

Board Contract Summary

BC 18-064

For use with Expenditure Contracts submitted to the Board for approval. Complete information below, print, obtain signature of authorized departmental representative, and submit this form, along with attachments, to the appropriate departments for signature. See also: *Auditor-Controller Intranet Policies->Contracts*.

D1.	Fiscal Year	2017-18 and 2018-19
D2.	Department Name	PW Flood Control
D3.	Contact Person	Jon Frye
D4.	Telephone	X3444

K1.	Contract Type (check one):	Personal Service	Capital	
K2.	Brief Summary of Contract Description/Purpose	Construction management and inspection for the Unit II Channel Improvements Project		
K3.	Department Project Number	SM8313 and SM8205		
K4.	Original Contract Amount	\$159,171.10 (\$144,701 plus \$14,470.10 contingency)		
K5.	Contract Begin Date	July 11, 2017		
K6.	Original Contract End Date	December 31, 2018		
K7.	Amendment? (Yes or No)	Yes		
K8.	- New Contract End Date	December 31, 2019		
K9.	- Total Number of Amendments	2		
K10.	- This Amendment Amount	\$50,600 (\$46,000 plus \$4,600 contingency)		
K11.	- Total Previous Amendment Amounts	\$119,130.20 (\$108,300.19 plus \$10,830.01 contingency)		
K12.	- Revised Total Contract Amount	\$328,901.30 (\$299,001.19 plus contingency \$29,900.11)		

B1.	Intended Board Agenda Date	9/11/18
B2.	Number of Workers Displaced (if any)	N/A
B3.	Number of Competitive Bids (if any)	N/A
B4.	Lowest Bid Amount (if bid)	N/A
B5.	If Board waived bids, show Agenda Date	N/A
	and Agenda Item Number	
B6.	Boilerplate Contract Text Changed? (If Yes, cite Paragraph)	Added paragraphs 33 and C and F in Exhibit B

F1.	Fund Number	2560
F2.	Department Number	054
F3.	Line Item Account Number	8400
F4.	Project Number (if applicable)	SM8313 and SM8205
F5.	Program Number (if applicable)	3005
F6.	Org Unit Number (if applicable)	
F7.	Payment Terms	Net 30

V1.	Auditor-Controller Vendor Number	019268
V2.	Payee/Contractor Name	Filippin Engineering Inc.
V3.	Mailing Address	354 S Fairview Ave., STE D
V4.	City State (two-letter) Zip (include +4 if known)	Goleta, CA 93117
V5.	Telephone Number	(805) 845-4602
V6.	Vendor Contact Person	Kelly Wheeler
V7.	Workers Comp Insurance Expiration Date	2/9/19
V8.	Liability Insurance Expiration Date	2/9/19
V9.	Professional License Number	
V10.	Verified by (print name of county staff)	clopez

V11 Company Type (Check one): Individual Sole Proprietorship Partnership Corporation

I certify information is complete and accurate; designated funds available; required concurrences evidenced on signature page.

Date: 8/29/18 Authorized Signature: [Signature]

**AMENDMENT NO. 2 TO THE AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR WITH
FILIPPIN ENGINEERING (BC 18-064)**

Pursuant to Paragraph 25 of the Agreement for Services of Independent Contractor (hereinafter AGREEMENT) entered into on July 11, 2017, as BC No. 18-064, between the Santa Barbara County Flood Control and Water Conservation District (hereafter COUNTY), and Filippin Engineering, having its principal place of business at 354 S. Fairview Ave., STE D, Goleta, CA 93117 (hereafter CONTRACTOR), the COUNTY and CONTRACTOR amend the AGREEMENT as provided in this Amendment 1:

WHEREAS, due to delays by Whitaker Construction Group, Inc. ("Whitaker") related to its completion of constructing the Unit II Channel Improvement Project ("PROJECT"), the PROJECT resulting in work extending 21 working days past that allotted for construction Phase 1; and

WHEREAS, Amendment No. 1 to the AGREEMENT was executed on January 23, 2018, accommodates a schedule splitting the PROJECT into two phases, changing the scope of work, increases the amount of compensation for the additional work by the CONTRACTOR, and remains unchanged and in full effect except as modified herein.

NOW THEREFORE, the COUNTY and CONTRACTOR do hereby agree as follows:

1. Exhibit A, Statement of Work is revised as follows:

Work as described in the Statement of Work from CONTRACTOR, attached as **EXHIBIT A2**, incorporated by this reference, hereby modifies the scope, scheduling and compensation of the work to be performed under AGREEMENT and Amendment No 1. The interpretation of EXHIBIT A2 shall take precedence over any conflict with the language in the AGREEMENT and Amendment No. 1.

