



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: June 27, 2023
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, (805) 568-3010
Director(s)
Contact Info: Walter Rubalcava, Deputy Director-Water Resources, (805) 568-3436

SUBJECT: **Agreements for Time and Material, Engineering, and Real Property Services for Emergency Response Efforts and As-needed Services, 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:

- a) Approve and authorize the Public Works Director or designee to execute the Agreements for Services of Independent Contractor for time and material work needed for the Flood Control's routine maintenance work, to respond to emergency situations, prevention and repair work, and for any other flood control purposes for the period of July 1, 2023 through June 30, 2024 in a form substantially similar to the template attached hereto, and upon the review and concurrence of the Auditor Controller, Risk Management, and County Counsel for the following contractors:
- i. Bob's Backhoe & Trucking (a local vender) in the amount of not to exceed \$2,000,000;
 - ii. CalPortland Construction (a local vender) in the amount of not to exceed \$1,000,000
 - iii. Cushman Contracting Corporation (a local vender) in the amount of not to exceed \$1,000,000;
 - iv. Granite Construction Company (a local vender) in the amount of not to exceed \$2,000,000;
 - v. Lash Construction Company (a local vender) in the amount of not to exceed \$2,000,000;
 - vi. R.W. Scott Construction Company, Inc. (a local vender) in the amount of not to exceed \$2,000,000;
 - vii. Specialty Construction Inc. (a local vender) in the amount of not to exceed \$1,000,000;
 - viii. Tierra Contracting Inc. (a local vender) in the amount of not to exceed \$1,000,000;
 - ix. V. Lopez Jr. and Sons General Engineering Contractors, Inc. (a local vender) in the amount of not to exceed \$1,000,000;

- b) Approve and authorize the Public Works Director or designee to execute the Agreements for Services of Independent Contractor for engineering services needed for the Capital Improvement Program, to respond to emergency situations, prevention and repair work, and for any other flood control purposes for the period of July 1, 2023 through June 30, 2024 in a form substantially similar to the template attached hereto, and upon the review and concurrence of the Auditor Controller, Risk Management, and County Counsel for the following contractors and consultants:
 - i. Bengal Engineering, Inc. (a local vender) in the amount of not to exceed \$300,000;
 - ii. Filippin Engineering (a local vender) in the amount of not to exceed \$600,000;
 - iii. Stantec Consulting Services Inc. (a local vender) in the amount of not to exceed \$300,000;
- c) Approve and authorize the Public Works Director or designee to execute the Agreement for Services of Independent Contractor with Hamner, Jewell & Associates (a tri-county vendor) for real property and land acquisition services needed for the Capital Improvement Program, Flood Control’s routine maintenance work, to respond to emergency situations, prevention and repair work, and for any other flood control purposes in the amount of not to exceed \$300,000 for period of July 1, 2023 through June 30, 2024 in a form substantially similar to the template attached hereto, and upon the review and concurrence of the Auditor Controller, Risk Management, and County Counsel; and
- d) Find that the recommended actions to award contracts for maintenance, emergency, engineering, real property services, and other types of flood control work are fiscal activities not constituting a “Project” within the meaning of the California Environmental Quality Act, as set forth in 14 CCR 15378(b)(4).

Summary Text:

This item is on the agenda in order to approve and authorize the Public Works Director or designee to execute agreements with the above listed contractors and consultants. These agreements are usually included in the ongoing contract process and approved as part of the budget. This year, the agreements required changes to the terms and conditions to add additional federal clauses because the agreements are used for our emergency response efforts and may be eligible for federal reimbursement. Changing the terms and conditions of agreements are outside of the ongoing contract process and requires the agreements to be approved by the Board (examples of agreements are included in Attachments A and B). In addition, we added an additional North County contractor to our list.

The work provided by the time and material agreements will be consistent with Public Contract Code 21271, which allows the District’s Board of Directors to enter into negotiated contracts without advertising for bids if the work consists of protection or maintenance of channels, storm drains, dams, or any other flood control works. This work may be part of the Flood Control District’s routine maintenance work, emergency response efforts, prevention and repair work, and any other work needed for flood control purposes. Construction projects that require plans and specifications will continue to follow the bidding procedures as required by the Public Contract Code.

Each of the firms selected for the as-needed and emergency response engineering agreements were selected from the Public Works Department’s 2022-2025 Prequalified Consultants Listing that was

approved by the Board at their December 14, 2021 hearing. This process streamlines the prequalification of professional services; while assuring a fair and competitive contracting process. These firms were selected based on past work performance and for their local knowledge and flood control engineering expertise. The engineering work will consist of tasks needed for the construction, maintenance, protection and repair, and emergency response actions of channels, stormdrains, dams, or other flood control works. This work may be part of the Flood Control District's Capital Improvement Program, emergency response actions, and other flood control engineering tasks. The agreement for real property services will provide as-needed real property and land acquisition services and will be used similarly to the time and material and engineering services agreements.

To initiate work, Notices to Proceed will be issued by project and will specify tasks, deliverables, timelines, and budget. Each Notice to Proceed will be approved by the Public Works Director or designee.

Background:

The District has executed these types of as-needed and emergency response agreements since 2010. This allows the District to hire contractors and consultants for work related to our Capital Improvement Program and Flood Control routine maintenance work but more importantly to be in place to assist immediately with our emergency response efforts. In addition, the hourly rates are negotiated and set for these services in advance of needing the work.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative:

Expenditures for maintenance, engineering, and real property work is included in the Water Resources Division budget every fiscal year in each Flood Zone. Emergency response costs are also included in the adopted Water Resources Division budget in the Public Works Department as shown on page D-331 in the budget book.

If costs exceed the current amount budgeted, a Budget Request Revision will come before your Board for approval to address costs and expenditures that will be incurred by the District. The amount of these agreements are set high to allow the District to continue to be able to respond to rain and emergency events.

Special Instructions:

Direct the Clerk of the Board to email a copy of the minute order of these actions Christina Lopez at clopez@countyofsb.org.

Agreements for Time and Material, Engineering, and Real Property Services for Emergency Response Efforts and As-needed Services, All Supervisorial Districts

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Attachments:

Attachment A - Copy of an example of the Agreement for Services of Independent Contractor for time and material work

Attachment B - Copy of an example of the Agreement for Services of Independent Contractor for engineering and real property services

Authored by:

Walter Rubalcava, Deputy Director-Water Resources, (805) 568-3436