



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

A-19

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

Department Name: Public Works
Department No.: 054
For Agenda Of: July 8, 2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott D. McGolpin, Public Works Director 568-3010
Director

Contact Info: Dacé B. Morgan, Deputy Director-Transportation 568-3064

SUBJECT: Sandyland Seawall Repair: Design and Permitting Contract; First Supervisorial District; County Project No. 720548

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management,
General Services Purchasing Division,
Sandyland Protective Association

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

A. Authorize the Purchasing Agent to amend Contract No. CN06261 with Moffatt & Nichol Inc. (not a local vendor), Long Beach, California, for design and permitting services from \$93,550 to \$160,601 for the Sandyland Seawall Repair Project, First Supervisorial District, County Project No. 720548; and

B. Authorize the Director of Public Works to approve further amendments to the contract for supplemental work up to \$6,705.

Summary Text:

The proposed work involves designing and permitting repair to a rock seawall that protects 25 homes along the Pacific Ocean near Carpinteria. The seawall has been built and maintained by the County at the homeowners' expense. Exposure to storm events has resulted in damage to the seawall such that repairs are recommended by Moffatt & Nichol Engineering. The homeowners requested that Moffatt & Nichol be selected to perform an engineering analysis and other professional services for this project.

Subject: Sandyland Seawall Professional Services, 1st Supervisorial District, County Project No. 720548

Date: 07/08/2008

Page 2 of 4

Moffatt & Nichol specializes in coastal engineering design and permitting. Purchase Order No. CN06261 was issued in the amount of \$93,550 on June 5, 2007 through the Purchasing Division of the General Services Department.

In order to begin construction, a Coastal Development Permit from the California Coastal Commission will be required. Moffatt & Nichol prepared a Wave Uprush Study and has begun preparing the permit application. County staff held a meeting with California Coastal Commission staff and was told additional submittals would be required, including a revised Wave Uprush Study that analyzes additional project alternatives, quantities, and construction costs. These additional submittals were not anticipated in Moffatt & Nichol's earlier scope of work.

There has also been an unexpected increase in Moffatt & Nichol's scope of work, because California State Lands Commission determined the project requires a State Lands Lease. The lease application is lengthy and will require extensive supporting technical and legal documents, a legal description, an appraisal, and a permit fee. After the application is submitted, it will be necessary to participate in a public hearing before the California State Lands Commission regarding the proposed lease.

Moffatt & Nichol's scope of work includes project management, serving as permitting agent, quality control, engineering design, plans, specifications, and construction cost estimate. The original Moffatt & Nichol contract was \$93,550 and the proposed amendment is \$67,051, for a total of \$160,601. The \$160,601 contract is sufficient to cover the completion of the permitting and engineering services and deliverables that are identified in the proposal. However it is possible that unanticipated tasks will arise that are beyond the current scope of work. Staff recommends that the Director of Public Works be given the authority to approve further amendments to the contract budget for supplemental work beyond the scope of the proposed contract. The total sum of any further amendments is limited to \$6,705, which is 10% of the contract amendment. Board approval of this recommendation would expedite further amendments of the contract.

Pursuant to Government Code Section 25502.5 and County Code Section 2.42, the Purchasing Agent is only authorized to sign Service Contracts up to \$100,000. Therefore, it is requested that the Board authorize the Purchasing Agent to amend Contract No. CN06261 based on a revised scope of work from the vendor, to a not-to-exceed amount of \$160,601.



Existing Condition of Rock Revetment Seawall – Looking South

Background:

The proposed Sandyland Seawall Repair project is located along the Pacific Ocean, about one mile northwest of the City of Carpinteria. In 1964, the County of Santa Barbara constructed a 3,300 foot long rock seawall to protect 25 homes on Sand Point Road from damage during heavy storm surge.

At the time of the 1964 construction, the County Board of Supervisors established the Sandyland Seawall Maintenance District No. 1 pursuant to provisions of the Improvement Act of 1911, Division 7 of the Streets and Highways Code of the State of California. The Maintenance District is administered by the County of Santa Barbara, with expenses for maintaining the rock seawall paid by the homeowners.

This capital project is listed on Page B-12 of the 2008-2013 Proposed Five-Year Capital Improvement Program.

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> |
|--|--------------------------------|---|---|
| General Fund | | | |
| State | | | |
| Federal | | | |
| Fees | | | |
| Other: Sandyland Seawall Maint. District | | | \$ 167,306.00 |
| Total | \$ - | \$ - | \$ 167,306.00 |

Narrative:

The \$167,306 amount is fully funded by the Sandyland Seawall Maintenance District Number 1, which is self-financed through an assessment on the homeowners.

