



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: May 5, 2015
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: Lower Mission Creek Flood Control Project, Reach 1B, Second 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 Directors:

- A. Approve plans and specifications for the Lower Mission Creek Flood Control Project, Reach 1B;
- B. Award the construction contract for the Lower Mission Creek Flood Control Project, Reach 1B, in the amount of \$3,264,003.80 to the lowest responsible bidder Lash Construction, Inc. (a Local 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;
- C. 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;
- 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 \$175,700.19 for the Lower Mission Creek Flood Control Project, Reach 1B;
- E. Approve 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 1B for the period of May 5, 2015 through June 30, 2016 in an amount not to exceed \$271,500.00;

- F. Authorize the Public Works Director or designee to approve changes or additions to the work being performed under the Agreement for Services of Independent Contractor with Filippin Engineering in an amount not to exceed \$27,150; and

- G. Find that pursuant to the California Environmental Quality Act (CEQA) 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 (EIR/EIS) 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, EIS/ EIR, and associated information can be found at: <http://santabarbara.legistar.com/LegislationDetail.aspx?ID=874496&GUID=D14C4C9B-DEDF-48CB-AB30-D52A228FB5A2>

Summary Text:

The City of Santa Barbara (City) and the Flood Control District continue to focus on implementation of elements of the Lower Mission Creek Flood Control Project below US 101. Reach 1B of the project is a portion of the open channel between Mason Street to just downstream of Yanonali Street (see Exhibit 1). This phase will eventually tie into Reach 2A and the Mason Street Bridge Replacement Project (currently under construction by the City) at the upstream and downstream ends, respectively.

On April 2, 2015, the Flood Control District received 2 bids for the Lower Mission Creek Flood Control Project, Reach 1B. Lash Construction, Inc. submitted the lowest responsive bid in the amount of \$3,264,003.80. The second lowest bid was in the amount of \$3,794,988.00. The engineer's construction cost estimate was \$3,487,000.

Filippin Engineering was selected to enter into an agreement to provide full-time construction inspection services needed for this phase of the project. Filippin provided similar services on Reaches 1A, Phase and 2B, Phase 1, as well as the City's Mason Street Project currently under construction, and has thorough insight into this project. Filippin Engineering is also on the Public Works Department's list of pre-qualified firms and is a local vendor.

All project contractors and subcontractors are registered with the California Department of Industrial Relations (DIR) in accordance with California State Bill 854.

This project was previously bid in 2014 and the Board of Directors found that the bids received exceeded the engineer's estimate by over 40% and rejected all bids on May 20, 2014. The scope of the

current project includes the separate Lower Mission Creek Flood Control Project, Reach 1B – West Wall plan set, which was not included in project bid in 2014.

Project landscaping and irrigation are not included in the construction contract and the cost of this work is anticipated to allow for a separate negotiated-contract, in conformance with the California Public Contract Code.

Background:

The Lower Mission Creek Flood Control Project is a federal, U.S. Army Corps of Engineers project and has been under development since the 1960’s. 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 the flood control concerns and environmental issues.

In 2001, the City certified the EIR/EIS and approved the project for Lower Mission Creek as did the U.S Army Corps of Engineers subsequent to the City’s approval. Since that time, federal funding for construction has not come forward and the City and the Flood Control 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

City Work

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

Haley – De La Vina Bridge
Ortega Street Bridge

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>
South Coast FZ	\$ 3,738,353.99		
State			
Federal			
Fees			
Other:			
Total	\$ 3,738,353.99	\$ -	\$ -

Fiscal Analysis:

Narrative:

This phase of the project was included in the adopted FY 2014-15 budget under the Water Resources Division of the Public Works Department as shown on page D-226 in the budget book and the project is also included in the proposed FY 2015-16 since this phase will be constructed over the next two fiscal years. No General Fund monies will be utilized by this project.

This project is also included in the County Capital Improvement Program on page B-64.

Key Contract Risks:

N/A

Special Instructions:

Direct the Clerk of the Board to send two copies of the Agreement with Filippin Engineering and a copy of the minute order of this action to the Flood Control District office: Attn: Christina Lopez.

