in the BAI. If Delegation of Authority will be included in the BAI, the WDD Staff Analyst must ensure specific wording is included in the BAI under "Recommendations".

Example of a BAI with the Delegation of Authority wording:

- Authorize the Director of the Workforce Development Department to amend Exhibit A of the Memorandum of Understanding to add Service Agreements, as such agreements are executed pursuant to the delegated authority, subject to review by County Counsel.
 - Direct the Director of the Workforce Development Department to submit the amended Exhibit A to the Memorandum of Understanding and any Service Agreements executed under the delegated authority to the Clerk of the Board within 30 days of execution.
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Board Agenda Item (BAI), Continued

Delegation of Authority process

The following process outlines the steps the WDD Staff Analyst will complete when initiating a Delegation of Authority:

Step	Action						
1	Complete the Delegated Authority Review Form.						
2	<ul style="list-style-type: none"> Email County Counsel the: <ul style="list-style-type: none"> Delegated Authority Review Form, Original BAI with the delegated authority wording, and Documents the Director will sign. Request County Counsel to review and approve the delegation of authority. 						
3	<ul style="list-style-type: none"> Forward to CAO Special Project analyst the: <ul style="list-style-type: none"> Signed Delegated Authority Review Form from County Counsel, Original BAI with the delegated authority wording, and Documents the Director will sign. Email and provide hard copy of the documents to the CAO Special Project analyst and request to have the documents reviewed for approval of the Delegation of Authority, and Allow two (2) weeks for the CAO Special Project analyst to review documents and provide an approval. 						
4	Repeat steps 1-3 if no response is received from the CAO Special Project analyst after the two (2) weeks.						
5	Review response from CAO Special Project analyst. <table border="1"> <thead> <tr> <th>If request is ...</th><th>Then the ...</th></tr> </thead> <tbody> <tr> <td>Approved,</td><td>Email will include instructions on routing documents for signature by the Chair of the Board, Chief Executive Officer and/or the department.</td></tr> <tr> <td>Not approved,</td><td>Department will be notified to proceed with the preparation of a Board Agenda item.</td></tr> </tbody> </table>	If request is ...	Then the ...	Approved,	Email will include instructions on routing documents for signature by the Chair of the Board, Chief Executive Officer and/or the department.	Not approved,	Department will be notified to proceed with the preparation of a Board Agenda item.
If request is ...	Then the ...						
Approved,	Email will include instructions on routing documents for signature by the Chair of the Board, Chief Executive Officer and/or the department.						
Not approved,	Department will be notified to proceed with the preparation of a Board Agenda item.						
6	Submit to Clerk of the Board within 30 days of contract or document execution						
7	Retain a copy of all the documents and emails regarding the Delegation of Authority in the appropriate vendor file folder on the share drive.						

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Board Agenda Item (BAI), Continued

Corrections / Revisions

Any feedback received for corrections either the BAI Writer or the BAI Submitter will complete revisions from WDD or throughout the review process. The table below outlines who will complete the changes.

Staff	Description
BAI Submitter	<ul style="list-style-type: none">• Corrects/revises minor changes (grammar, misspelled words, format, etc.) during the review process, and• Emails revisions to the BAI Writer to ensure he/she receives the latest version.
BAI Writer	<ul style="list-style-type: none">• Corrects/revises content changes during the review process, and• Forwards documents back to the BAI Submitter to continue with the review process.

The reviewer will “reply to all” on the email when feedback is being given and will include whether the corrections/revisions will be completed by the BAI Submitter or BAI Writer.

Note: All corrections/revisions must have track changes enabled.

Presentations

The BAI writer will be required to include the presentation with the BAI to the department’s submitter. The power point presentations shall align with the BAI and must:

- Be consistent in format, including limiting the use of abbreviations and acronyms.
- Include Recommendations as the last slide and match the BAI.
- Be clear, concise and easily understood by the public.
- Be submitted to the CAO-Special Projects Team email by the BAI submittal deadline.

Once the department receives approval on a submitted PowerPoint presentation the BAI Submitter will be required to submit four (4) hard copies to the Clerk of the Board.

Note: Refer to the COB power point presentation for detailed information; power point is located on the WDD Intranet under the resources and reference tab.

BAI Assigner Responsibilities

Introduction

This section provides information regarding the Board Agenda Item (BAI) Assigner's role and responsibilities he/she completes in the BAI process.

BAI Assigner's responsibilities

The BAI Assigner is responsible for the following actions for a BAI.