On June 19, 2007 the County Board of Supervisors opened homeowner ballots and then adopted Resolution 07-193 imposing a 2007-08 Sandyland Seawall Maintenance District assessment of \$400,000. The assessment funds are for engineering, permitting, and environmental review of the proposed seawall repairs.

The recommended funding including contingencies amounts to \$167,306. The funds have been budgeted in Dept. 054, Fund 3000, Program 9171, and Account 7460.

Staffing Impacts:

Legal Positions:

None

FTEs:

None

Special Instructions:

Please forward certified, stamped copies of the Minute Order approving this recommendation to:

1. Public Works Department, Transportation Division, Engineering Section, Attn: Beverly Cross
2. Public Works Department, Transportation Division, Accounting Section, Attn: Donna Manuel
3. General Services Department, Purchasing Division, Attn: John McMillin

Attachments:

Proposal for Sand Point Road Revetment Repair from Moffatt & Nichol Inc., County Project No. 720548

Authored by:

Sarah Craig, Civil Engineer, 568-3060

Chris Sneddon, Engineering Manager, 568-3047



3780 Kilroy Airport Way, Suite 600
Long Beach, CA 90806
(562) 426-9551
Fax (562) 424-7489

June 12, 2008

County of Santa Barbara - Department of Public Works
Road Engineering Section
123 E. Anapamu Street, 2nd Floor
Santa Barbara, CA 93101

Attn: Sarah Craig

Subj: Proposal for Sand Point Road Revetment Repair Permitting
M&N File: 5603

Dear Ms. Craig:

Per our recent phone conversations and your fax dated May 27, 2008, we are sending this revised proposal to provide additional permitting and final engineering services for the rock revetment repair at Sand Point Road. Specifically, the work would be to obtain a California State Lands Commission (CSLC) lease agreement and a California Coastal Commission (CCC) Coastal Development Permit and provide a final stamped and signed plan set.

SCOPE OF WORK

Task 1.0 Prepare CSLC Lease Application and Provide Follow-up Services

On behalf of the County and Sandyland Protective Association, M&N will prepare a lease application package, including a completed application form and supporting technical documents, for submittal to the CSLC. The plan set will be revised to include the proposed lease boundaries. M&N will work with the Sandyland Protective Association, in coordination with the County and can attend one meeting with the Association. A draft application will be provided to the County for their review, prior to submittal to the CSLC. M&N will be the agent for the CSLC process. This task is for a single joint application by the County and/or the Association. M&N will provide follow-up services with the CSLC throughout the permitting process to respond to requests for additional information and/or documents. M&N will attend one CSLC public hearing for the project to provide technical support to the applicant. We assume for budget purposes that the Commission hearing will be in Northern California. M&N will attend one meeting with County staff to strategize prior to the CSLC hearing. It is assumed that M&N will not be required to attend any County public hearings.

Deliverables: a) Draft CSLC lease application to County, b) final CSLC lease application to CSLC, c) follow-up responses to CSLC requests for information, and d) if required by CSLC, construction plans with an added layer showing the proposed lease boundaries.



Task 2.0 Prepare CCC Permit Application and Provide Follow-up Services

On behalf of the County and the Sandyland Protective Association, M&N will submit a Coastal Development Permit application package, including a completed application form and supporting technical documents, for submittal to the CCC. A draft application will be provided to the County for their review, prior to submittal to the CCC. M&N will be the agent for the CCC process. A draft application has been completed and the new scope will be to complete necessary updates and provide stamped owner/occupant mailing envelopes to the CCC. After submitting the application package, if required by the Coastal Commission, M&N will update the wave uprush study to include additional project alternatives and estimated costs. M&N will provide follow-up services with the CCC throughout the permitting process to respond to requests for additional information and/or documents, with the exception of development of a Mitigation Plan. If a Mitigation Plan document is required by the Coastal Commission, additional scope and costs would be incurred beyond the scope of this proposal. M&N will attend one CCC public hearing for the project to provide technical support to the applicant. We assume for budget purposes that the Commission hearing will be in Northern California. M&N will attend one meeting with County staff to strategize prior to the CCC hearing.

Deliverables: a) Draft CCC CDP application to County, b) draft wave uprush study report to County, c) final CCC CDP application to CCC, d) final wave uprush report to CCC, and e) follow-up responses to CCC requests for information.

