



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: October 13, 2020
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Scott D. McGolpin, Public Works Director, 568-3010
Contact Info: Chris Sneddon, Deputy Director, Transportation, 568-3064
SUBJECT: **Second Amendment to TYLIN International Agreement for Services of Independent Contractor for San Ysidro Interchange Improvements Project; County Project No. 740031; First Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the Second Amendment to the Agreement for Services of Independent Contractor (BC 18173) with T.Y. LIN International (not a local vendor), to increase the contract amount of \$541,226.44 by \$35,000 for a revised contract base total amount not to exceed \$576,226.44, to provide professional engineering and environmental services for the San Ysidro Intersection Improvements Project, County Project No. 740031, First Supervisorial District;
- b) Approve and authorize the Director of Public Works, or designee, to approve Agreement amendments within the scope of work in an amount not to exceed \$3,500 for a total Agreement amount up to and not to exceed \$579,726.44
- c) Approve and authorize the Director of Public Works, or designee, to make immaterial amendments in accordance with Section 36 of the Agreement; and
- d) Determine the above actions are not a project under the California Environmental Quality Act guidelines pursuant to Section 15378(b)(5) because it consists of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Summary Text:

This item is on the agenda to amend the T.Y. LIN International (“T.Y. LIN”) Agreement for Services of Independent Contractor (“Agreement”) for design and environmental services for the San Ysidro Intersection Improvements Project (“Project”). Approval of this Second Amendment would allow the contractor, T.Y. LIN, to assist Public Works in completing the Coastal Development Permit (CDP) process.

Public Works is working to complete the CDP process. The permitting and review effort has involved significantly more time and resources than is typical for Public Works projects to implement community plan requirements. To date the CDP effort - including over 2,000 pages of application materials, 10 full scale renderings, and approximately 30 public meetings and hearings - has exceeded 2,285 hours of staff and consultants time or approximately \$360,000. As a result the T.Y. LIN budget will be exceeded by an estimated \$35,000.

A summary of the CDP process is as follows:

1. Application submittal and application completeness review (**complete**)
2. Preparation, review and approval of California Environmental Quality Act (CEQA) environmental documents (**complete**)
3. Public outreach, including mailers, advertising, pop-up booths, and multiple large scale and small scale public meetings to receive feedback and input for design from the community (**complete**)
4. Coordination with a design-working group made up of members from the Montecito Board of Architectural Review (MBAR) and Montecito Planning Commission (MPC) (**2 meetings - complete**)
5. MBAR hearings for concept review (**2 hearings - complete**)
6. MPC hearings for CDP and Developmental Plan approval (**3 hearings – complete**)
7. Appealed to the Board of Supervisors: planned hearing in November 2020 (**not complete**)
8. If Approved: return to MBAR for final approval (**not complete**)
9. Condition clearance process and issuance of a CDP (**not complete**)

Throughout the CDP process, the Department has worked closely with Planning and Development as the project has gone through what is typically a private development review process.

Background:

The following is a summary of actions since 2017:

- On June 6, 2017 your Board executed a Memorandum of Understanding (2017 MOU) between Santa Barbara County Association of Governments (SBCAG).
- Your Board then approved the engineering and design services contract with T.Y. LIN (BC 18173) on November 14, 2017. (Attachment B)
- On November 5, 2019, the Board executed an updated Memorandum of Understanding (2019 MOU) with SBCAG providing additional funds for staff and T.Y.LIN to continue engineering and design services.
- Amendment 1 for BC18173 was approved on November 10, 2019 and extended the expiration date by one year, from October 3, 2020 to October 3, 2021. The contract was also increased

from \$434,986.89 to \$541,226.44 (increase of \$106,239.55). Amendment 1 was primarily a result of additional time and cost associated with the CDP process. (Attachment C)

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Total One-Time Project Cost</u>
County local funds	\$38,500

Narrative:

Approval of this Second Amendment would allow for additional services to complete the CDP process for the project. Currently this amendment would be funded with County local funds. Public Works staff is currently in the process of requesting SBCAG to amend the existing MOU to increase funds to the project. The SBCAG Board is currently scheduled to consider the item on October 15, 2020. If approved, all or portions of the \$38,500 would likely be funded by SAFETEA-LU (federal funds through SBCAG). Funds for this project would be budgeted in Department 054, Fund 0017, Organizational Unit 0600, Program 2830, and Account 7460.

Key Contract Risks:

There is no risk associated with this Agreement. The Agreement allows the County to terminate the Agreement upon thirty days written notice for convenience, and costs are not incurred until work is performed by the Contractor.

Special Instructions:

Please forward the following items to Gail Ocheltree in the Public Works Department, Transportation Division, 123 E. Anapamu Street, 805.568.3094:

- A certified, stamped Minute Order approving these recommendations
- Two duplicate originals executed amendment signature pages, one complete original to remain with Clerk of the Board

Attachments:

- Attachment A: Second Amendment to Agreement for Services of Independent Contractor between County of Santa Barbara and TYLIN International, San Ysidro Intersection Improvements Project, County Project No. 740031
- Attachment B: Board Contract BC1873
- Attachment C: Amendment 1 BC1873

Authored by:

Walter Rubalcava, Project Manager, (805) 803-8775