Step	Action
1	<ul style="list-style-type: none">• Assign a Staff person (BAI Writer) to <i>Draft</i> the BAI, contracts, and any attachments to submit to the Board for approval.• Discuss with the BAI Writer:<ul style="list-style-type: none">– When the BAI needs to be submitted to the Board,– Details regarding the BAI,– If the BAI needs to be presented to the Executive, Full Workforce Development Board (WDB) or committees,<ul style="list-style-type: none">✓ What date does the BAI need to be presented, and✓ Which committee, if applicable.– If County Counsel needs to be consulted prior to the review process, and– Determine if the SB1439 Contractor Reporting Form is needed.– The amount of time needed to begin the process (at least nine (9) weeks (minimum) to prepare prior to Board date.
2	Review all documents prepared by the BAI Writer.
3	Provide feedback on the <i>Draft</i> BAI.

BAI Writer

Introduction	<p>The BAI Writer will be responsible for initiating the Board review process at least nine (9) weeks prior to the Board date. This section provides information regarding the responsibilities assigned to a BAI Writer and the role he/she completes in the BAI. The BAI Writer can be any staff person within the Administration personnel. However, typically the responsibilities of the BAI writer is assigned to the Staff Analyst II positions in Administration.</p>
BAI Submission Slip	<p>A BAI Submission Slip will be completed by the BAI Writer and sent to the BAI Submitter immediately when the BAI is assigned. The Department's Executive Secretary will be carbon copied (cc'd) if the BAI needs to be presented to the Workforce Development Board (WDB).</p> <p>Note: Refer to the Calendar/Checklist/BAI Submission Slip section within this chapter for a sample of the BAI Submission Slip. The actual form is located in the Admin Share Drive in the Board Agenda Item Folder.</p>
Back-up Analyst	<p>A designated staff selected by the BAI Writer Supervisor will be assigned as a back-up Analyst in the event the assigned Staff Analyst is out or not able to complete the process.</p>
BAI Writer responsibilities	<p>The BAI Writer is responsible for sending the Draft documents to the various management staff and departments for review and verifying the corrections and revisions are completed. The BAI Writer will send the BAI and all supporting documents to the following departments for review:</p> <ul style="list-style-type: none">• Workforce Development Board (WDB) Approval,• WDD Fiscal,• Other Department (i.e., Human Resources (HR), Purchasing, Auditor, etc.),• Administrative Supervisor II (WDD and America's Job Center of California),• County Counsel, and• Department Submitter

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BAI Writer, Continued

BAI process The BAI Writer will complete the following process regarding the BAI:

Step	Action						
1	<ul style="list-style-type: none"> Determine if a Retro Item Justification is needed, if so, follow the guidelines under the BAI section of this chapter for the guidelines, and/or SB1439 applies, and Determine if the BAI requires WDB approval. <table border="1"> <tr> <th>If ...</th><th>Then ...</th></tr> <tr> <td>Yes,</td><td> <ul style="list-style-type: none"> Create WDB Agenda item in addition to the BAI, Follow existing procedures for processing/submitting to the WDB, and Continue to Step 2. <p>Note: Refer to Admin Handbook Section 2 – Workforce Development Board/Committees for additional information or processes.</p> </td></tr> <tr> <td>No,</td><td>Continue to Step 2.</td></tr> </table>	If ...	Then ...	Yes,	<ul style="list-style-type: none"> Create WDB Agenda item in addition to the BAI, Follow existing procedures for processing/submitting to the WDB, and Continue to Step 2. <p>Note: Refer to Admin Handbook Section 2 – Workforce Development Board/Committees for additional information or processes.</p>	No,	Continue to Step 2.
If ...	Then ...						
Yes,	<ul style="list-style-type: none"> Create WDB Agenda item in addition to the BAI, Follow existing procedures for processing/submitting to the WDB, and Continue to Step 2. <p>Note: Refer to Admin Handbook Section 2 – Workforce Development Board/Committees for additional information or processes.</p>						
No,	Continue to Step 2.						
2	<ul style="list-style-type: none"> Complete the BAI Submission Slip, and Email BAI Submission Slip to the BAI Submitter and/or carbon copy (cc) the Executive Secretary II if a WDB Agenda Item is required. 						
3	<p>Develop all agenda documents at least ten (10) weeks prior to the Board date (refer to the BAI Review and Submission Deadlines document):</p> <ul style="list-style-type: none"> BAI Agenda Item, Contracts, Contract coversheet, if applicable, and Any attachments. <p>Note: Consultation with County Counsel (or other affected departments) may be required. Confer with BAI assigner if contact is necessary.</p>						
4	<p>Retrieve Agenda Item and contract templates from the COB's website to ensure current template/forms are used.</p> <p>Reminder: Do not alter format or font. Staff can cut and paste text only from an old document but must ensure the most current template is being used to complete the BAI.</p>						
5	<p>Name all documents using abbreviations as required by the COB.</p> <p>Note: Refer to the <i>Abbreviations required by the COB</i> block in this chapter for the appropriate format.</p>						
6	<p>Send Draft documents, prior to the Board review process, for review and feedback to:</p> <ul style="list-style-type: none"> Other staff at Admin, The Admin Supervisor II – Programs if the BAI includes an action that affects the AJCCs, The Deputy Director if the BAI includes an action that affects special programs, and Payroll Specialist if BAI is for Employment Contracts. <p>Note: This is to assist the BAI Writer to obtain another person's perspective on the BAI and allows the opportunity for staff to know about items being presented to the Board.</p>						
7	Incorporate feedback received from any departmental staff.						

