



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:** January 9, 2018  
**Placement:** Administrative  
**Estimated Time:** N/A  
**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:** Lower Mission Creek Flood Control Project Reaches 3 & 4, First 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 Directors:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Bengal Engineering (a local vendor) to provide engineering design services for the Lower Mission Creek Flood Control Project, Reaches 3 and 4 (BC 17-117), increasing the contract amount of \$362,575 to a not-to-exceed amount of \$434,545, an increase of \$71,970; and
- b) Authorize an increase of \$7,197 to the contingency amount of \$36,257.50 to a total contingency amount to \$43,454.50 with Bengal Engineering 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 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>.

**Summary Text:**

This item is on the agenda in order to authorize an amendment to the agreement with Bengal Engineering for engineering design services for work necessary to complete the Lower Mission Creek Flood Control Project, Reaches 3 and 4 (Attachment A).

On August 23, 2016, the Board entered into an agreement with Bengal Engineering to perform engineering design services for the Lower Mission Creek Flood Control Project, Reaches 3 & 4, in the amount of \$362,575. The Board also authorized the Public Works Director to approve changes up to an additional amount of \$36,257.50 for a total contract amount of \$398,832.50. This amendment amount exceeds that authority; therefore, the Board’s approval is required.

Bengal Engineering is currently developing detailed plans and specifications for the Lower Mission Creek Flood Control Project, Reaches 3 & 4. As part of their original scope of work, Bengal Engineering developed a Contaminated Materials Management Plan (CMMP) based upon available records of previously known site contamination. Additional engineering design services are required to conduct actual site sampling and analysis of the soil and ground water and to develop a Phase II Environmental Assessment. These are needed in order to 1.) Complete an appraisal of 324 De La Vina Street as part of the real property acquisition process for Lower Mission Creek Reach 2B, Phase 2, and Reach 3 and 2.) To further refine the project plans and specifications to adequately address the presence of contaminated material.

**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 of Santa Barbara (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**

Union Pacific Railroad Culvert work  
Reach 1A-1  
Reach 1A-2  
Reach 2B-1  
Reach 1B  
Reach 2A

**City Work**

Haley – De La Vina Bridge  
Ortega Street Bridge  
Cota Street Bridge  
Mason Street Bridge

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
South Coast FZ			\$ 79,167.00
State			
Federal			
Fees			
Other:			
<b>Total</b>	\$ -	\$ -	\$ 79,167.00

**Narrative:**

This project was included in the adopted FY 2017-18 budget in the Water Resources Division of the Public Works Department as shown on page D-325 in the budget book. No General Fund monies will be utilized by this project.

This project is also included in the County Capital Improvement Program on page D-152.

**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:**

- Attachment A - Amendment No. 1 to the Agreement with Bengal Engineering (3 originals) w/ Contract Summary
- Attachment B - Agreement for Services of Independent Contractor with Bengal Engineering (copy of original contract)

**Authored by:**

Matt Griffin, Civil Engineer Specialist, 884-8074.

### Exhibit 1

