



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: Flood Control
Department No.: 054
For Agenda Of: September 12, 2017
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District

FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: Faraday Storm Drain Improvements Project, Third Supervisorial District

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 Directors:

- a) Find that the bid received for the Faraday Storm Drain Improvements Project from Cedro Construction, Inc. was non-responsive and reject this bid from the bid opening on August 10, 2017;
- b) Approve plans and specifications for the Faraday Storm Drain Improvements Project;
- c) Award the construction contract for the Faraday Storm Drain Improvements Project, in the amount of \$1,542,061 to the lowest responsive, responsible bidder JJ Fisher Construction, Inc. (a tri-county vendor), subject to the provisions of documents and certifications, as set forth in the plans and specifications applicable to the project and as required by law;
- d) Authorize the Chair to execute the construction contract upon return of the contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller, and Risk Manager or their authorized representatives;
- e) Authorize the Public Works Director or designee to order the performance of itemized supplemental work, as provided in the construction contract, in the amount not to exceed

\$25,000 for the Faraday Storm Drain Improvements Project;

- f) Authorize the Public Works Director or designee to approve changes or additions to the work being performed under the Construction Contract, in an amount not to exceed \$90,853.05 for the Faraday Storm Drain Improvements Project;
- g) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with MNS Engineers, Inc. (a local vendor), to provide construction management and inspection services for the Faraday Storm Drain Improvements Project for the period of September 12, 2017 through December 30, 2018 in an amount not to exceed \$154,649;
- h) Authorize the Director of Public Works or designee to approve amendments to the professional services contract with MNS Engineers, Inc. in an amount not to exceed \$15,464.90;
- i) Determine that the Faraday Storm Drain Improvements Project shall be carried out and determine that it is for the benefit of one zone hereinafter referred to as a participating zone; and
- j) Find that pursuant to the California Environmental Quality Act Guidelines Article 19, Section 15304(f), a California Environmental Quality Act Notice of Exemption was filed with the Santa Barbara County Clerk of the Board on February 14, 2017 for construction of the Faraday Storm Drain Improvements Project. No substantial changes are proposed, no substantial changes in circumstances, and no new information of substantial importance has come to light regarding environmental effects of the project and, therefore this action is within the scope of the project covered by the Notice of Exemption and no subsequent environmental document is required and can be found:
<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=3037948&GUID=F366B02A-66F4-47C8-86D2-DE3EE720BBF0>.

Summary Text:

This item is on the agenda in order to award the construction contract for the Faraday Storm Drain Improvements Project and to approve a construction management and inspection services contract for this project.

This project will construct a storm drain on Faraday Street and laterals in the cul-de-sacs to the west of Faraday. The storm drain will run southward from Olive Street to convey storm water directly to Zanja de Cota Creek in the Santa Ynez area. This project will alleviate flooding to this residential area.

On August 10, 2017, the Flood Control District received and opened 6 bids for the Faraday Storm Drain Improvement Project. Cedro Construction, Inc. submitted the lowest bid, but it was determined to be non-responsive due to the omission of a lump sum price on the bid item list. Section 2.2 of the bid proposal states: *“If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.”*

JJ Fisher Construction, Inc. submitted the lowest responsive bid in the amount of \$1,542,061. The second lowest bid was in the amount of \$1,689,433. The engineer’s construction cost estimate was \$1,689,683.

This project was bid in accordance with the Public Contract Code, which requires the award to the lowest responsible bidder. The Department analyzed the bids and determined that JJ Fisher Construction, Inc. was the lowest responsive and responsible bidder. Public Works recommends awarding this contract to JJ Fisher Construction, Inc.

Background:

There are two watercourses that flow through this area of the Santa Ynez community: Zanja de Cota Creek to the east, and an unnamed watercourse to the west that flows into Zanja de Cota Creek. Historically, the area west of Faraday has drained into the unnamed watercourse. Storm water is impeded and under certain storm events inundates the cul-de-sacs and properties to the west of Faraday Street.

The Board authorized the Public Works Director to advertise and receive bids for this project on May 9, 2017.

Fiscal and Facilities Impacts:

Budgeted: Yes

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
Santa Ynez Flood Zone			\$ 1,828,027.95
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ 1,828,027.95

Fiscal Analysis:

Narrative:

This project was included in the adopted FY 2017-18 budget in the Water Resources Division of the Public Works Department as shown on page D-325 in the budget book. No General Fund will be utilized for this project.

This project is also included in County’s Capital Improvement Program and is identified on page D-131.

Key Contract Risks:

The key risk factors for these agreements are low.

Special Instructions:

1. Send two originals of the Agreement with JJ Fisher Construction, Inc. to the Flood Control District office: Attn: Christina Lopez
2. Send two originals of the Agreement for Services of independent Contract with MNS Engineers, Inc. to the Flood Control District office: Attn: Christina Lopez
3. Send a copy of the minute order of these actions to the Flood Control District, Attn: Christina Lopez.

Attachments:

- Attachment A: Plans & Specs (available on the Clerk of the Board website and hard copies are available at the Clerk of the Board office in Santa Barbara and the Fifth Supervisorial District office in Santa Maria)
- Attachment B: Copy of Agreement with JJ Fisher Construction, Inc.
- Attachment C: Agreement for Services of Independent Contractor w/MNS Engineers (3 originals) w/contract summary

Authored by:

Jon Frye, Civil Engineering Manager, 568-3444

Exhibit A