Attachments:

Exhibit 1 – Site Map

Plans and Specifications (available on the Clerk of the Board website and hard copy is available at the Clerk of Board office in Santa Barbara)

Construction Agreement (copy)

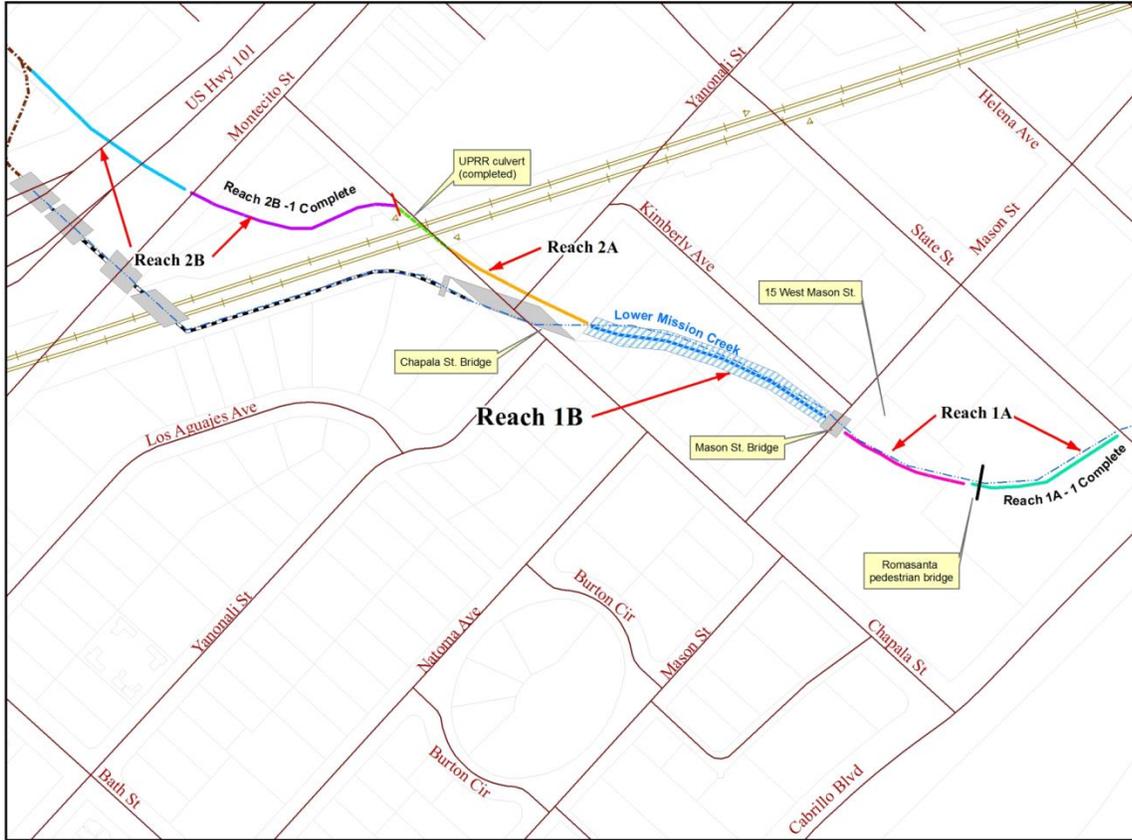
Agreement with Filippin Engineering (3 originals)

Contract Summary

Authored by:

Matt Griffin, Civil Engineer Specialist, 884-8074

Exhibit 1





Department of Public Works
County of Santa Barbara

LEGEND

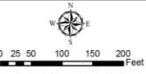
REACHES:

- Existing Open Channel
- Reach 1A-1
- Reach 1A-2
- Reach 1B
- Reach 2A
- Reach 2B-1
- Reach 2B-2
- Reach 3
- UPRR culvert

**EXHIBIT 1:
PROJECT LOCATION MAP**

**LOWER MISSION CREEK
FLOOD CONTROL AND
RESTORATION PROJECT
REACH 1B**

This map is for reference only. Although every effort has been made to ensure the accuracy of information, errors and omissions originating from historical sources used in developing this map may be identified as they are discovered. Santa Barbara County shall not be liable for any errors, omissions, or damages that result from inappropriate use of this document. The levels of accuracy indicated for the information shown herein are not intended to be used to obtain accurate rates, bearings or distances.



0 25 50 100 150 200 Feet



Santa Barbara County, California
Prepared by:
2008-11-22