



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: Public Works
Department No.: 054
For Agenda Of: July 2, 2019
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Scott D. McGolpin, Public Works Department, 568-3010
Contact Info: Chris Sneddon, Deputy Director, Transportation, 568-3064
SUBJECT: Indefinite Delivery-Indefinite Quantity “As Needed”
Construction Engineering Services Contract

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 Supervisors:

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with MNS Engineers Incorporated for construction engineering services “as needed” for a minimum amount of \$10,000 and a total amount not to exceed \$4,000,000, between July 1, 2019 through June 30, 2022 with work being initiated via Task Orders;
- b) Approve and authorize the Director of Public Works, or designee, to execute Task Orders and approve Task Order amendments within the scope of the Agreement, upon concurrence with the Auditor-Controller’s Office and the Office of County Counsel. No Task Order shall exceed \$2,000,000;
- c) Approve and authorize the Director of Public Works, or designee, to make immaterial changes in accordance with Section 36 of the Agreement.; and
- d) Find that the recommended actions do not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment).

Summary Text:

This item is on the agenda to authorize the Chair to execute an Agreement for Services of Independent Contractor with MNS Engineer's, Inc. The Public Works department constructs transportation facilities every year using local, state and, federal funds. To comply with state and federal regulations and supplement County staffing, the County uses consultant services. To supplement County staff constructing transportation projects, MNS Engineers Incorporated ("MNS") will perform as needed construction engineering services.

Upon approval of the Agreement by the Board, Task Orders may be issued as needed by the County Public Works Director, or designee. The Agreement includes a guaranteed amount of \$10,000 and a not to exceed amount of \$4,000,000. The Agreement also has an option to extend the term for an additional two years.

Background:

The proposed agreement was determined by a publicly advertised, qualifications based, competitive process. This process consisted of a three week publicly posted Request for Proposals ("RFP") which yielded Proposals from 5 Consultants. A selection committee made up of 5 Public Works staff individually scored the 5 Proposals per the RFP criteria based on qualifications in order to determine MNS as the most qualified Consultant.

All construction engineering activities performed by MNS will be under supervision of a full-time employee of the County who is in responsible charge (the Designated Representative). MNS will provide construction engineering services as needed for various projects including annual road maintenance paving and re-surfacing, sidewalks, walls and other infill, bridge retrofits and replacements, and road realignments in the County maintained road system funded by County, State, and Federal revenue. Construction engineering activities may include preparation of contract change orders, construction surveys, foundation investigations, measurement, and computation of quantities, testing of construction materials, checking of shop drawings, preparation of estimates, reports, and other inspection activities necessary to ensure that the construction is being performed in accordance with the plans and specifications. MNS may provide construction engineering services on some, or none, of the transportation projects listed in the Board authorized Capital Improvement Plan and FHWA/FEMA disaster repairs.

Field, technical, and administrative office work will be required to successfully provide the requested services. Field work in remote areas within the County can be expected. MNS will complete all administrative tasks at their own office facility unless the Task Order explicitly provides for use of a project specific Resident Engineers Office.

In support of the County's Renew '22 program, which encourages County-wide efficiency, and the need for flexibility in transportation construction, Public Works determined that an "as-needed" contract is the best approach to partially fulfill the County's need for construction engineering services. Each year, considerable time is taken by Department staff to solicit for and subsequently manage contracts for various projects. An "as needed" consultant will save the Department staff time by reducing the number of requests for proposals and contracts requiring administration.

The typical cost of construction engineering, inspection and contract administration for a transportation project is 15% of the total cost of the construction contract being administered. The total amount

payable to MNS under the Agreement will not to exceed \$4,000,000 for the three year period inclusive of the minimum amount of work guaranteed worth \$10,000. All funding is subject to Board approval through an annual appropriation and budget process and Board authorization of specific projects.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

An accurate estimated fiscal analysis cannot be provided at this time given the indefinite delivery-indefinite quantity, "as needed," nature of the contract. Use of this contract would be budgeted with individual projects as needed.

Narrative:

The Construction Engineering Service cost of \$4,000,000 reflects estimated funds required to supplement Staff construction engineering over three calendar years. The estimated maximum total cost is \$4,000,000 from 2019 through 2022. Funds for this Agreement are budgeted within the *specific* projects for which the services may be needed in Department 054, Funds 0016 or 0017, Organizational Units 0500 or 0600, and Programs 2710, 2720, 2730, 2740, 2750, 2810, 2820, or 2830.

Special Instructions:

Please forward the following items to Gail Ocheltree in the Public Works Department, Transportation Division, Engineering Section office, 123 E. Anapamu Street, Santa Barbara, at extension 3094:

- A certified, stamped Minute Order approving these recommendations
- Two duplicate original executed contracts (one original contract to remain on file with the Clerk of the Board)

Attachments:

Attachment A: Contract Summary Form

Attachment B: Agreement for Services of Independent Contractor for Construction Engineering Services IDIQ

Authored by:

Eric Pearson, P.E., Construction Manager, Public Works, Transportation, 805-681-4990

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