



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:** August 27, 2019  
**Placement:** Administrative  
**Estimated Tme:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

---

**TO:** Board of Directors, Flood Control and Water Conservation District

**FROM:** Department Scott D. McGolpin, Public Works Director, 805-568-3010  
Director(s)  
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 805-568-3436

**SUBJECT:** Amendment Nos. 1 to the Agreements to Trucking Services, All Supervisorial Districts

---

**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 Agreements for Services of Independent Contractors to amend Section 22, add Section 23 (Subcontracting), and update Section numbers 23-48 to the agreements with the following contractors:
  - i) Bob's Backhoe & Trucking (BC No. 19-269)
  - ii) Speed's (BC No. 19-270)
  - iii) RLF Trucking & Grading Corp (BC No. 19-268)
  - iv) Rockin CJ Transport Inc. (BC No. 19-267)
- b) Find that the recommended actions to amend contracts for crane and trucking services are fiscal activities not constituting a "Project" within the meaning of the California Environmental Quality Act, as set forth in 14 CCR 15378(b)(4).

**Summary Text:**

This item is on the agenda in order to approve Amendment No. 1 to the Agreements for Services of Independent Contractor to amend Section 22, add Section 23 (Subcontracting), and to update Section numbers to the contracts with Bob's Backhoe & Trucking, Speed's, RLF Trucking & Grading Corp, and

Rockin CJ Transport Inc. This contract language was included in the sample agreement that was posted on April 15, 2019 with the Request for Proposal (RFP) for trucking services.

The contract language changes are:

1. In Section 22, replacing “assign, transfer or subcontract” with “assign or transfer”;
2. Added a new Section 23 Subcontracting

Contractor shall be responsible for all work performed and for all persons or entities engaged in work under this contract, including, but not limited to, employees, contractors, subcontractors, suppliers, and providers of services. Contractor shall be responsible for any and all disputes arising out of its contract(s) for work on the project, including, but not limited to, payment disputes with employees, contractors, subcontractors, suppliers, and providers of services.

Contractor shall comply with and require its contractors and subcontractors to comply with all applicable federal, state, and county laws, rules, guidelines, regulations, and requirements; and

3. Updated Sections 23-48 numbering.

These changes were included in the RFP for these contracts to address the brokering/subcontracting services that the trucking contractors provide. The language clarifies the responsibilities of contractors and any subcontractors engaged in work under the agreements.

**Background:**

These contracts were approved by the Board on July 2, 2019 with an initial term of two years.

**Performance Measure:**

These agreements help achieve the performance measure associated with the Flood Control District’s Annual Maintenance Plan.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Narrative:

There are no fiscal impacts associated with these Board actions. No General Fund monies will be utilized for these agreements.

**Key Contract Risks:**

The key contracts risks are low for these agreements.

**Special Instructions:**

Direct the Clerk of the Board to send two originals of each amendment along with a copy of the minute order to the Flood Control District office, Attn: Christina Lopez.

**Attachments:**

- Attachment A - Amendment No. 1 to the Agreement w/Bob's Backhoe & Trucking and Contract Summary (3 originals)
- Attachment B - Copy of the original Agreement w/Bob's Backhoe & Trucking
- Attachment C - Amendment No. 1 to the Agreement w/Speed's and Contract Summary (3 originals)
- Attachment D - Copy of the original Agreement w/Speed's
- Attachment E - Amendment No. 1 to the Agreement w/RLF Trucking & Grading Corp and Contract Summary (3 originals)
- Attachment F - Copy of the original Agreement w/RLF Trucking & Grading Corp (original)
- Attachment G - Amendment No. 1 to the Agreement w/Rockin CJ Transport Inc. and Contract Summary (3 originals)
- Attachment H - Copy of the original Agreement w/Rockin CJ Transport Inc.

**Authored by:**

Thomas D. Fayram, Deputy Public Works Director, 805-568-3436