2. Exhibit B, PAYMENT ARRANGEMENTS, Paragraphs A and B are amended to read:

- A.** For CONTRACTOR services to be rendered under this Agreement, CONTRACTOR shall be paid a total contract amount, including cost reimbursements, not to exceed **\$299,001.19**.
- B.** Extra Work required to complete the project may be authorized only if CONTRACTOR receives written approval by the County's designated representative as identified in Paragraph 1 of the Agreement at the same rate per unit as defined in Attachment B1. The total amount of contingency fund is 10% of the agreement amount or **\$29,900.11**.

In all other respects, the AGREEMENT remains unchanged and in full effect.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Amendment No. 2 to the Agreement for Services of Independent Contractor with Filippin Engineering to be effective on the date executed by COUNTY.

ATTEST:

Mona Miyasato
County Executive Officer
Ex Officio Clerk of Board of
Directors of the Santa Barbara
County Flood Control and Water
Conservation District


**SANTA BARBARA COUNTY FLOOD
CONTROL & WATER CONSERVATION
DISTRICT:**

By: _____
Deputy Clerk

By: _____
Das Williams, Chair, Board of
Directors

RECOMMENDED FOR APPROVAL:
Santa Barbara County Flood Control
& Water Conservation District

Date: _____

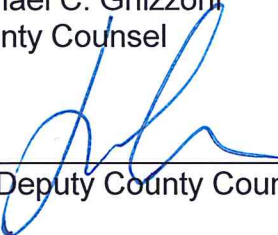
By:  _____
Scott D. McGolpin
Public Works Director

CONTRACTOR:
FILIPPIN ENGINEERING

By:  _____
Authorized Representative

APPROVED AS TO FORM:
Michael C. Ghizzoni
County Counsel

Name: KELLY WHEELER

By:  _____
Deputy County Counsel

Title: VICE PRESIDENT

APPROVED AS TO FORM:
Ray Aromatorio, ARM, AIC
Risk Manager

**APPROVED AS TO ACCOUNTING
FORM:**

Theodore A. Fallati, CPA
Auditor-Controller

By:  _____
Risk Manager

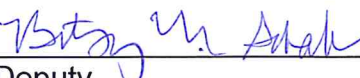
By:  _____
Deputy

EXHIBIT A2

STATEMENT OF WORK



August 10, 2018

Santa Barbara County Flood Control & Water Conservation District
130 East Victoria Street Suite 200
Santa Barbara, CA 93101
Attn: Ms. Karen Sullivan, P.E.

SUBJECT: REQUEST FOR ADDITIONAL AUTHORIZATION FOR CM & INSPECTION SERVICES, UNIT II CHANNEL IMPROVEMENTS PROJECT

Dear Ms. Sullivan,

Filippin Engineering, Inc. (FE) is submitting this Request for Additional Authorization to provide additional Construction Management and Inspection Services to the Santa Barbara County Flood Control & Water Conservation District for the Unit II Channel Improvements Project, pursuant to our conversations.

Subsequent to our budget revisions in October of 2017, the following items have caused an increase in the scope of services from that originally proposed:

- During Phase 1 Construction, Whitaker went 18 working days over their original schedule. Cost for CM and Inspection for these working days is approximately \$29,000.
- Due to the Contractor's increase in contract time (18 working days as noted above, and 59 working days added by CCO 1), the materials testing subconsultant, Fugro, has estimated that they will incur a cost of approximately \$5,000 over their budgeted amount.
- Between Phase 1 and Phase 2 Construction, additional coordination during the suspension including meeting the County's subcontractor to put up bird netting to discourage nesting birds, inspecting after the large storm events to measure and quantify the limits of damage in the channel, and participation in additional coordination and preconstruction meetings, resulted in extra costs of approximately \$12,000.

The FE total budget prior to the above request was \$253,001.19. Given the extra work outlined above, it is anticipated that should the Contractor use their total Phase 2 contract time, construction management and inspection could be an additional \$46,000, for a total cost of \$299,001.19. If the Contractor finishes early and the claims negotiation process is prompt, then actual costs will be less, and we will keep in close communication with you to inform you of any changes in this estimate based on Contractor performance or other project issues.

FE is committed to working with you to complete this project. If you have any questions or would like to discuss this request further, please don't hesitate to call, (805) 448-5619.

Sincerely,
FILIPPIN ENGINEERING

A handwritten signature in black ink that reads 'Kelly R. Wheeler'.

Kelly R. Wheeler, P.E.
Vice President