

Board Contract Summary

BC 17-129

For use with Expenditure Contracts submitted to the Board for approval. Complete information below, print, obtain signature of authorized departmental representative, and submit this form, along with attachments, to the appropriate departments for signature. See also: *Auditor-Controller Intranet Policies->Contracts*.

D1.	Fiscal Year	2016-17
D2.	Department Name	PW Flood Control
D3.	Contact Person	Jon Frye
D4.	Telephone	X3444

K1.	Contract Type (<i>check one</i>):	Personal Service	Capital
K2.	Brief Summary of Contract Description/Purpose	Construction management and inspection for the Lower Mission Creek Project Reach 2A	
K3.	Department Project Number	SC8042	
K4.	Original Contract Amount	\$344,028 (plus 10% or \$34,402.80 contingency)	
K5.	Contract Begin Date	August 23, 2016	
K6.	Original Contract End Date	June 30, 2018	
K7.	Amendment? (Yes or No)	Yes	
K8.	- New Contract End Date	June 30, 2019	
K9.	- Total Number of Amendments	1	
K10.	- This Amendment Amount	\$137,296 (plus contingency \$13,729.60)	
K11.	- Total Previous Amendment Amounts	\$	
K12.	- Revised Total Contract Amount	\$529,456.40	


B1.	Intended Board Agenda Date	May 2, 2017
B2.	Number of Workers Displaced (<i>if any</i>)	N/A
B3.	Number of Competitive Bids (<i>if any</i>)	N/A
B4.	Lowest Bid Amount (<i>if bid</i>)	N/A
B5.	If Board waived bids, show Agenda Date	N/A
	and Agenda Item Number	
B6.	Boilerplate Contract Text Changed? (<i>If Yes, cite Paragraph</i>)	Added paragraphs 33 and C and F in Exhibit B

F1.	Fund Number	2610
F2.	Department Number	054
F3.	Line Item Account Number	8400
F4.	Project Number (<i>if applicable</i>)	SC8042
F5.	Program Number (<i>if applicable</i>)	3005
F6.	Org Unit Number (<i>if applicable</i>)	
F7.	Payment Terms	Net 30

V1.	Auditor-Controller Vendor Number	019268
V2.	Payee/Contractor Name	Filippin Engineering Inc.
V3.	Mailing Address	354 S Fairview Ave., STE D
V4.	City State (two-letter) Zip (include +4 if known)	Goleta, CA 93117
V5.	Telephone Number	(805) 845-4602
V6.	Vendor Contact Person	Kelly Wheeler
V7.	Workers Comp Insurance Expiration Date	2/12/18
V8.	Liability Insurance Expiration Date	7/20/17
V9.	Professional License Number	
V10.	Verified by (print name of county staff)	clopez

V11 Company Type (*Check one*): Individual Sole Proprietorship Partnership Corporation

I certify information is complete and accurate; designated funds available; required concurrences evidenced on signature page.

Date: 3/27/17 Authorized Signature: 

**AMENDMENT NO. 1 TO THE
AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR WITH FILIPPIN ENGINEERING,
INC (BC NO. 17-129)**

Pursuant to Paragraph 25 of the Agreement for Services of Independent Contractor (hereinafter AGREEMENT) entered into on August 23, 2016, as BC No.17-129, between the Santa Barbara County Flood Control and Water Conservation District (hereafter COUNTY), and **Filippin Engineering Inc.**, having its principal place of business at 354 S. Fairview Avenue STE D, Santa Barbara, California (hereafter CONTRACTOR), the COUNTY and CONTRACTOR amend the AGREEMENT as follows:

1. Paragraph 4 of the AGREEMENT is amended to read:

TERM. CONTRACTOR shall commence performance on August 23, 2016 and end performance upon completion, but no later than June 30, 2019 unless otherwise directed by COUNTY or unless earlier terminated.

2. Exhibit A, Statement of Work is hereby amended to include:

Work as described in the attached Statement of Work from CONTRACTOR, attached as **EXHIBIT A1**, incorporated by this reference.

3. Exhibit B, paragraphs A and B are hereby amended to read:

- A. For CONTRACTOR services to be rendered under this Agreement, CONTRACTOR shall be paid a total contract amount, including cost reimbursements, not to exceed **\$481,324**.
- B. Extra Work required to complete the project may be authorized only if CONTRACTOR receives written approval by the COUNTY's designated representative as identified in Paragraph 1 of the Agreement at the same rate per unit as defined in **Attachment B1**. The total amount of this contingency fund is 10% of the agreement amount or **\$48,132.40**.

In all other respects, the AGREEMENT remains unchanged and in full effect.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective on the date executed by COUNTY.

