



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 MNS Engineers, Inc. Agreement for Services of Independent Contractor; All Supervisorial Districts**

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 Supervisors:

- a) Approve, ratify, and authorize the Chair to execute the Second Amendment to the Agreement for Services of Independent Contractor (BC17231) with MNS Engineers, Inc. (a local vendor), to amend the expiration date of December 12, 2020 to December 12, 2021, to add services, and to increase the base amount by \$153,494 for a revised total amount not to exceed \$268,844, including \$15,350 in contingency funds to provide professional engineering services for the Santa Claus Lane Streetscape Improvements Project, County Project No. 720783, First Supervisorial District;
- b) Approve and authorize the Director of Public Works, or designee, to approve amendments to the Agreement for Services of Independent Contractor (BC17231) with MNS, Engineers, Inc. in an amount not to exceed \$15,350, and to make immaterial amendments in accordance with Section 25 of the Agreement; and
- c) 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 Agreement for Services of Independent Contractor (BC17231) (“Agreement”) for supplying of Engineering Consulting Services on an as needed basis. Approval of this Second Amendment would allow the contractor, MNS Engineers, Inc. (“MNS”), to expand engineering design services to the Public Works Department (“Department”) in support of the Santa Claus Lane Streetscape Improvement Project (“Project”). Contract BC17231 Amendment No. 1 was approved on December 11, 2018 to extend the contract length from 2 years to 4 years, to allow additional time for the Department to utilize this contract for design support for various projects. The approval of BC17231 Second Amendment would also extend the contract expiration date from December 12, 2020 to December 12, 2021.

The Department has solicited and received proposals from MNS to provide for additional engineering design support to advance several design and right of way support needs of the Project. The original scope of MNS services only included work associated with the roundabout. The proposed roundabout is located at the eastern terminus of the project. The overall project extends 2850 feet west and includes retaining walls, a bike path, parking improvements, lighting, drainage, retaining walls, etc. Additional efforts are needed to support these other improvements not related to the roundabout. These additional tasks include:

- Retaining wall design west of the roundabout
- Geotechnical investigations and reports needed for the retaining wall and other requirements such as drainage and pavement design
- Additional topological survey to support the final design of the project, west of the roundabout;
- Perform right of way survey, develop legal descriptions, and right of way map showing requested right of way and easements required to complete acquisition of right of way from Caltrans and Union Pacific Railroad (UPRR) required for the entire project; and
- Prepare an exhibit map, legal description, and other items necessary to submit to the Local Agency Formation Commission (LAFCO) to modify the sphere of influence of Carpinteria Sanitary District, and allow for annexation of the property into the Carpinteria Sanitary District

Public Works is currently working with MNS to advance the engineering design of a roundabout intersection design for the Santa Claus Lane Streetscape Improvements Project (“Project”) to 100% Plans, Specifications, and Estimate (“PS&E”). To date, County and MNS have worked closely to coordinate project development and advance the project deliverables. MNS is also serving as a design consultant on adjacent projects directly affecting the Project. These adjacent coordinated projects include the proposed Santa Claus Lane Bike Path Project, for Santa Barbara County Association of Governments (“SBCAG”), as well as the US Highway 101 HOV/REHAB Project, for Caltrans. This has allowed MNS to coordinate project improvements between the three projects, to ensure that the needs of all three projects are addressed in the design process. This has also led to improved communication between the three agencies on the project design, reducing delays in the advancement of each project.

The existing contract BC17231 is a general engineering and design consulting services contract that was executed in 2016, to support the Department’s consultant design needs. This contract scope is broad, and allows for flexibility based on the needs of the Department for consultant services. The original contract was set to expire in 2018, but was extended on December 11, 2018 to conclude on December 12, 2020. Executing this Amendment No. 2 to the Agreement will extend the Agreement by an additional year, to December 12, 2021. This will allow for the completion of the tasks listed above, which are required to complete the project in a timely manner.

The proposed Amendment No. 2 will increase the amount of the Agreement by an estimated \$153,494 to support the continued development of the Project to final design and to address the right of way acquisition needs of the Project.

