



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:** January 23, 2018  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**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:** Amendment to Construction Management and Inspection Services Agreement for Unit II Channel Improvements Project, Fifth Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to Form: Yes

**Recommended Actions:**

That the Board of Directors:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Filippin Engineering, Inc. (a local vendor) for construction management and inspection services for the Unit II Channel Improvements Project, increasing the contract amount of \$144,701 to a not-to-exceed amount of \$253,001.19, an increase of \$108,300.19, and extending the contract period from December 31, 2018 to December 31, 2019;
- b) Authorize an increase of \$10,830.01 to the contingency amount of \$14,470.10 to a total contingency amount to \$25,300.11 with Filippin Engineering, Inc. for additional work that may be needed to complete work for the project and authorize the Public Works Director to approve the additional work; and
- c) Determine, pursuant to 14 CCR 15162, that a Mitigated Negative Declaration #14NGD-00000-00012 was adopted for the Unit II Channel Improvements Project on April 14, 2015, that no substantial changes are proposed in the project, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and no new information of substantial

importance has been received with respect to the project or the mitigation measures, and therefore no new Environmental Impact Report or Negative Declaration is required for the approval of the recommended actions. Related environmental documents can be found at:

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=2256301&GUID=43390757-2A4E-47CF-A1EB-FBD69A003FAA&Options=&Search>

**Summary Text:**

This item is on the agenda in order to authorize an amendment to the agreement with Filippin Engineering, Inc. for construction management and inspection services for work necessary to complete the Unit II Channel Improvements Project (Attachment A).

On July 11, 2017, the Board entered into an agreement with Filippin Engineering, Inc. to perform construction management and inspection services for the Unit II Channel Improvements Project, in the amount of \$144,701. The Board also authorized the Public Works Director to approve changes up to an additional amount of \$14,470.10 for a total contract amount of \$159,171.10. This amendment amount exceeds that authority; therefore, the Board’s approval is required.

The Unit II Channel Improvements Project is currently under construction by Whitaker Construction Group, Inc. (WCGI) and was to be constructed in one phase. Due to a series of delays at the beginning of the project, WCGI requested that the project be broken into two separate phases, with phase one constructed as initially intended, and phase two constructed in the summer of 2018. These delays created a high risk that work would not be completed by the intended construction end date deadline, December 21, 2017, pursuant to the Notice to Proceed. Due to the need to complete a portion of the work within a limited-duration temporary construction easement and seasonal Endangered Species Act species protection time constraints, the Flood Control District has agreed to WCGI’s request for a revised phased approach to the construction subject to the terms and conditions of Contract Change Order No. 1 executed by WCGI and the District. WCGI agrees that no additional construction costs related to these changes will be incurred by the District, however the delays and revised phased approach will increase working days from 65 to 123; an increase of 58 working days.

The increase in working days will affect the Flood Control District’s costs for additional construction management and inspection services. Therefore, Contract Change Order No. 1 includes a requirement for Contractor to reimburse the District the set amount of \$800 for each working day extended past the original intended working days in order to reimburse the District for approximately half of the additional construction management and Inspection costs of \$108,300.19. The District’s share of the total additional construction management and inspection services will be \$61,900.19.

**Background:**

This project will hydraulically improve the conveyance capacity of the channel by smoothing out the existing sharp-narrow “S” curve and widening the channel. Increasing the capacity of the channel will reduce the risk of overflow to adjacent land and increase groundwater recharge to the Santa Maria Groundwater Basin by delivering more water to the Santa Maria River.

The Board approved Mitigated Negative Declaration #14NGD-00000-00012 on April 14, 2015 pursuant to requirements of the California Environmental Quality Act (CEQA) and the County of Santa Barbara Guidelines for the Implementation of CEQA. The MND identifies and discusses potential impacts and associated mitigation measures that reduce all potential impacts to less than significant levels and the monitoring requirements for identified subject areas. Incorporation of mitigation measures that have reduced an effect from a potentially significant impact to a less than significant impact occurs in the following subject areas: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geologic Processes, Noise, and Water Resources.

The Board authorized the Public Works Director to advertise and receive bids for this project on May 13, 2008.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

<b><u>Funding Sources</u></b>	<b><u>Amendment Costs</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
Santa Maria FZ	\$ 119,130.20		
State			
Federal			
Fees			
Other:			
<b>Total</b>	<b>\$ 119,130.20</b>	<b>\$ -</b>	<b>\$ -</b>

**Narrative:**

Costs for this phase of the project are included in the adopted 2017-18 budget in the Water Resources Division of the Public Works Department as shown on page D-325 in the budget book. No General Fund monies will be utilized for this project.

This project is also included in the 2017-2022 County’s Capital Improvements Program on page D-120.

**Key Contract Risks:**

Key risk factors for these agreements are low.

**Special Instructions:**

Direct the Clerk of the Board to send two copies of the Agreement with Filippin Engineering and a copy of the minute order of this action to the Flood Control District office: Attn: Christina Lopez.

**Attachments:**

- Attachment A - Amendment No. 1 to the Agreement for Services of Independent Contractor w/Filippin Engineering Inc. (includes contract summary)
- Attachment B - Copy of Agreement for Services of Independent Contractor w/Filippin Engineering Inc. (original agreement)

Unit II Channel Improvements Project

Agenda Date: January 23, 2018

Page 4 of 4

**Authored by:**

Karen Sullivan, Civil Engineer, 568-3458

**Unit II Channel Improvements Project  
Location Map**