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BAI Writer, Continued

BAI review process

Once ADMIN staff have reviewed the BAI, the BAI Writer will begin the Board review process utilizing the annual BAI Review and Submission Deadlines document and complete the following steps.

Step	Action
1	<ul style="list-style-type: none">• Ensure documents are named correctly using COB's abbreviation format.• Use the specific format below for the email subject line:<ul style="list-style-type: none">– Department – Board date – brief summary of subject matter.– Example: BAI-WDD-04-04-17-Employment Contract HA <p>Important: The same subject line will be used throughout the BAI review and Final packaging process to avoid loss of any BAI or Board deadline submissions.</p>
2	<ul style="list-style-type: none">• Submit all Draft documents to the Fiscal Administrative Supervisor I (FAS I) for review at nine (9) weeks prior to the Board date,• Maintain the same subject line for the review process, and• Incorporate FAS I feedback.
3	<ul style="list-style-type: none">• Email agenda item and attachments (i.e., contract, MOUs, etc.) nine (9) weeks prior to other county departments for review, if necessary, such as but not limited to:<ul style="list-style-type: none">– Human Resources (HR) for clarification & employment contracts: HR County Counsel– Purchasing Department, and– Auditor for Pre-paid Negotiables (i.e., gas cards, etc.).• Maintain the same subject line for the review process• Update the Tracking Log, and• Incorporate Other Departments feedback.
4	<ul style="list-style-type: none">• Send Draft documents to the Administrative Supervisor II (ASII) - Administration for review eight (8) weeks prior to the Board date,• Maintain the same subject line for the review process, and• Incorporate the ASII's feedback.
5	<ul style="list-style-type: none">• Email Draft agenda item with Final contract and attachments to County Counsel for review seven (7) weeks prior to the Board date,• Maintain the same subject line for the review process, and• Incorporate County Counsel's feedback.
6	<ul style="list-style-type: none">• Email the Final documents to the BAI Submitter for continued processing six (6) weeks prior to the Board date, such as, but not limited to:<ul style="list-style-type: none">– Contracts/Coversheets,– Draft agenda item, and– Attachments, if applicable.• Maintain the same subject line for the review process Example: Subject: BAI-WDD-04-04-17-Employment Contract HA• Complete the COB Submission of BAI form; include in the email if any specific items/requests are needed (i.e., extra signature or copies, etc.). Information should also be included on the BAI Submission Slip the BAI Writer sent to the BAI Submitter.• Set calendar control to send Fact Summary Sheet to BAI Submitter two (2) weeks prior to the Board date.

Important Reminder: Set Calendar Controls in Outlook throughout the review process to follow-up on status with management and other departments to ensure deadline submission is met.

BAI Submitter

Introduction This section contains information about the BAI Submitter’s part in the Board Agenda Item (BAI). The BAI Submitter is the individual who submits a BAI to the Clerk of the Board (COB).

Department Submitter Each County Department has designated individuals who can enter items into the COB Automated Agenda System; these individuals are Department Submitters. The WDD Administrative Assistant II is the primary Department Submitter.

All hard copies of the BAI package must be hand delivered to the COB **five (5) working days, by 10:00 am, on the Tuesday prior to the scheduled meeting.**

Back-up BAI Submitter In situations where the BAI Submitter is not available to submit a BAI to the COB Automated system, the department will designate a back-up person from WDD Administrative to assist as a submitter.

