



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: May 2, 2017
Placement: Administrative
Estimated Time: 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, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: Lower Mission Creek Flood Control Project Reach 2A, Second Supervisorial District

County Counsel 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 Agreement for Services of Independent Contractor with Filippin Engineering, Inc. (a local vendor) for construction management and inspection services for the Lower Mission Creek Flood Control Project, Reach 2A, increasing the contract amount of \$344,028 to a not-to-exceed amount of \$481,324, an increase of \$137,296, and extending the contract period from June 30, 2018 to June 30, 2019;
- b) Authorize an increase in the contingency in the amount of \$13,729.60 to a total contingency amount to \$48,132.40 with Filippin Engineering, Inc. for additional work that may be needed to complete work for the project; and
- c) Find that pursuant to the California Environmental Quality Act Guidelines section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore, this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent

Auditor-Controller Concurrence

As to form: Yes

environmental document is required. The Findings, Statement of Overriding Considerations, Environmental Impact Report/Environmental Impact Statement, and associated information can be found at: <http://santabarbara.legistar.com/LegislationDetail.aspx?ID=874496&GUID=D14C4C9B-DEDF-48CB-AB30-D52A228FB5A2>. In addition, find that the actions are also exempt from California Environment Quality Act pursuant to Guidelines 15269 (emergency projects).

Summary Text:

This item is on the agenda in order to authorize an amendment to the agreement with Filippin Engineering, Inc. for construction management and inspection services for work necessary to complete the Lower Mission Creek Flood Control Project, Reach 2A (Attachment A).

On August 23, 2016, the Board entered into an agreement with Filippin Engineering, Inc. to perform construction management and inspection services for the Lower Mission Creek Flood Control Project, Reach 2A, in the amount of \$344,028. The Board also authorized the Public Works Director to approve changes up to an additional amount of \$34,402.80 for a total contract amount of \$378,430.80. This amendment amount exceeds that authority; therefore, the Board's approval is required.

Lower Mission Creek Flood Control Project Reach 2A is currently under construction. The storm event of February 17, 2017, which led to a County proclamation of a local emergency, resulted in significant flow in Mission Creek. An existing channel wall acting as a barrier between the creek and the 2A work site collapsed during the storm event; inundating the worksite and resulting in damages to the collapsed wall and the work in progress.

Construction management and inspection services related to the extensive site cleanup, reconstruction of damaged improvements that were under construction prior to the February 17th storm event and implementation of new site protection measures is needed. Additional construction management and inspection services are required for the reconstruction of the failed channel wall, for which the Board approved an emergency design services contract with Bengal Engineering, Inc., on March 14, 2017, is also anticipated.

Background:

The Lower Mission Creek Flood Control Project is a federal, U.S. Army Corps of Engineers project and has been under development since the 1960s. The City and the District, acting as local sponsors for the federal project, worked with the community in the 1990s to develop the current project that addresses the flood control concerns and environmental issues.

In 2001, the City certified the EIR/EIS and approved the project for Lower Mission Creek as did the U.S Army Corps of Engineers subsequent to the City's approval. Since that time, federal funding for construction has not come forward and the City and the Flood Control District have been working on finding opportunities to construct elements of the project as funding options arise. To date, the following project elements have been completed:

Flood Control District Work

City Work

Union Pacific Railroad Culvert work	Haley – De La Vina Bridge
Reach 1A-1	Ortega Street Bridge
Reach 1A-2	Cota Street Bridge
Reach 2B-1	Mason Street Bridge
Reach 1B	

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			\$ 151,025.60
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ 151,025.60

Narrative:

Lower Mission Creek Flood Improvement Project, Phase 2A was included in the adopted FY 2016-17 budget in the Water Resources Division of the Public Works Department as shown on page D-319 in the budget book. While this repair work was not included in the budget, there are existing funds in line item 8400 to pay for this work. No General Fund monies will be utilized by this project. While Lower Mission Creek is a funded project, the ultimate responsibility for these emergency repair costs has yet to be determined.

This project is also included in the County Capital Improvement Program on page D-148.

Key Contract Risks:

The key risk factors for this agreement are low.

Special Instructions:

Direct the Clerk of the Board to send two originals of Amendment No. 1 and minute order of these actions to the Flood Control District Office, Attn: Christina Lopez.

Attachments:

Amendment No. 1 to the Agreement with Filippin Engineering, Inc. (3 originals) w/ Contract Summary

Authored by:

Matt Griffin, Civil Engineer Specialist, 884-8074.

Exhibit 1

