



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: September 20, 2011  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**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:** **Montecito Creek Debris Basin Fish Passage Project, Amendment No. 1, First Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: No

**Recommended Actions:**

- a) Approve and authorize the Chair to execute Amendment No. 1 in the amount of \$65,897, revising the Contract Agreement with Whitaker Construction Group, Inc. for the Montecito Creek Debris Basin Fish Passage Project from \$249,148.00 to \$315,045.00; and
- b) Retain the previously authorized contingency amount of \$24,814.80 for future minor changes to the project.
- c) Find that pursuant to CEQA Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the proposed action and therefore pursuant to CEQA Section 15168 (2) Program EIR, that the Montecito Debris Basin Fish Passage Modification is within the scope of the project covered by the Program Environmental Impact Report (PEIR) for the Updated Routine Maintenance Program (01-EIR-01) approved in 2001 and the Debris Basin Maintenance Plan, an addendum to the PEIR approved in 2003, and no new environmental document is required.

**Summary Text:**

On August 9, 2011 the Board entered into a contract with Whitaker Construction Group, Inc. in the amount of \$249,148.00 to construct the Montecito Creek Debris Basin Fish Passage Project. This project

will reconfigure the existing concrete-lined channel that is currently not conducive to fish passage. These modifications will enable steelhead trout to migrate past the existing fishway ladder towards upstream spawning habitat, and will reduce the amount of sediment entering the existing fishway ladder by approximately 60%.

During removal of the existing concrete channel invert, concrete thicknesses in excess of four feet were encountered. This varied drastically from the 15-inch thickness anticipated and constituted a change in the character of the work contemplated. Construction of the project cannot proceed without the removal of this concrete. Time is of the essence in the execution of the work given the time of year and the location of the project.

This change order addresses the total cost of the increase in concrete removal needed to construct the project. By approving this change order and increase in contract amount by the change order total of \$65,897, the original \$24,814.80 contingency that was approved with the contract remains intact for any other unforeseen work that may be needed. By leaving the contingency available for minor unforeseeable cost changes, this will allow staff to respond to potential changes in a timely manner.

Original Contract Price: \$249,148.00  
 Contract Change Order No. 1: \$ 65,897.00  
 Revised Contract Price: \$315,045.00

**Background:**

The construction activities to be performed with this project are covered under existing permits from Army Corps of Engineers, Regional Water Quality Control Board and California Department of Fish and Game. The basin was constructed under the Montecito Creek Debris Basin EIR (99-EIR-001) and this project is covered by the Updated Program EIR for Santa Barbara County Flood Control Routine Maintenance Activities (01-EIR-01) that also covers modifications and/or repair of debris basins.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
South Coast FZ	\$ 339,859.80		
State			
Federal			
Fees			
Other:			
Total	\$ 339,859.80	\$ -	\$ -

**Narrative:**

This project was included in the Adopted FY 2011-12 budget under the Design Cost Center of the Water Resources Division of the Public Works Department as shown on page D-352 in the budget book. The project is also identified in the County's Capital Improvement Program on page B-121.

The additional funding required to cover the unanticipated conditions will be paid for from Dept: 054, Acct: 8700, Fund: 2610, Program: 3005.

**Special Instructions:**

Direct the Clerk of the Board to send a copy of Amendment No. 1 and minute order to the Flood Control District office, Attn: Christina Lopez.

**Attachments:**

Amendment No. 1

**Authored by:** Karen Sullivan, Civil Engineer, 568-3458

