



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: Planning and
Development
Department No.: 053
For Agenda Of: May 14, 2019
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Lisa Plowman, Director, Planning and Development
Director(s) (805) 568-2086
Contact Info: Daniel T. Klemann, Deputy Director, Long Range Planning
(805) 568-2072
SUBJECT: Orcutt Community Plan Amendment Project – Agreement for Services with
Rincon Consultants, Inc., Fourth Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor (Agreement) with Rincon Consultants, Inc. (Rincon) (Attachment 1) to prepare a traffic study, conceptual roadway drawings, and environmental review during the period of May 22, 2019, to June 30, 2020, for a base contract amount of \$220,844;
- b) Authorize the Director of Planning and Development, or designee, to approve up to a 10 percent contingency cost not to exceed \$20,600 for services being performed under the Agreement, for a total contract amount not to exceed \$241,444;
- c) Approve and authorize the Director of Planning and Department, or designee, to make immaterial changes in accordance with Section 35 of the Agreement; and
- d) Determine that the Agreement and the Board of Supervisors' actions are not a project and, therefore, are exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).

Auditor-Controller Concurrence

As to form: Yes

Summary Text:

The Board of Supervisors directed Planning and Development to amend the Orcutt Community Plan to include a new road connection between the Union Valley Parkway/U.S. Highway 101 interchange and the adjoining frontage road, commonly referred to as Rodeo Drive, on the east side of U.S. Highway 101.

Planning and Development initiated a competitive bid process and selected Rincon to prepare a traffic study, conceptual roadway drawings, and environmental review for the project. The Agreement with Rincon (Attachment 1) will not exceed \$241,444. The Agreement will exceed the \$200,000 purchasing threshold and, therefore, needs Board of Supervisors' approval. Staff recommends that the Board of Supervisors approve the Agreement.

Background:

Rodeo Drive and the Union Valley Parkway/U.S. Highway 101 interchange are located in the Orcutt Community Plan area, approximately 1.5 miles southeast of the City of Santa Maria. The road connection would provide a second point of access to the Elks Unocal Event Center, the new Santa Maria Joint Unified High School District facility under construction, and other existing development east of U.S. Highway 101.

Pursuant to Caltrans' guidance (Attachment 4), the County must amend the Orcutt Community Plan's Circulation Map to show the local road connection as the first of eight steps required prior to obtaining Caltrans' approval to connect Rodeo Drive to the interchange.

Planning and Development reviewed previous environmental documents and coordinated with stakeholders, Caltrans, Santa Barbara County Association of Governments, and the City of Santa Maria prior to issuing a request for proposals (RFP). The RFP requested the following services: (1) traffic study; (2) conceptual roadway drawings; and (3) Environmental Impact Report (EIR), or adequate environmental document, for the purpose of amending the Orcutt Community Plan. Planning and Development initiated a competitive bid process and sent the RFP to six environmental consulting and engineering firms. Rincon's proposal (Attachment 2) demonstrated professional qualifications and relevant experience in the project area, including preparing the EIR/Environmental Assessment for the Union Valley Parkway Extension/Interchange Project, which the City of Santa Maria certified in 2009.

The Agreement exceeds the funding that the Board of Supervisors originally appropriated for the project (Attachment 3). The additional costs are necessary to comply with the requirements of CEQA. For example, the conceptual roadway drawings are required to prepare an acceptable project description and the traffic study is required to analyze the project's potential effects on vehicle circulation, roads, and intersections.

Fiscal and Facilities Impacts:

Budgeted: Yes

Funding for the Orcutt Community Plan Amendment project, including \$80,000 for consultant services, is budgeted in the Long Range Planning Budget Program on page D-272 of the adopted Fiscal Year 2018-19 budget and will be included in the recommended Fiscal Year 2019-20 budget.

The funding source for this project is one-time Cannabis Tax revenue provided by the Board of Supervisors in the amount of \$155,800 (\$80,000 for consultant services/\$75,800 for County staff costs) in the adopted Fiscal Year 2018-19 budget. Additional funding of \$205,000 of one-time Cannabis Tax revenue for consultant services is requested in the recommended Fiscal Year 2019-20 budget.

There are no facilities impacts.

Key Contract Risks:

Planning and Development staff performed a risk analysis on the proposed contract. It is a medium risk proposal because (in part) the contract amount is greater than \$200,000, the project is moderately complex, and the project involves a subcontractor responsible for the traffic study and conceptual roadway drawings. The Agreement applies the County's standard independent contractor terms and conditions in accordance with Federal and State of California laws and regulations. The risk mitigation includes insurance coverage appropriate for the level of risk involved as determined by Planning and Development in conjunction with the County Risk Manager, and the Agreement indemnifies County agents, officers and employees, from any claims that may arise from activities performed under the Agreement. In addition, the Agreement includes a Termination for Convenience clause to further mitigate risk.

Staffing Impacts:

No additional staffing is needed to implement and manage this contract.

Special Instructions:

Please forward one original executed Agreement and a minute order of the hearing to Planning and Development, Hearing Support, Attention: David Villalobos.

Attachments:

1. Agreement for Services of Independent Contractor
 - Exhibit A: Statement of Work
 - Exhibit B: Payment Arrangements
 - Exhibit C: Indemnification and Insurance Requirements
2. Rincon Technical Proposal
3. Rincon Cost Proposal
4. Caltrans' Guidance

Authored by:

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