



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:** September 20, 2016  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Scott D. McGolpin, Public Works Director, 568-3010  
Contact Info: Chris Sneddon, Deputy Director, Transportation, 568-3064  
**SUBJECT:** First Amendment to Agreement with MNS Engineers, Inc.; Federal Projects BRLO-NBIL (529) and BRLO-NBIL (530), County Project Nos. 862361 and 862362; Third 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 Supervisors:

- a) Approve and authorize the Chair to execute the attached First Amendment to the Agreement with MNS Engineers, Inc. (a local vendor) 201 Calle Cesar Chavez, Suite 300, Santa Barbara, CA 93103, for surveying services for Refugio Road Low Water Crossings 1 and 2, County Project No. 862361 and 862362 to extend the term for an additional one (1) year; and
- b) Find that the proposed Amendment does 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.), and approve and direct staff to file the attached Notice of Exemption on that basis.

**Summary Text:**

This item is on the agenda in order to amend the agreement with MNS Engineers, Inc. to extend the term to complete surveying services. The original agreement was executed by your Board on October 20, 2015 and is set to expire on September 30, 2016. The attached First Amendment extends the time period to September 30, 2017, which is one year from the agreement's original end date.

**Background:**

There are a total of six low water crossings along the south side of Refugio Road between US 101 and the summit. Refugio Road Low Water Crossing No. 1 is located about 0.3 miles north of Highway 101 and Refugio Road Low Water Crossing No. 2 is located about 1.9 miles north of Highway 10. Crossing No. 1 and No. 2 replace low water crossings with a new bridge of sufficient height to properly convey hydraulic flows from Refugio Creek. Both low water crossings consist of 4-36” corrugated metal pipes encased in concrete. The concrete road surface extends along the side banks to the approach road surface. Crossing No. 2 also crosses a steep channel profile which poses an obstacle for steelhead trout migrating to spawn on the upper reaches of Refugio Creek. Combining services for both crossings reduces overall design costs.

During the retracement of the Refugio Road Right of Way it was determined that the references used in the legal descriptions are un-locatable in the field. Therefore the Refugio Road Right of Way cannot be retraced. To resolve this problem a Record of Survey establishing the current location of Refugio Road will be filed with the County Surveyor’s Office. The Record of Survey will then be used for future right of way descriptions and it will complete this phase of the right of way determination. Extending this contract to a two-year term will allow for the filing of a record of survey that will be the basis for creating legal descriptions for existing and right of way acquisitions or relinquishments.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Narrative:**

There is no cost increase associated with the time extension amendment for this project. The cost for the original contract scope is 100% funded by the Highway Bridge Program (HBP) with toll credits. The funds are budgeted in Dept. 054, Fund 0017, Org. Unit 0600, Program 2830, and Account 7460.

**Special Instructions:**

Please forward the following to the Public Works Department, Transportation Division, Engineering Section office, 123 E. Anapamu Street, Santa Barbara, Attn: Blair Gilbertson (Extension 3094):

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

**Attachments:**

Attachment A: First Amendment to Agreement for Services of Independent Contractor; Refugio Low Water Crossings No.1 and No.2, County Project Nos. 862361 and 862362 (3 original)

Attachment B: Notice of Exemption

**Authored by:**

Leroy Cadena, Civil Engineering Specialist, 739-8764