



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Flood Control
Department No.: 054
For Agenda Of: 08/09/11
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District

FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: **March 2011 Storm Repair Project for Rodeo/San Pasqual Channel, Fourth Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

- a) Award the construction contract for the March 2011 Storm Repair Project for Rodeo/San Pasqual Channel in the amount of \$159,696.00 to the lowest responsible bidder Brough Construction, Inc., subject to the provisions of documents and certifications, as set forth in the plans and specification applicable to the project and as required by law;
- b) Authorize the Chair to execute the construction contract upon return of the contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller, and Risk Manager or their authorized representatives;
- c) Approve a contingency in the amount of \$15,969.60 for the above subject project; and
- d) Approve plans and specifications for the project.

Summary Text:

A portion of the concrete lined Rodeo/ San Pasqual Channel, located in the Lompoc Valley, west of the City of Lompoc was damaged during the March 2011 storm event, a State declared disaster. The segment of damaged channel is approximately 200 feet long located roughly 1200 feet South of the

Santa Ynez River. The repair generally will consist with removing the easterly concrete slope panels and replacing them in kind. The project will also include a longitudinal concrete cut-off wall to prevent future damage caused by out of channel water intrusion.

On July 21, 2011, the Flood Control District received 5 bids for the Rodeo San/Pasqual Channel project. Brough Construction, Inc. submitted the apparent lowest bid in the amount of \$159,696. The second apparent lowest bid was in the amount of \$165,409.54. The engineer’s construction cost estimate is \$192,000. The District has reviewed the lowest bid in comparison with the other bids received and is satisfied that the lowest bid is reasonable.

Following the bid opening a protest was received from the second lowest bidder, Rockwood General Contracting. The bid received from Rockwood contained a clerical error; the basis of their protest is that the clerical error should be corrected, which would reduce their bid from \$165,490.54 to \$156,409.54 and make them the low bidder. The instructions in the bidding documents submitted by Rockwood address this specific type of clerical error and clearly state that this clerical error cannot be corrected in the manner requested in the protest. County Counsel has reviewed the bid protest and determined that Rockwood’s bid is required by law to be recognized as \$165,409.54, the second lowest bid, in conformance with Section 5101 of the California Public Contract Code.

Background:

The Rodeo/San Pasqual Channel was constructed in the early 1960’s by the Soil Conservation Service as part of a project to reduce flooding in the Lompoc Valley. By agreement this channel is owned and maintained by the Flood Control District.

On June 7, 2011, under the California Environmental Quality Act (CEQA) guidelines, Section 15301 (b) a Notice of Exemption was filed with the Clerk of Board for this project.

Federal Disaster funding for this storm event was denied but is currently under appeal, which may result in partial Federal funding for the project.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
Lompoc Valley FZ	\$ 175,665.60		
State			
Federal			
Fees			
Other:			
Total	\$ 175,665.60	\$ -	\$ -

Narrative:

This project was included as a final budget adjustment in the Adopted FY 2011-12 budget.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

Direct the Clerk of the Board to return the plan and specification sheets after they have been signed by calling 568-3440 for pick up.

Attachments:

Copy of Construction Contract

Authored by: Matt Griffin, Civil Engineer Specialist, 884-8074



A portion of the concrete lined Rodeo/ San Pasqual Channel in need of repair