



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:** PW/Flood Control  
**Department No.:** 054  
**For Agenda Of:** December 12, 2023  
**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, (805) 568-3010  
Director(s)  
Contact Matt Young, Interim Deputy Director - Water Resources, (805) 568-3546  
Info:

**SUBJECT:** **Amendments to the Agreements with Lash Construction Inc. and Bengal Engineering for the Santa Monica Debris Basin Operational Improvements Project, First Supervisorial District**

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**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 Directors:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Construction Agreement with Lash Construction, Inc. (a local vendor) for the Santa Monica Debris Basin Operational Improvements Project (BC 22-069), increasing the contract amount from \$5,196,965.00 to a not to exceed limit of \$5,569,317.37, an increase of \$372,352.37;
- b) Authorize an increase of \$37,235.24 to the contingency amount of \$272,348.25 to a total contingency amount of \$309,583.49 to the Agreement for Services with Lash Construction, Inc. for additional work that may be needed to complete the project; and
- c) 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 support during construction services for the Santa Monica Debris Basin Operational Improvements Project (BC 22-070), extending the term to June 30, 2025 and increasing the contract amount from \$132,775.00 to a not to exceed limit of \$168,455.00, an increase of \$35,680.00;

- d) Authorize an increase of \$3,568.00 to the contingency amount of \$13,277.50 to a total contingency amount of \$16,845.50 to the Agreement for Services with Bengal Engineering for additional work that may be needed to complete the project; and
- e) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the actions are Amendments to contracts for an existing and ongoing project. The Santa Monica Debris Basin Operational Improvements Project, including the Agreement for construction services with Lash Construction, Inc. and for engineering services with Bengal Engineering, was determined by the Board to be exempt from CEQA pursuant to CEQA Guidelines Section 15301(d), consisting of repairs, maintenance, and minor alterations of existing public facilities, involving negligible or no expansion of use. A Notice of Exemption was filed December 17, 2020 and is included as Attachment E. The current actions to approve Contract Amendments consist 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 in order to approve Amendment No. 1 to the agreement with Lash Construction, Inc. (Attachment A) to complete the construction of the Santa Monica Debris Basin Operational Improvements Project and to approve Amendment No. 1 to the Agreement with Bengal Engineering (Attachment B) for engineering support during construction of the project.

On June 28, 2022, the Board entered into an Agreement with Lash Construction, Inc. to complete the work within the Scope of the Agreement for the Santa Monica Debris Basin Operational Improvements Project. (Attachment C), in the amount of not to exceed \$5,196,965.00 with the Agreement ending upon completion of construction. The Board also authorized the Public Works Director or designee to approve changes up to an additional \$272,348.25 (contingency) for a total contract amount of \$5,469,313.25. The Amendment amount exceeds that authority; therefore, the Board's approval is required.

On June 28, 2022, the Board entered into an Agreement with Bengal Engineering for engineering support during construction services for the Santa Monica Debris Basin Operational Improvements Project (Attachment D), in the amount of not to exceed \$132,775.00 with a term expiring on June 30, 2024.

On January 9, 2023, a storm filled the Santa Monica Debris Basin to capacity. With the Santa Monica Debris Basin Operational Improvements Project in a break period and incomplete, the inlet towers in the basin had not been constructed to completion. As a result, excavation of the basin and clearing the newly constructed towers was required. Additional work was required by Lash Construction, Inc. beyond the Scope of the original Agreement. Work was required to clean out the newly constructed inlet towers, protect the new construction in place, and restore them to their operating capacities. Additionally, damages to both the interiors and exteriors of these towers were experienced and required repair. Bengal Engineering was requested to provide additional engineering support on the design of the tower repairs.

