



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:** March 16, 2021  
**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 Info: Thomas D. Fayram, Deputy Public Works Director, (805) 568-3436

**SUBJECT:** Lower Mission Creek Flood Control Project Reach 2B Phase 2 and Reach 3,  
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 plans and specifications for the Lower Mission Creek Flood Control Project Reach 2B Phase 2 and Reach 3;
- b) Award the construction contract for the Lower Mission Creek Flood Control Project Reach 2B Phase 2 and Reach 3, in the amount of \$5,231,671 (including \$32,500 in itemized supplemental work) to the lowest responsible bidder Granite Construction Company (a local vender), 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;
- c) Approve and authorize the Chair to execute the attached 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;
- d) 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 \$210,000 for the Lower Mission Creek Flood Control Project Reach 2B Phase 2 and Reach 3;

- e) Approve, ratify, and authorize the Chair to execute the Agreement for Services of Independent Contractor with Filippin Engineering (a local vendor) to provide construction management and inspection services for the Lower Mission Creek Flood Control Project Reach 2B Phase 2 and Reach 3, for the period of March 16, 2021 through June 30, 2022 in an amount not to exceed \$537,974;
- f) Approve and authorize the Director of Public Works, or designee, to make immaterial amendments in accordance with Section 34 of the Agreement, and to make amendments to the professional services agreement with Filippin Engineering in an amount not to exceed \$53,797.40;
- g) Determine that the Lower Mission Creek Flood Control Project Reach 2B Phase 2 and Reach 3 to be carried out is for the benefit of a single zone; and
- h) Find that pursuant to the California Environmental Quality Act Guidelines section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore, this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required. The Findings, Statement of Overriding Considerations, Environmental Impact Report/Environmental Impact Statement, and associated information can be found at: <http://santabarbara.legistar.com/LegislationDetail.aspx?ID=874496&GUID=D14C4C9B-DEDF-48CB-AB30-D52A228FB5A2>.

**Summary Text:**

This item is on the agenda in order to approve the plans and specifications (Attachment A), award the construction contract (Attachment B), and approve the construction management and inspection contract (Attachment C) for the Lower Mission Creek Flood Control Project Reach 2B Phase 2 and Reach 3 (Reaches 2B2 and 3).

The City of Santa Barbara (City) and the Flood Control District (District) had focused past efforts on implementing the elements of the Lower Mission Creek Flood Control Project (Project) below the US 101. Those elements are now complete. Construction of Reaches 2B2 and 3 will complete the by-pass culvert, weir structure connection, and creek channel improvements up to the Gutierrez Street Bridge (see Exhibit A). This will enable all downstream project elements previously constructed to become functional, representing a major project milestone.

On February 17, 2021, the District received three bids for the Reaches 2B2 and 3. Granite Construction Company submitted the lowest responsive bid in the amount of \$5,231,671. The second lowest bid was in the amount of \$5,501,036. The highest bid was in the amount of \$5,549,649.50. The engineer's construction cost estimate was \$5,903,762.75.

This project was bid in accordance with the Public Contract Code, which requires the contract to be awarded to the lowest responsible and responsive bidder. The District analyzed the bid and determined

the low bid is responsive and responsible. The District recommends awarding this contract to Granite Construction Company.

Filippin Engineering is on the Prequalified Consultant List for Professional Services for construction management for the Public Works Department. Filippin has thorough insight into the work involved due to their involvement with prior reaches of the Project and was selected based on their demonstrated competence and professional qualification to enter into an agreement to provide full-time construction inspection and material testing services needed for this project.

**Background:**

The Project is a Federal, U.S. Army Corps of Engineers (Corps) project and has been under development since the 1960s. The City and the District, acting as local sponsors for the federal project, worked with the community in the 1990s to develop the current project that addresses flood control concerns and environmental issues.

In 2001, the City certified the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) and approved the project for Lower Mission Creek as did the Corps (subsequent to the City’s approval). Since that time, federal funding for construction has not come forward and the City and the District have been working on finding opportunities to construct elements of the project as funding options arise. To date, the following project elements have been completed:

**Flood Control District Work**

Union Pacific Railroad Culvert work  
 Reach 1A-1  
 Reach 1A-2  
 Reach 1B  
 Reach 2A  
 Reach 2B-1

**City Work**

Haley – De La Vina Bridge  
 Ortega Street Bridge  
 Cota Street Bridge  
 Mason Street Bridge

**Fiscal and Facilities Impacts:**

Budgeted: Yes

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
South Coast FZ			\$ 6,033,442.40
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ 6,033,442.40

**Fiscal Analysis:**

Narrative:

Costs for Reaches 2B2 and 3 were included in the FY 2020-21 Budget in the Water Resources Division of the Public Works Department as shown on page D- 332 in the budget book. Construction costs were

also included in the proposed 2020-21 budget since construction will continue into next fiscal year. No General Fund monies will be utilized with this project.

This project is also included in the Capital Improvement Program.

**Special Instructions:**

Direct the Clerk of the Board to send one original of the Agreement with Granite Construction Company, two originals each of the Agreements with Filippin Engineering, and a copy of the minute order of these actions to the Flood Control District office: Attn: Christina Lopez.

**Attachments:**

- Attachment A - Plans and Specs
- Attachment B - Agreement w/ Granite Construction Company (2 originals and includes contract summary)
- Attachment C - Agreement for Services of Independent Contractor w/ Filippin Engineering (3 originals and includes the contract summary)

**Authored by:**

Matt Griffin, Civil Engineer Specialist, (805) 884-8074

# Exhibit A

