



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: PW/Flood Control
Department No.: 054
For Agenda Of: July 12, 2022
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, (805) 568-3010
Director(s)
Contact Info: Walter Rubalcava, Deputy Director-Water Resources, (805) 568-3436

SUBJECT: Agreement to Provide Street Sweeping for Emergency and On-Call Maintenance Services, All Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

- a) Approve, ratify, and authorize the Chair to execute the Agreement for Services of Independent Contractor in the amount not-to-exceed \$500,000 for street sweeping and dust control services with Surface Management, Inc. (DBA WaterWorks) for the period of July 12, 2022 through June 30, 2023 (a local vendor); and
- b) Determine that the work to be performed under this contract is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301, as it consists of the maintenance of existing public facilities involving no expansion of use; and direct staff to file the attached Notice of Exemption with the Clerk of the Board.

Summary Text:

This item is on the agenda in order to approve and authorize the Chair to execute an Agreement with Surface Management, Inc. (Attachment A) to provide as needed and emergency services for street sweeping and dust control. The Flood Control District (District) has regularly required street sweeping services for routine maintenance work as well as in response to storm events our County experiences during the rainy season. This has been the case, especially over the last several years, with having to respond to average rain events due to the burned watershed conditions caused by the Thomas Fire and the Cave Fire. The District has cleaned out and hauled material from debris basins several times in the Thomas Fire watersheds over the last few years and the Cave Fire watersheds multiple times over the

past couple of years alone. When hauling debris, the District needs to provide street sweeping and dust control to keep roads clean and safe.

Last year, this agreement was processed as an ongoing contract and approved as part of the budget process. However, during this contract period the director of the California Department of Industrial Relations (DIR) made a determination that the Street Sweeping Maintenance Services Project for the City of Elk Grove constitutes public work and now is subject to prevailing wage requirements. While, the specific determination only applies directly to the City of Elk Grove's project, the DIR's analysis would apply to any similar work being performed throughout the state. To comply with the DIR's determination, prevailing wage rates are included in this agreement which exceeds the 10% rate increase limits for ongoing contracts and now requires Board approval.

Background:

The District has several other on-call maintenance, trucking, and crane service agreements in place for routine maintenance, but more importantly, in anticipation of emergency response efforts. In addition, the rates for these services are set in the agreements.

Pursuant to Public Contract Code Section 21271, the District's Board of Directors may enter into negotiated contracts without advertising for bids if the work consists of protection or maintenance of channels, stormdrains, dams, or other flood control works. Construction projects that require plans and specifications will continue to follow the bidding procedure as required by the Public Contract Code.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative:

Emergency response and routine maintenance costs are included in our budget every fiscal year and is shown in the adopted FY 2022-23 budget in the Water Resources Division of the Public Works Department as shown on page D-424 in the budget book.

If costs exceed the current amount budgeted, a Budget Request Revision will come before your Board for approval to address costs and expenditures that will be incurred by the District. This agreement amount is being set high to allow the District to continue to be able to respond to rain and emergency events.

Key Contract Risks:

The key contract risks are low for this agreement.

Special Instructions:

Direct the Clerk of the Board to post and file the attached Notice of Exemption (Attachment B) and to send two originals of each Agreement and a copy of the minute order to the Flood Control District office, Attn: Christina Lopez.

Attachments:

Attachment A - Agreement w/ Surface Management, Inc. includes contract summary (3 originals)
Attachment B - Notice of Exemption

Authored by:

Walter Rubalcava, Deputy Director-Water Resources, (805) 568-3436