During construction, existing field conditions and inconsistencies in the original as-built plans have caused changes to the design of the project. In-field changes were unavoidable due to existing infrastructure conditions and locations and were necessary to provide a design that allows the Santa Monica Debris Basin to operate at its full capacity. Bengal Engineering was requested to provide revised designs based on in-field conditions and changes. Due to these changes during construction, additional working days have been added to the construction schedule, extending the anticipated completion date. Upon approval of Amendment No.1 to the Agreement with Lash Construction, Inc., these extra work items will be incorporated into a Contract Change Order, to be authorized by the Public Works Director or designee.

**Background:**

The Santa Monica Debris Basin Operational Improvements Project is located on Santa Monica Creek, approximately 3,500 feet north of Foothill Road, near the City of Carpinteria. The Santa Monica Debris Basin was built in 1977 by the Soil Conservation Service (SCS, now the NRCS) as part of Carpinteria Valley Watershed Project.

During the January 9, 2018 Debris Flow, the Santa Monica Debris Basin captured debris to its full capacity, preventing untold damages to downstream neighborhoods. Following the debris flow, the U.S. Army Corps of Engineers was mission tasked to remove debris from the basin. The debris removal effort, and subsequent emergency restoration work, brought to light several deficiencies in the original project design that, if corrected, would reduce the time and cost needed to remove debris from the basin in the future. The operational improvement project addresses these deficiencies and will improve clean out efficiency and the ability to respond to future debris removal events, allowing the debris basin's exceptional functionality to be reestablished more quickly and easily.

The Santa Monica Debris Basin Operational Improvements Project, including the Agreement for construction services with Lash Construction, Inc. and for engineering services with Bengal Engineering, was determined by the Board to be exempt from CEQA pursuant to CEQA Guidelines Section 15301(d), consisting of repairs, maintenance, and minor alterations of existing public facilities, involving negligible or no expansion of use. A Notice of Exemption was filed December 17, 2020.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b>Funding Sources</b>	<b>Current FY Cost:</b>	<b>Annualized On-going Cost:</b>	<b>Total One-Time Project Cost</b>
NRCS Grant			\$ 448,835.61
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ 448,835.61

**Narrative:**

These actions increase Lash Construction, Inc.'s contract in the amount of \$409,587.61 and Bengal Engineering's contract in the amount of \$39,248.00 for a total FY2023-24 project increase of \$448,835.61. Construction costs were included in the adopted FY 2023-24 budget in the Water Resources Division of the Public Works Department as shown on page D-331 in the budget book.

This project is partially funded through a grant from the Natural Resources Conservation Service (NRCS) in the amount of \$6,782,735.00 with the remainder costs being paid from the South Coast Flood Zone.

This project is also included in the County's Capital Improvement Program.

**Special Instructions:**

Direct the Clerk of the Board to return one original signature page of Amendment No. 1 to the Lash Construction, Inc. Agreement, Amendment No. 1 to the Bengal Engineering Agreement, and a copy of the minute order of these actions to the Flood Control Office, Attn: Christina Lopez.

**Attachments:**

- Attachment A: Amendment No. 1 to the Agreement with Lash Construction, Inc. for the Santa Monica Debris Basin Operational Improvement Project (includes BC summary, an original amendment, and an additional signature page)
- Attachment B: Amendment No. 1 to the Agreement for Services of Independent Contractor with Bengal Engineering for the Santa Monica Debris Basin Operational Improvement Project (includes BC summary, an original amendment, and an additional signature page)
- Attachment C: Copy of the Agreement with Lash Construction, Inc. for the Santa Monica Debris Basin Operational Improvements Project (BC 22-069)
- Attachment D: Copy of the Agreement for Services of Independent Contractor with Bengal Engineering for the Santa Monica Debris Basin Operational Improvements Project (BC 22-070)
- Attachment E: Copy of Notice of Exemption, Santa Monica Debris Basin Operational Improvements

**Authored by:**

Erik Adelman, PE, Civil Engineer Specialist, (805) 884-8074

Amendments to the Agreements with Lash Construction, Inc. and Bengal Engineering for the Santa Monica Debris Basin  
Operational Improvements Project (BC 22-069 and BC22-070), First Supervisorial District  
Agenda Date: December 12, 2023  
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