The Board authorized the Agreement with MNS on December 13, 2016 for general engineering and design consultant services for a base contract amount of \$100,000. The approval of these additional items of work will be in excess of the available remaining contract budget of approximately \$41,242. With the authorization of these additional items of work, the contract would have an approved not-to-exceed amount of \$266,844, including \$15,350 in approved contingency funding, which is designated as 10% of the total of all requested contract items for the Project.

The recommended actions would authorize and execute the attached Second Amendment to the Agreement with MNS, as well as authorize the Director of Public Works to make immaterial amendments to the Agreement with MNS to complete the final design of the project. Immaterial amendments would include time frame and mutually agreeable work program changes, updates to designated representatives, or clerical error corrections, which would not result in changes to the Agreement, scope of Statement of Work, or total contract amount. Authorization of the additional items of work will allow for the completion of the engineering design, geotechnical design, topological survey, and right of way required to complete the Project, program construction funding, receive authorization to construct the Project, and advertise the Project construction bid request. The Project has an aggressive schedule to complete development of the project, in order to adhere to funding deadlines in alignment with the development of companion US Highway 101 HOV/Rehab project Segment 4B. This schedule currently requires that the project be ready to list for construction bids by June 31, 2021.

Background:

The proposed project is located on Santa Claus Lane, from Padaro Lane to Sand Point Road and US Highway 101 southbound on-ramp, in the unincorporated area of Summerland. The Santa Claus Lane Streetscape Improvements Project is a major infrastructure improvement project to formalize and upgrade parking availability, pedestrian and cycling amendments, install traffic calming measures and improved traffic circulation elements, increase connection to existing and proposed improvements, and provide at-grade pedestrian access to Santa Claus Lane beach. Additional improvements also include the construction of bathroom facilities at the entrance to Santa Claus Lane beach, streetlighting, and landscape improvements along the corridor.

This project is being developed in coordination with the Community Services Department, Parks Division, the County Planning and Development Department, Caltrans, and SBCAG. Local Partnership Program funds, administered by SBCAG, will fund the Project. The County executed a Memorandum of Understanding (MOU) for several projects in Summerland to be balancing projects for the US 101 HOV/Rehab project within the Summerland area of the County.

On June 4, 2019, the Board executed an MOU with SBCAG to fund US 101 Corridor Coastal Access Projects. On December 13, 2016, the Board authorized an Agreement for Services of Independent Contractor with MNS, BC17231, for the contract amount of \$100,000. On December 11, 2018, the Board executed BC17231 Amendment #1, to extend the contact end date to December 12, 2020.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Funding Sources	Total One-Time Project Cost
State Funds, SB1 - Local Partnership Program	\$84,422
Measure A, Local Sales Tax - Regional	\$84,422
Total	\$168,844

Narrative:

Approval of this Second Amendment will allow for additional engineering and design services to advance the Project to construction. The existing MOU with SBCAG designates that 100% of engineering costs will be funded by SBCAG. Local Partnership Program (LPP) funds will fund 50% of costs (\$84,422); Measure A regional funds will fund the remaining 50% (\$84,422). Funds for this project are budgeted in Department 054, Fund 0017, Organizational Unit 0600, Program 2830, and Account 7460. Public Works will return to the Board at a future date to award a construction contract for this project.

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, extension 83094:

- A certified, stamped Minute Order approving these recommendations
- One duplicate original executed amendment signature page. One original executed amendment to be filed with the Clerk of the Board.

Attachments:

- Attachment A: Second Amendment to Agreement for Services of Independent Contractor between County of Santa Barbara and MNS Engineers, Inc., Santa Claus Lane Streetscape Improvements Project, County Project No. 720783 (1 original and 1 duplicate original signature pages)
- Attachment B: Copy of original Agreement for Services of Independent Contractor (BC17231) between the County of Santa Barbara and MNS Engineers, Inc., General Engineering and Design Consulting Services.
- Attachment C: Copy of the First Amendment to Agreement for Services of Independent Contractor (BC17231) between the County of Santa Barbara and MNS Engineers, Inc., General Engineering and Design Consulting Services.

Authored by:

Christian Doolittle, PG, CEG, Project Manager, (805) 803-8777