BAI Submitter Responsibilities The BAI Submitter will receive an email from the BAI Writer six (6) weeks prior to the BOS date and will complete the following actions:

Step	Action
1	<ul style="list-style-type: none"> Set calendar controls when the Submission Slip is received, Send Draft agenda item to the Deputy Director (DD) for review six (6) weeks prior to the Board date, Use the subject line created by the BAI Writer for the review process, and Incorporate the DD’s feedback or send to BAI Writer to make the revision. <ul style="list-style-type: none"> Refer to the <i>Corrections/revisions</i> block in this chapter for who will incorporate changes.
2	<ul style="list-style-type: none"> Send Draft agenda item to the Director for review and approval five (5) weeks prior to the Board date, and Incorporate the Director’s feedback or send to BAI Writer to make the revision. <ul style="list-style-type: none"> Refer to the <i>Corrections/revisions</i> block in this chapter for who will incorporate changes.
3	Send BAI to the County Administrative Office (CAO) Finance Analyst by the due date and time required per the COB processing calendar (approximately three and half (3 ½) weeks prior to the BOS date) for review and update review date on BAI.
4	<ul style="list-style-type: none"> Send BAI to the CEO for review, and Set Outlook Calendar Control for return of the BAI documents.
5	<ul style="list-style-type: none"> Obtain necessary signatures on final documents. Prepare Final Packaging. Email BAI package, six (6) working days prior to Agenda Review stating, “For CEO Review”. Coordinate with BAI Writer for any revisions requested by CAO Special Projects. Do not submit for final submittal until an email is received giving the final approval.
6	Email to the Agenda Review stating “For final submittal” once email is received from CAO to submit for final,

Continued on next page

BAI Submitter, Continued

Final documents If revisions are necessary after the BAI Submitter submits the BAI to the COB Automated Agenda System intranet site, refer to the Revision block and the Resubmitting Process/Final Packaging section in this chapter for additional instructions.

BAI moved or taken off calendar Occasionally, a BAI may need to be moved to a future meeting date or removed from the BAI calendar (also known as “pulled”); an email needs to be sent to the BAI Submitter. The table below describes what information is emailed to the BAI Submitter:

Timeframe	Description
Up until 10 a.m., five (5) working days prior to the scheduled Board meeting,	Send email requesting to have the BAI taken off calendar or continued; if continued, include continuance date.
From 10:00 a.m., five (5) working days prior to the scheduled Board meeting until 9 a.m. the morning of the Board meeting,	Send email request to have the BAI taken off calendar or continued; if continued, include continuance date, and

The email must include a subject in the standard format, preceded with the type of request and should include the agenda item number, if known.

Example: TAKE OFF CALENDAR: BAI-DEPT-DATE-SUBJECT-ITEM#34

Note: Refer to the Clerk of the Board BAI Guidelines 08-01 on how to resubmit a continued item.

The BAI Submitter or Director will email the CAO Special Projects Team or the COB Agenda Team regarding moving or removing a BAI from the calendar.

Resubmitting Process/Final Packaging

Introduction

Corrections and revisions are required in some instances. This section provides the process for:

- Resubmitting Process, and
- **Final** Packaging.

Resubmitting process

Once all the corrections/revisions are returned to the BAI Submitter to resubmit, he/she will:

- Correct/revise Word documents, and
- Original document in portable document format (PDF) with the redline mark-ups.

The email subject line must be typed in format required by the COB.

Example: R1-BAI-WDD-04-04-17-Employment Contract HA

Final packaging

Once the BAI is approved and no further revisions required, the BAI Submitter will prepare BAI for **Final** packaging. The BAI Submitter will:

Step	Action
1	Complete the Clerk of the Board (COB) Checklist. Note: Refer to the Calendar/Checklist/BAI Submission Slip section for sample of the COB Checklist or on the COB website for the form.
2	<ul style="list-style-type: none">• Make necessary copies of all Final documents (i.e. agenda item, contracts, attachments, etc.). Each attachment must be stapled separately.• Submit agenda item and all documents as one (1) complete package.
3	Deliver Final documents (refer to the annual BOS BAI Calendar for the day), before the Board meeting.

Finalizing BAI package

To finalize BAI package and ensure the documents don't become separated, follow these general guidelines regarding the use of staples, paperclips, binder clips, and rubber bands:

- Staple any BAI that exceeds one page (print one-sided not double sided)
- All other documents in the package may be stapled, paper-clipped or binder clipped.
- Secure the complete package using binder clip (preferred), paper clip, and/or rubber band.

