



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: July 13, 2021
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Scott D. McGolpin, Public Works Department, 568-3010
Contact Info: Chris Sneddon, Deputy Director, Transportation, 568-3064
SUBJECT: 2018 Thomas Fire Debris Flow Repairs and Culvert #305 Replacement on Brooktree Road; Federal Project No. PW42120; County Projects 18117C and 820763; First Supervisorial District

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 Supervisors:

- a) Approve plans and specifications for the Construction of 2018 Thomas Fire Debris Flow Repairs and Culvert #305 Replacement on Brooktree Road; Federal Project No. PW42120; County Projects 18117C and 820763; First Supervisorial District, on file in the Public Works Department office;
- b) Award the attached construction contract in the amount of \$723,300 to the lowest responsible bidder, Beador Construction Company, Inc., 26320 Lester Circle, Corona, CA 92883, subject to the provision of documents and certifications, as set forth in the specifications applicable to the project, as required under California Law;
- c) Approve and authorize the Chair to execute the attached construction contract for the 2018 Thomas Fire Debris Flow Repairs and Culvert #305 Replacement on Brooktree Road; Federal Project No. PW42120; County Projects 18117C and 820763, which has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives; and
- d) Authorize the Director of Public Works or designee to approve changes or additions to the work being performed under the construction contract in an amount not to exceed \$49,365, plus an additional amount of \$14,000 for supplemental work items for the 2018 Thomas Fire Debris Flow Repairs and Culvert #305 Replacement on Brooktree Road; Federal Project No. PW42120; County Projects 18117C and 820763; First Supervisorial District, for a total not to exceed authorization of \$786,665.

Summary Text:

This item is on the agenda to award a construction contract. On April 26, 2021, three (3) bids were opened for the 2018 Thomas Fire Debris Flow Repairs and Culvert #305 Replacement on Brooktree Road; Federal Project No. PW42120; County Projects 18117C and 820763 in the First Supervisorial District. The apparent low bidder was determined not responsible because they did not demonstrate adequate Good Faith Efforts to meet the 19% Disadvantaged Business Enterprise (DBE) contract goal for this project. Beador Construction Company, Inc. submitted the 2nd lowest responsible bid in the amount of \$723,300 which is 41% above the Engineer's Estimate. The third lowest bid was 100.7% above the Engineer's Estimate.

Although the lowest responsible bid is 41% above the Engineer's Estimate, the Department analyzed it and determined that rebidding the project would not result in lower bids for the following reasons:

- Similar projects are seeing an increase in cost due to the current competitive bid environment, likely related to the additional construction work occurring in the Montecito area and other areas throughout the State that have experienced disasters. In addition, supply chain issues and the current and anticipated effects of COVID-19 on workforce availability are cost-increasing factors. This determination is further supported by the fact other Department projects advertised at or near the same time only received one or no bids on the project.
- The current bid environment will likely continue into the near future and the FEMA deadline for constructing this project is October 30, 2021.
- Additionally, due to the specialized nature of the pipelining and accessibility to the creek; the critical nature of maintaining traffic for a one-way in, one-way out Brooktree Road where it intersects with E. Mountain Drive; and the need for the contractor to coordinate with multiple utility owners to temporarily protect and relocate existing facilities contributed to the increased costs.

Based on the above factors, the Department recommends awarding the project as bid. This project was bid in accordance with the Public Contract Code, which requires the award go to the lowest responsible bidder. Public Works analyzed the bids and determined the lowest bid is responsive and responsible. Public Works recommends awarding this contract to Beador Construction Company, Inc.

Background:

During the January 2018 Thomas Fire Debris Flow, heavy mud, debris, and rock filled Oak Creek and inundated and blocked the existing roadway culvert, forcing it to sheet flow across Brooktree Road damaging the existing culvert headwall, saturating the shoulder and downhill roadway embankment causing it to slip out leaving a steep drop off.

The proposed project debris flow repairs (18117C) are funded by FEMA funds and includes reconstructing the existing concrete culvert headwall; repairing the existing overside drain; reestablishing the roadway embankment and shoulder; and installing metal beam guardrail. The culvert replacement (820763) is funded by Highway Users Tax (2017 SB1) and will consist of replacing a portion of the existing 60" culvert followed by a cured in-place lining of the entire pipe system.



Oak Creek looking southeast to Brooktree Road

Your Board approved the filing of the California Environmental Quality Act (CEQA) Exemption on November 6, 2018, as part of the repair of storm damage sites approval for the declared 18STM1 event, in conformance with CEQA Guidelines Section 15301(c).

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Funding Sources	Current FY Cost:	Total One-Time Project Cost
Road Fund		\$ 30,416.56
State (Cal OES)		\$ 91,249.68
Federal (FEMA)		\$ 364,998.76
Fees		
Other: SB1		\$ 300,000.00
Total	\$ -	\$ 786,665.00

Narrative:

The total construction costs, including contingencies and supplement work, amounts to \$786,665. Federal Emergency Management Agency (FEMA) will fund \$364,998.76 (75%) of construction costs. The State will fund \$91,249.68 (18.75%). The Road Fund will provide the remaining \$30,416.56 (6.25%). The funds are budgeted in Dept. 054, Fund 0016, Org. 0500, Program 2920, Account 7510. 2017 SB1 will fund \$300,000. The funds are budgeted in Dept. 054, Fund 0016, Org. 0500, Program 2740, Account 7510.

Key Contract Risks:

This contract has been assigned a risk assessment of moderate and includes a termination for convenience clause. The project budget is currently programmed in FY20/21. These funds will carry over into FY21/22 for construction.

Special Instructions:

Please forward the following to Gail Ocheltree, Public Works, Transportation, 123 E. Anapamu Street, extension 83094:

- A certified, stamped Minute Order approving these Board actions
- One original executed contract for Clerk and two duplicate signature pages to return to Public Works
- *Original*, fully executed Special Provisions signature sheet (keep a copy for your files)
- *Original*, fully executed Title Sheet and (one half-size) (keep a copy for your files)

Attachments:

- Attachment A: Construction Contract for the 2018 Thomas Fire Debris Flow Repairs and Culvert #305 Replacement on Brooktree Road; Federal Project No. PW42120; County Projects 18117C and 820763 in the First Supervisorial District
- Attachment B: Original Signed Special Provisions Signature Sheet
- Attachment C: Original half size Plan Title Sheet
- Attachment D: Notice of Exemption (Copy from November 6, 2018)

Authored by:

Diana Estorga, Project Manager, 803-8763

[BDL Award 18117C and 820763.docx](#)