ATTEST:

Mona Miyasato
County Executive Officer
Ex Officio Clerk of Board of
Directors of the Santa Barbara
County Flood Control and Water
Conservation District

**SANTA BARBARA COUNTY FLOOD
CONTROL & WATER
CONSERVATION DISTRICT:**


By: _____
Deputy Clerk

By: _____
Joan Hartmann, Chair, Board of
Directors

Date: _____

RECOMMENDED FOR APPROVAL:

Santa Barbara County Flood Control & Water Conservation District

By: 

Scott D. McGolpin
Public Works Director

APPROVED AS TO FORM:

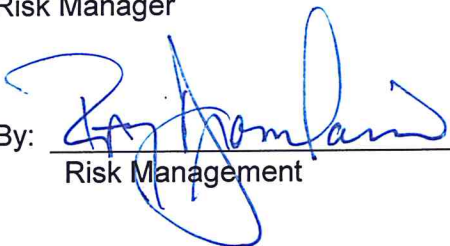
Michael C. Ghizzoni
County Counsel

By: 

Deputy County Counsel

APPROVED AS TO FORM:

Ray Aromatorio, ARM, AIC
Risk Manager

By: 

Risk Management

CONTRACTOR:

Filippin Engineering


By: 

Authorized Representative

Name: Kelly Wheeler
Title: Vice President

APPROVED AS TO ACCOUNTING FORM:

Theodore A. Fallati, CPA
Auditor-Controller

By: 

Deputy



EXHIBIT A1

March 12, 2017

Santa Barbara County Flood Control & Water Conservation District
130 East Victoria Street Suite 200
Santa Barbara, CA 93101

Attn: Mr. Griffin, P.E.

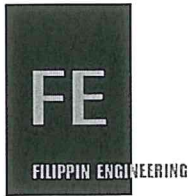
SUBJECT: REQUEST FOR ADDITIONAL AUTHORIZATION FOR CONSTRUCTION MANAGEMENT & INSPECTION SERVICES, LOWER MISSION CREEK REACH 2A

Dear Mr. Griffin,

Filippin Engineering, Inc. (FE) is submitting this Request for Additional Authorization to provide additional Construction Management and Inspection Services to the Santa Barbara County Flood Control & Water Conservation District for the Lower Mission Creek, Reach 2A Project, pursuant to our email and phone conversations.

Our original proposal included 130 working days, or 26 weeks. It is now projected that the Contractor will not be complete within this time frame, and so the need for additional services will likely arise. We estimate the added days to the contract as follows:

- Contract Change Orders #1 and #2 on the project extended the project by 30 working days. Due to some of these changes resulting in suspension of work until the Contractor was allowed to proceed, these changes add approximately 20 days to the FE scope.
 - Estimated Cost for Inspection: $20 \text{ days} \times 8 \text{ hour/day} \times \$128/\text{hour} = \$20,480$
 - Estimated Cost for CM: $20 \text{ days} \times 4 \text{ hours/day} \times \$178/\text{hour} = \$14,240$
- During the storm event on February 17th, the sandstone wall adjacent to the project failed, causing significant damage to the jobsite. This will result in an estimated 20 working days added to the project. The work includes site cleanup, repair of damaged contract work, and reconstruction of contract work previously completed. In addition, Lash has worked and is expected to work 10 – 12 hour days, in addition to Saturday work for these 4 weeks.
 - Estimated Cost for Inspection: $(20 \text{ days} \times 8 \text{ hours/day} \times \$128/\text{hour}) + (4 \text{ weeks} \times 10 \text{ hours/week} \times \$166.40 \text{ per/hour overtime}) = \$27,136$
 - Estimated Cost for CM: $20 \text{ days} \times 4 \text{ hours/day} \times \$178/\text{hour} = \$14,240$
- Design for the reconstruction of the channel wall that failed is currently underway. It is estimated that reconstruction of the wall could be a total of approximately 40 working days, however, the Contractor is expected to phase the completion of this work with other contract work, adding approximately 20 working days to the FE scope.
 - Estimated Cost for Inspection: $20 \text{ days} \times 8 \text{ hour/day} \times \$128/\text{hour} = \$20,480$
 - Estimated Cost for CM: $20 \text{ days} \times 4 \text{ hours/day} \times \$178/\text{hour} = \$14,240$
- Lash Construction has submitted a claim against the County of Santa Barbara for the damage associated with the failure of the sandstone wall and reconstruction of the new wall. The County has asked FE to participate in the claims resolution process. Since much of how that claim will be resolved is unknown at this time, we estimate approximately 120 hours of the Resident Engineer's time and approximately 40 hours of the Construction Inspector's time will be needed.



- Estimated Cost of Inspector: 40 hours x \$128/hour = \$5,120
- Estimated Cost of CM: 120 hours x \$178/hour = \$21,360

The original FE total budget (including reimbursables and Materials Testing) was estimated at \$344,028. Given the estimates outlined above, it is anticipated that construction management and inspection could be an additional \$137,296, for a total cost of \$481,324. We will keep in close communication with you to inform you of any changes in this estimate based on Contractor performance.

FE is committed to working with you to complete this project. If you have any questions or would like to discuss this request further, please don't hesitate to call, (805) 448-5619.

Sincerely,
FILIPPIN ENGINEERING

A handwritten signature in black ink that reads 'Kelly R. Wheeler'.

Kelly R. Wheeler, P.E.
Vice President