



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: June 18, 2024
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Chris Sneddon, Public Works Director, 568-3010
Contact Info: Mostafa Estaji, Deputy Director, Transportation, 568-3005
SUBJECT: Ratification of Emergency Contract Secured by Purchasing Agent for the Refugio Road Culvert Repairs, Third Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and ratify the attached Public Works – Transportation emergency contract with Sam Hill and Sons, Inc. for Refugio Road culvert replacement in the amount of \$78,670, entered into by the Purchasing Agent under County Code Section 2-43 upon a finding that these contracts were required for the health, safety, and welfare of the people or for the protection of property and that there was a present, immediate and existing emergency which could not reasonably have been foreseen; and
- b) Determine that the recommended actions are statutorily exempt from the provisions of the California Environmental Quality Act, pursuant to CEQA Guidelines Section 15269, as a project necessary to prevent or mitigate an emergency that does not have a low probability of occurrence, and to maintain, repair, restore, or replace property or facilities damages or destroyed as a result of a disaster; and on May 10, 2024, a Notice of Exemption was filed on that basis, and the proposed action is within the scope of that Notice of Exemption.

Summary Text:

On February 9, 2024, California State Parks contacted Public Works regarding a culvert failure and roadway damage at their park entrance adjacent to the County-maintained section of Refugio Road. State Parks initiated a project to plan to construct repairs to their portion of the culvert and roadway, and coordinated with Public Works on further investigation. During this investigation, it was determined the culvert under

the County-maintained section was failing as well, and the most effective way to complete the repairs was to partner to replace the entire culvert, both under the County road and under the State's driveway entrance.

The Refugio Road culvert repair total construction costs, including contingencies, amounts to \$232,230. California State Parks is contracting and funding \$153,560 of the cost. The County portion is \$78,670. It is requested that the Board approve and ratify the emergency contract secured by the County's Purchasing Agent under County Code Section 2-43 in the amount of \$78,670, and awarded to Sam Hill and Sons, Inc.

Background:

The existing culvert is failing, which generally leads to cavities under the roadway that can cause sinkholes and road failure. This road serves as the primary entrance to the State Park and the south-bound US101 freeway onramp. Culvert failures and sinkholes of this type can often present rapidly, and have immediate effects on the usability of the roadway. Once identified, expedient repair is recommended to ensure the safety of the traveling public.

Different segments of the culvert are maintained by Public Works and State Parks. This project was initiated by State Parks and was initially contracted to Sam Hill and Sons, Inc. who are typically used for Parks operations. Public Works staff is working in conjunction with State Parks to repair the culvert and is actively working with the Contractor to start work. Since Public Works does not have an emergency contract established with this Contractor, a ratification by your Board is required.

The Purchasing Agent is authorized to "make emergency purchases of goods or services free of provision of this article upon a showing by any department or officer that such purchase is required." (County Code § 2-43, see below).

County Code Section 2-43. - Same—Emergency purchases.

- (a) Notwithstanding the purchasing agent's delegated authority by the board of supervisors, the purchasing agent may make emergency purchases of goods or services free of the provisions of this article upon a showing by any department or officer that such purchase is required.
- (b) All emergency purchases of goods or services secured under this section shall be approved or confirmed by the purchasing agent that the purchases were made for the health, safety, and welfare of the people or for the protection of property and that there is a present, immediate and existing emergency which could not reasonably be foreseen; and may make other purchases of goods and services free of this article when the board of supervisors has found by resolution that such would be in the public interest.

(Ord. No. 951, § 6; Ord. No. 4997, § 1, 6-20-2017)

While the Purchasing Agent's authority to enter into emergency contracts is not subject to any express cost limitation, because these emergency contracts exceed the Purchasing Agent's contracting authority for direct award public works projects, and in coordination with the Purchasing Agent, Public Works Transportation is bringing these emergency contracts to the Board for ratification.

Fiscal and Facilities Impacts:

Budgeted: Yes

Ratification of Emergency Contract Secured by Purchasing Agent for the Refugio Road Culvert Repairs, Third Supervisorial District

Agenda Date: June 18, 2024

Page 3 of 3

Fiscal Analysis:

Narrative:

Costs are funded with existing appropriations in the County's FY 2023-24 annual culvert repair program, Fund 0016, Project 820792, Program 2740.

Special Instructions:

Please email a copy of the minute order of these actions to the Transportation Division, Yanette Luna yluna@countyofsb.org.

Attachments:

Attachment A: Copy of Executed Contract

Attachment B: Notice of Exemption

Authored by:

Udy Loza, Maintenance Manager – Transportation