Continued on next page

Resubmitting Process/Final Packaging, Continued

Packaging

There are two (2) different **Final** packaging requirements the BAI Submitter completes; they are:

Package	Description
1 – Clerk of the Board (COB)	<ul style="list-style-type: none">• Print COB Checklist on Green paper (form is located at the COB website).• Complete the COB Checklist.<ul style="list-style-type: none">– Refer to the Checklist for number of originals and copies required by COB.– Special process – include if necessary (i.e., additional copies or signatures needed. Etc.)– Add under “<i>Additional Request</i>”, return to WDD BAI Submitter/Mail Code 0046.– Expedited Processing Request – if needed, add date needed and contact name.• Attach Checklist as the last page of the COB complete package.• Place “Sign here” flags on originals and copies where the Board Chair needs to sign. Refer to the COB website for signature information/format if needed.• Revisions/corrections made after the BAI Submitter submits to COB, the Cover Checklist must be printed on Pink paper. <p>Note: Refer to the <i>Revision procedures</i> block in this chapter or the COB website for further instructions.</p>
2 – Director	One (1) copy of the complete BAI packet (includes agenda item and attachments).

Revision

A “revision” is any change made to the BAI after it has been submitted to the automated agenda system (six working days prior to the Board meeting). This includes changes to the content of the BAIs and/or attachments, as well as the addition or deletion of attachments.

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Resubmitting Process/Final Packaging, Continued

Revision procedures

Any revisions needed after the BAI Submitter submits the BAI to the COB Automated Agenda System intranet site, the BAI Submitter is responsible for the following:

- The item needs to be repackaged, and
- To resubmit following COB instructions.

The BAI Submitter will go to COB's website and refer to *Agenda Item Revision Procedures* for thorough instructions on:

- How to process revised documents for incorporation into COB's **Draft** internal agenda, or
- Process for incorporation into COB's **Final** agenda.

To ensure the most current documents are used, the **revised documents** are:

- Saved with “R” for Revision. **Example:**
- **R1-BAI-WDD-04-04-17-Youth Program Contracts**, and
- To include the **Pink Checklist** for COB and subject line must read: **(R1) Contract**.

Notes:

- Refer to page 2 of COB's *Agenda Item Revision Procedures* for current document information.
 - Refer to BAI Guidelines 08-02 for complete details on timeframe for revisions, and adding or removing attachments
 - If agenda item or attachment have not changed, **Do Not use “R”**, attach original document (i.e., CON-Youth Contract).
-

Calendar/Checklists/BAI Submission Slip Samples

Introduction

The section includes partial images as samples of the:

- Workforce Development Department's Board of Supervisors (Board) Agenda calendar,
- Clerk of the Board (COB) Checklist,
- Board Agenda Item (BAI) Submission Slip, and
- BAI Writer cheat sheet checklist.

WDD Board Agenda Calendar

The WDD Board Agenda calendar is updated annually, emailed to everyone in the department, and is saved in the ***Admin Share Drive in the Board Agenda Item folder***. Sample of a WDD Board Agenda Calendar is listed below.

WDD (Year) BAI Review and Submission Deadlines											
Board Date	WDB Approval (if applicable)	WDD Fiscal Review	Other Dept Review (HR, Purchasing, Auditor, etc.)	Admin Supv II Review	County Counsel Review	Department Submitter Review	*Assistant Director Review	Director Review	CAO Finance Analyst Review	Department Submitter submits final MIN to Authorized Submitter for CEO review	Department Submitter Submits and Delivers Final Hard Copies to COB
Approximate Weeks Prior to Board Date -->	10 Weeks Before Board Date	3 Weeks Before Board Date	3 Weeks Before Board Date	8 Weeks Before Board Date	7 weeks Before Board Date	6 Weeks Before Board Date	6 Weeks Before Board Date	5 Weeks Before Board Date	16 Working Days Before Board Date	10 Working Days Prior To Mfg	6 Working Days Prior To Mfg
	5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	12:00 PM	9:00 AM	12:00 PM

COB Checklist

The COB Checklist is located on the County Line COB Website under the Agenda Form tab; below is a partial sample of the checklist.


