



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:** June 25, 2024  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director: Chris Sneddon, Public Works Department, 568-3010  
Contact Info: Mostafa Estaji, Deputy Director, Transportation, 568-3064  
**SUBJECT:** East Mountain Drive Bridge Replacement Over Cold Springs Creek, About 1.4 Miles North of State Highway 192 in the 1<sup>st</sup> Supervisorial District; County Project No. 862357; Federal Project No. BRLO-NBIL(526)

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**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 and authorize the plans and specifications, on file in the Public Works Department, for construction of East Mountain Drive Bridge Replacement Over Cold Springs Creek, About 1.4 Miles North of State Highway 192 in the 1st Supervisorial District; County Project No. 862357; Federal Project No. BRLO-NBIL(526); and
- b) Award the attached construction contract in the amount of \$4,311,112 to the lowest responsive bidder, Papich Construction Company, Inc., 398 Sunrise Terrace, Arroyo Grande, CA 93420, subject to the provision of documents and certifications, as set forth in the specifications applicable to the project, as required under California law; and
- c) Approve and authorize the Chair to execute the attached construction contract, which has been reviewed and approved as to form by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives; and
- d) Authorize the Public Works Director, or designee to approve change orders for a contingency amount up to \$235,391 plus an additional amount of \$146,715 for supplemental work items, for a total not to exceed authorization of \$4,693,218, for the construction of East Mountain Drive Bridge Replacement Over Cold Springs Creek, About 1.4 Miles North of State Highway 192 in the 1st Supervisorial District; County Project No. 862357; Federal Project No. BRLO-NBIL(526);

- e) Consider the whole record, including the environmental effects of the project as shown in the Final Mitigated Negative Declaration (20NGD-00000-00012) dated September, 2021, adopted by the County of Santa Barbara on December 7, 2021, and find that pursuant to State CEQA Guidelines section 15162, no substantial changes are proposed to the project, and there are no substantial changes in the circumstances under which the project will be undertaken or new information of substantial importance regarding significant impacts or feasibility of mitigation measures and alternatives, and therefore approval of the Recommended Actions are within the scope of the Final Mitigated Negative Declaration (20NGD-00000-00012), and no subsequent environmental document is required.

**Summary Text:**

This item is on the agenda to approve the Plans and Specifications, and award the construction contract for East Mountain Drive Bridge Replacement Over Cold Springs Creek, About 1.4 Miles North of State Highway 192 in the 1st Supervisorial District; County Project No. 862357; Federal Project No. BRLO-NBIL (526) to the lowest responsible and responsive bidder, Papich Construction Company, Inc.

On Thursday, April 16, 2024, four (4) bids were opened for the Project. Lash Construction, Inc. submitted the low bid in the amount of \$3,999,999 which was 7.2% higher than the Engineer's Estimate. The Department analyzed the bid and DBE Good Faith Efforts per Section 9.9 of the Local Assistance Procedures Manual and Appendix A in Part 26 of Title 49 of the Code of Federal Regulations. The Department determined the lowest bidder, Lash Construction, Inc., was non-responsive for failing to provide adequate Good Faith Efforts to meet the 23% DBE Goal. The Office of Civil Rights – Engineering Support Branch, at State Department of Transportation (OCR), also reviewed the low bidder's bid and Good Faith Efforts and determined that the lowest bidder failed to provide adequate Good Faith Efforts to meet the 23% DBE Goal. On May 13, 2024, the low bidder was given notice of this determination and was notified of their right to request an Administrative Reconsideration per 49 CFR 26.53(d). The lowest bidder declined an Administrative Reconsideration on May 16, 2024.

Papich Construction Company, Inc., submitted the second low bid in the amount of \$4,311,112, which is 15.9% higher than the Engineer's Estimate. The Department analyzed the bid and DBE Good Faith Efforts per Section 9.9 of the Local Assistance Procedures Manual and Appendix A in Part 26 of Title 49 of the Code of Federal Regulations. The Department determined the second low bidder, Papich Construction Company, Inc. was the lowest responsive and responsible bidder and also met the 23% DBE goal.

This project was bid in accordance with the Public Contract Code, which requires the award to go to the lowest responsible and responsive bidder. Public Works recommends awarding this contract to Papich Construction Company, Inc. The increases over the Engineer's Estimate are largely a result of ongoing bridge and major infrastructure repair projects both locally and statewide and the current and anticipated workforce availability.

**Background:**

The proposed project is located on East Mountain Drive, over Cold Springs Creek, about 1.4 Miles North of State Highway 192. The proposed bridge structure will accommodate two ten-foot travel lanes, a two-foot shoulder on the south side, and a five-foot shoulder on the north side. The proposed bridge will be approximately 31 feet wide including the bridge barrier rails, and 70 feet long.

Construction is projected to start in August 2024 and conclude before Spring 2025. Construction biological monitoring and post-construction environmental mitigation measures will be implemented under separate contracts. Prior to and during construction, the Department will implement advanced

portable changeable message boards to notify the travelling public of bridge construction and traffic-control related detour-signs as the road will be closed for the duration of the project.

On February 5, 2024, the Federal Highway Administration (FHWA) approved the Request for Construction Authorization to construct this project and has encumbered a total of \$4,505,200. Public Works will continue to coordinate with Caltrans to secure programming of additional construction funds for the East Mountain Drive Bridge Replacement Project. By awarding this construction contract, the County is fulfilling the requirements to complete this project and to continue efforts to coordinate with Caltrans for reimbursement for this project.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Total One-Time Contract Cost</u>	<u>Total Project Costs</u>
Highway Bridge Program (HBP)	\$4,693,218	\$5,398,000

*Narrative:*

The total construction contract costs for this project, including contingency and supplemental amounts, is \$4,693,218. This project is 100% funded with Highway Bridge Program (HBP-FHWA) and has a total not to exceed amount of \$5,398,000. \$4,262,000 in funds for this project are budgeted for FY 2024-25 in Department 054, Fund 0017, Organizational Unit 0600, Program 2820, and Account 7510. The remaining funds will be budgeted in FY 2025-26.

**Special Instructions:**

Please forward the following items to Yvette Luna in the Public Works Department, Transportation Division, Engineering Section office, 123 E. Anapamu Street, Santa Barbara, at extension 3094:

- A certified, stamped Minute Order approving these recommendations
- One original executed contract to be filed with the Clerk of the Board and one duplicate original signature page to return to Public Works
- Original, fully executed Title Sheet (full-size) and one half-size for Project 862357 (keep a copy of the half-size for your files)

**Attachments:**

Attachment A: Contract for the Construction of East Mountain Drive Bridge Replacement Over Cold Springs Creek, About 1.4 Miles North of State Highway 192 in the 1st Supervisorial District (3 original signature sheets)

Attachment B: Original Signed Special Provisions Signature Sheet

Attachment C: Original Signed Title Sheet (full-size and half-size)

Attachment D: Final Mitigated Negative Declaration (20NGD-00000-00012) dated September 28, 2021

**Authored by:**

Jesus Hernandez, PE, Project Manager, Public Works, Transportation, 805-803-8797