



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: March 14, 2017
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: 4/5 Vote

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: Lower Mission Creek Flood Control Project Reach 2A, Second 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:

That the Board of Directors:

- a) Review the emergency action of the Public Works Director acting as the Director of the Flood Control and Water Conservation District to contract with Bengal Engineering pursuant to Public Contract Code section 22050 and Resolution 15-312 (4/5th vote);
- b) Approve, ratify, and authorize the Chair to execute the Agreement for Services of Independent Contractor with Bengal Engineering (a local vendor) to provide emergency engineering design services for the Lower Mission Creek Flood Control Project, Reach 2A, for the period of March 1, 2017 through December 31, 2018 in an amount not to exceed \$176,295;
- c) Authorize the Public Works Director or designee to approve amendments to the professional services agreement with Bengal Engineering in an amount not to exceed \$17,629.50; and
- d) Find that pursuant to the California Environmental Quality Act Guidelines section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore, this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement for the Lower

Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required. The Findings, Statement of Overriding Considerations, Environmental Impact Report/Environmental Impact Statement, and associated information can be found at: <http://santabarbara.legistar.com/LegislationDetail.aspx?ID=874496&GUID=D14C4C9B-DEDF-48CB-AB30-D52A228FB5A2>. In addition, find that the actions are also exempt from CEQA pursuant to CEQA Guidelines 15269 (emergency projects).

Summary Text:

This item is on the agenda in order to authorize and ratify the agreement for emergency engineering design services with Bengal Engineering for the Lower Mission Creek Flood Control Project Reach 2A (Attachment A).

Lower Mission Creek Flood Control Project Reach 2A is currently under construction. The storm event of February 17, 2017, which led to a County proclamation of a local emergency, resulted in significant flow in Mission Creek. An existing channel wall acting as a barrier between the creek and the 2A work site collapsed during the storm event; inundating the work site and resulting in damages to the collapsed wall and the work in progress.

While all means are being taken to protect the work site and the surrounding area from the creek, final design of the replacement of the channel wall that collapsed must commence immediately. Time is of the essence given that statistically March and April are still capable of rain events.

Bengal Engineering was selected to perform this work due to their previous design work on Reaches 1A, Phase 1, 1B, 3 and 4 and has thorough insight into the Lower Mission Creek Flood Control Project. Bengal is a local vendor and is also a pre-qualified consultant for the Public Works Department.

Background:

On December 15, 2015, the Board approved Resolution No. 15-321 (Attachment B) which authorizes the Public Works Director or designee to take emergency actions to protect human health and safety and the protection of public and private property from impacts from flooding and storms. Pursuant to the resolution and Public Contract Code section 22050, the Public Works Director has executed an agreement with Bengal Engineering to perform emergency design work needed to repair the damage caused by the February 17, 2017 storm event for the Lower Mission Creek Flood Improvement Project, Phase 2A.

In accordance with Resolution No 15-321, the Flood Control District is requesting the Board to authorize and ratify the agreement with Bengal Engineering.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Funding Sources	Current FY Cost:	Annualized On-going Cost:	Total One-Time Project Cost
South Coast FZ			\$ 193,924.50
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ 193,924.50

Narrative:

Lower Mission Creek Flood Improvement Project, Phase 2A was included in the adopted FY 2016-17 budget in the Water Resources Division of the Public Works Department as shown on page D-319 in the budget book. While this repair work was not included in the budget, there are existing funds in line item 8400 to pay for this work. No General Fund monies will be utilized by this project. While Lower Mission Creek is a funded project, the ultimate responsibility for these emergency repair costs is yet to be determined.

This project is also included in the County Capital Improvement Program on page D-148.

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 Bengal Engineering Inc. and a copy of the minute order of this action to the Flood Control District office: Attn: Christina Lopez.

Attachments:

- Attachment A - Agreement for Services of Independent Contractor with Bengal Engineering Inc. (3 originals) includes contract summary
- Attachment B - Resolution No. 15-321

Authored by:

Jon Frye, Civil Engineer Manager, 568-3444

Exhibit 1