Task 3.0 Prepare Final Engineering Submittal, Including Cost Estimates

Revise, sign and stamp the M&N plan set and technical specifications to incorporate permit conditions, and to incorporate comments from the County's Road Construction Section. Update construction cost estimate and quantities.

Deliverables: a) opinion of probable construction costs, b) quantity estimates, c) a final plan set in mylar, AutoCAD, and PDF formats, and d) final technical specifications.

INFORMATION REQUIRED FROM COUNTY

Following is a list of information needed from the County and/or Association in order to complete the CSLC lease and CCC permit applications:

- Grant deeds of easement for all properties (and assuming each has a legal description of the property);
- Names and addresses of all owners and occupants within 100 feet of the property lines of the project site;
- Sandyland Protective Association by-laws, CC&Rs, operational agreement, and financial statements;



- Association meeting minutes or letter signed by the Board of the Association stating approval of the project and authorizing a specific Association person to act on behalf of the Association;
- County Planning Department signature of CDP application Appendix B – Local Agency Review Form;
- Citation of General Plan or Specific Plan for the project site.
- County surveyor lease boundary exhibit, in CADD format.

FEE AND SCHEDULE

These services are proposed on a time-and-materials basis with an estimated maximum fee of \$67,051 including permit application fees. Permit fees are included as M&N will be responsible for submitting the applications, including the fees. The permit fees assume \$7,525 for one CSLC lease application and \$0 for the CCC application (since applicant is public agency). The attached table provides a detailed fee breakdown by task.

The draft CSLC lease application and draft CCC application could be provided to the County within two months from NTP.

Thank you for the opportunity to provide ongoing assistance to the County on this important project. Please call with any questions or comments.

Sincerely,

MOFFATT & NICHOL

A handwritten signature in cursive script, appearing to read 'Russell H. Boudreau'.

Russell H. Boudreau, P.E.
Project Manager



Moffatt & Nichol Fee Summary

| | Staff | Russell Boudreau | Michael Ellis | | Kim Garvey and Craig Frampton | CADD | Clerical | LABOR COSTS SUBTOTAL | OTHER DIRECT COSTS | TASK COST |
|--|--|------------------|----------------|---------|-------------------------------|---------|----------|----------------------|--------------------|-----------|
| | Level | Principal | Senior Eng/Sci | Eng II | Eng I | CADD I | Clerical | | | |
| | 2007-2008 Hourly Rate | \$231 | \$188 | \$157 | \$138 | \$91 | \$73 | | | |
| Task 1.0 Prepare CSLC Lease Application and Provide Follow-up Services | | | | | | | | | | |
| | Coordination and Meeting with Sandyland Assoc. | 18 | | | 22 | | | \$7,150 | \$125 | |
| | Complete CSLC Lease Application | 10 | | 10 | 40 | 10 | 8 | \$10,814 | \$7,525 | |
| | CSLC Application Follow-up | 2 | | 5 | 8 | | 2 | \$2,481 | | |
| | Strategy Meeting with County Prior to CSLC Hearing | 10 | | | 10 | | | \$3,670 | \$75 | |
| | Attendance at CSLC Hearing | 12 | | | 2 | | | \$3,044 | \$500 | |
| | Project Management and Schedule Update | 5 | | | 3 | | | \$1,563 | | |
| Task 2.0 Prepare CCC Permit Application and Provide Follow-up Services | | | | | | | | | | |
| | Update CDP Application | 2 | | | 10 | | 2 | \$1,968 | \$100 | |
| | Revise Wave Uprush Study | 10 | 4 | | 30 | | 2 | \$7,288 | | |
| | CDP Application Follow-up | 4 | | 10 | 40 | | 2 | \$8,080 | | |
| | Strategy Meeting with County Prior to CCC Hearing | 10 | | | 10 | | | \$3,670 | \$75 | |
| | Attendance at CCC Hearing | 12 | | | 2 | | | \$3,044 | \$500 | |
| Task 3.0 Prepare Final Engineering Submittal, including Cost Estimates | | | | | | | | | | |
| | | 5 | 4 | | 10 | 20 | 4 | \$5,379 | | \$5,379 |
| TOTAL HOURS | | 100 | 8 | 25 | 187 | 30 | 20 | | | |
| TOTAL LABOR COSTS | | \$23,100 | \$1,504 | \$3,925 | \$25,432 | \$2,730 | \$1,460 | \$58,151 | | |
| TOTAL OTHER DIRECT COSTS | | | | | | | | | \$8,900 | |
| M & N TOTAL | | | | | | | | | | \$67,051 |