



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: August 31, 2021  
Placement: Administrative  
Estimated Time: N/A  
Continued Item: No  
If Yes, date from:  
Vote Required: 4/5 Vote

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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 Reaches 2B-2 & 3, First Supervisorial District

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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 Directors:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Santa Barbara County Flood Control District Agreement with Granite Construction Company for construction services for Lower Mission Creek Flood Control Project, Reaches 2B-2 and 3 (BC 20-258), increasing the contract amount of \$5,231,671.00, to a not-to-exceed revised contact amount of \$5,546,829.50, an increase of \$315,158.50;
- b) Authorize an increase of \$79,841.48 to the contingency amount \$210,000.00, for a total contingency amount of \$289,841.48 to the Agreement with Granite Construction (BC 20-258) for changes or additions to the work being performed work, as authorize by the Public Works Director;
- c) Approve the Budget Revision Request (BJE No. 0007842) to increase Capital Asset Appropriations in Public Works South Coast Flood Zone in the amount of \$395,000 for the Lower Mission Flood Control Improvement Project funded by the release of Restricted Purpose of Fund fund balance (4/5<sup>th</sup> vote required); and
- d) 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 (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, 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 Amendment No. 1 to the agreement with Granite Construction Company and to approve the Budget Revision Request (BRR) needed to complete the construction of Lower Mission Creek Flood Control Project (Project), Reaches 2B-2 and 3.

On March 16, 2021, the Board entered into an agreement with Granite Construction Company to perform construction services for the Project in the amount of \$5,231,671.00. The Board also authorized the Public Works Director to approve changes up to an additional \$210,000.00 (contingency) for a total contract amount of \$5,441,671.00. The Amendment amount exceeds that authority; therefore, the Board's approval is required.

Reaches 2B-2 and 3, is currently under construction by Granite Construction Company. Several unanticipated conditions have been discovered during project excavation operations. These unanticipated conditions include a layer of soil contaminated with hydrocarbons, areas of soil contaminated with lead (subsequently classified as a hazardous material), extensive amounts of debris, rubble, and large rock within the limits of excavation, and as-built conditions of the unearthed Caltrans Bridge structure that differ significantly from what was shown in the contract documents. The contaminated soil being addressed by Amendment No.1 is above and beyond the handling and disposal of contaminated soils included in the original contract, located elsewhere on the project site. Contaminated soils, debris, rubble, and large rock, require special handling and disposal, and the as-built condition of Caltrans Bridge necessitated a change in contractor means and methods, as well as additional excavation quantities, all of which will be extra work incurred by the contractor above and beyond the work described in the original contract documents. Upon approval of Amendment No. 1, these extra work items will be incorporated into a Contract Change Order, to be authorized by the Public Works Director.

**Background:**

The Project is a federal, U.S. Army Corps of Engineers (Corps) project and has been under development since the 1960s. The City of Santa Barbara (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 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:

<b>Flood Control District Work</b>	<b>City Work</b>
Union Pacific Railroad Culvert work	Haley – De La Vina Bridge
Reach 1A-1	Ortega Street Bridge
Reach 1A-2	Cota Street Bridge
Reach 2B-1	Mason Street Bridge
Reach 1B	
Reach 2A	

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<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			\$ 394,999.98
State			
Federal			
Fees			
Other:			
<b>Total</b>	\$ -	\$ -	\$ 394,999.98

**Narrative:**

To address these unanticipated conditions of the Project site, approval of Amendment No. 1 and the BRR (DJE No. 0007842) are needed to add additional funding to complete the Project. No General Fund monies will be utilized for this Project.

The Project is also included in the County’s Capital Improvement Program.

**Special Instructions:**

Direct the Clerk of the Board to send two copies of the Amendment No. 1 with Granite Construction Company and a copy of the minute order of these actions to the Flood Control District Office, Attn: Christina Lopez.

**Attachments:**

- Attachment A - Amendment No. 1 to the Agreement with Granite Construction Company w/ Contract Summary (3 originals)
- Attachment B - Budget Revision Request (BJE No. 0007842)
- Attachment C - Copy of Original Agreement with Granite Construction Company (BC 20-258)

**Authored by:** Matt Griffin, Civil Engineer Specialist, 884-8074

### Exhibit 1