CLERK OF THE BOARD		Item #: <input type="text"/>
SUBMISSION OF BOARD AGENDA ITEMS		
(Print original submission on GREEN paper; print all revisions on PINK paper)		
Board of Supervisors Meeting Date: <input type="text"/>		
Department:	<input type="text"/>	
Subject:	<input type="text"/>	
For questions regarding agenda item submission please contact your Authorized Submitter		
<u>SPECIAL PROCESSING/REQUESTS</u>		
<input type="checkbox"/>	Confidential Attachments (Mark documents as confidential)	
<input type="checkbox"/>	Notary (State of California Acknowledgement Required for <i>Each</i> Notary Item)	
<input type="checkbox"/>	Original signatures required	
<input type="checkbox"/>	Additional requests/other: (please explain) <input type="text"/>	

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Calendar/Checklists/BAI Submission Slip Samples, Continued

BAI Submission slip

The BAI Submission slip is located on the ***Admin Share Drive in the Board Agenda Item folder***. The form is two sided and must be included in the email when submitting to the Secretary for processing. Below is a sample of the two-page BAI Submission slip.

**BOARD AGENDA ITEM (BAI) SUBMISSION SLIP**

Date:

BAI Writer:

BAI Assigner:

Tentative Board Date:

Subject:

Check all that apply:

☐ Workforce Development Board (WDB) Agenda Item; WDB Date:
(cc Devra Bell if WDB Agenda Item is required)

☐ Expedited Item – BOS approval docs need to be expedited:
Date Needed By:
Type of Documents:

☐ Late Add (RUSH)

Select all that apply:

Attachments:

☐ SAP Standard Contract
(County created contract)

☐ Non-SAP Standard Contract Coversheet
(Non-county created contracts)

☐ MOU

☐ HR Employee Contract

☐ Other – provide explanation (i.e. specific items/requests, original signature required, or extra executed copies, etc.):

Additional Reviews:


☐ Purchasing/Procurement
Name:

☐ HR County Counsel – Employee Contract
Name:

☐ Auditor
Name:

☐ Risk Management
Name:

IMPORTANT: Send the **Director Overview Sheet** to the Executive Secretary two (2) weeks prior to the BOS date. Refer to the Administrative Handbook, Section 1 for additional information.

**Consultant/Contractor Checklist**

Does this BAI concern a Consultant/Contractor? ☐ Yes ☐ No
(If yes, complete this form)

Individual/Business Name: Date:

Workforce Development Department (WDD) staff must determine if an individual or business entity is identified as a consultant providing consultant services, subject to Consultant Fee Limitations or a contractor.

Consultant – A consultant is an individual with specialized skills who, although not on the subrecipient's payroll as an employee, provides personal services to the subrecipient under an agreement which establishes an employer-employee relationship between the subrecipient and the individual providing the services. Consultants are typically individuals who are experts with excellent qualifications and are usually regarded as authorities or practitioners of unusual competence and skill by other individuals engaged in the same profession. An employer-employee relationship may be found to exist when the subrecipient selects the individual based on expertise in a particular field, directs the individual's work, and exercises day-to-day control of the individual's activities.

Contractor – An entity that receives a contract as defined above. The Uniform Guidance replaced the word "vendor" with the word "contractor." Contractors are governed by Uniform Guidance Section 200.319 (Competition) and follow procurement requirements.

Consultant	OR	Contractor
<input type="checkbox"/> Salary or wage based and/or fee based on hours spent which is provided and outlined in a consultant rate proposal		<input type="checkbox"/> Fee is based on market value of goods and services provided.
<input type="checkbox"/> Provision of guidance, support, or completion of work items.		<input type="checkbox"/> Fee based.
<input type="checkbox"/> May be a subject matter expert that provides guidance on the direction of projects/programs or helps to lead a project/program.		<input type="checkbox"/> Provision of goods and/or services to multiple customers as part of their routine business operations.
<input type="checkbox"/> May fill a staff-like role on an as needed or intermittent basis.		<input type="checkbox"/> Provides a pre-determined good or service for a pre-determined time period.
<input type="checkbox"/> May have a defined and ongoing role in a project/program or in support of the Local Area.		<input type="checkbox"/> Not necessarily engaged in the implementation of a project or Local Area services, provides the good or service needed.
<input type="checkbox"/> Often an individual, rather than a business entity (although the individual may be a representative from a business entity).		<input type="checkbox"/> More likely a business entity, rather than an individual (though may be structured as a sole proprietorship).

Determination: ☐ Consultant ☐ Contractor

Justification:

Staff Analyst Name:

BAI Submission Slip (Rev. 9/2023)

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