



**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: January 9, 2024
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: Matt Young, Interim Deputy Director-Water Resources, (805) 568-3546

SUBJECT: **Amendments to the Agreements with R.W. Scott Construction Inc., V. Lopez Jr. & Sons General Engineering Contractor Inc., and Filippin Engineering for Emergency Response Efforts and As-needed Services, All Supervisorial Districts**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

- a) Approve and authorize the Chair to execute Amendment No. 2 to the Agreement for Services of Independent Contractor with R.W. Scott Construction Company, Inc. for time and material work needed for the Flood Control’s routine maintenance work, to respond to emergency situations, prevention and repair work, and for any other flood control purposes to a not to exceed amount of \$5,000,000;
- b) Approve and authorize the Chair to execute Amendment No. 2 to the Agreement for Services of Independent Contractor with V. Lopez Jr. & Sons General Engineering Contractors, Inc. for time and material work needed for the Flood Control’s routine maintenance work, to respond to emergency situations, prevention and repair work, and for any other flood control purposes to a not to exceed amount of \$4,000,000;
- c) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Filippin Engineering for engineering services needed for the Capital Improvement Program, to respond to emergency situations, prevention and repair work, and for any other flood control purposes to a not to exceed amount of \$1,200,000; and

- d) Find that the recommended actions to amend these contracts for maintenance, emergency, engineering, and other types of flood control work are fiscal activities not constituting a “Project” within the meaning of the California Environmental Quality Act, as set forth in 14 CCR 15378(b)(4).

Summary Text:

This item is on the agenda in order to approve amendments to the Agreements for Services of Independent Contractors with R.W. Scott Construction Company, Inc. (Attachment A), V. Lopez Jr. & Sons General Engineering Contractors, Inc. (Attachment B), and Filippin Engineering (Attachment C).

In September 2023, the Public Works Director executed amendments to the agreements with R. W. Scott Construction, Inc. and V. Lopez Jr. & Sons General Engineering Contractors, Inc. increasing each of the agreements to not to exceed \$4,000,000 pursuant to Resolution No. 19-327 and Public Contract Code section 22050 as an emergency action relating to emergency operations to restore property adjacent to the Santa Maria River damaged by the 2023 winter storm events. This project is now complete and the full contract amounts were not needed to complete the emergency work. Amendment No. 2 applies the unused portions of that amount to the agreements to be able to use the increased contract limits beyond the emergency actions period and in the case of R.W. Scott, increases the contract amount by an additional \$1,000,000 and there is no proposed increase to the Agreement with V. Lopez Jr. & Sons. The agreement with Filippin Engineering was used for engineering services needed for the Santa Maria River Realignment Project and we are proposing to increase the contract amount by \$600,000. Approving these amendments will make these agreements available to use for as-needed work and emergency response efforts through this winter and end of the fiscal year.

To initiate work under these agreements, Notices to Proceed will be issued by project and will specify tasks, deliverables, timelines, and budget. Each Notice to Proceed will be approved by the Public Works Director or designee.

Background:

The District has executed these types of as-needed and emergency response agreements since 2010. This allows the District to hire contractors and consultants for work related to our Capital Improvement Program and Flood Control routine maintenance work but more importantly to be in place to assist immediately with our emergency response actions. In addition, the hourly rates are negotiated and set for these services in advance of needing the work.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative:
Expenditures for maintenance and engineering work are included in the Water Resources Division budget every fiscal year in each Flood Zone. Emergency response costs are also included in the adopted Water Resources Division budget in the Public Works Department as shown on page D-331 in the budget book.

Contract Information:

	Original Contract Amount	Amendments Approved	Proposed Amendments	Proposed Total NTE Amounts	Estimated Available for Winter Ops (unspent contract amount)
R.W. Scott Construction	\$2,000,000	\$2,000,000	\$1,000,000	\$5,000,000	\$2,610,000
V. Lopez Jr. & Sons	\$1,000,000	\$3,000,000	N/A	\$4,000,000	\$2,865,000
Filippin Engineering	\$600,000	N/A	\$600,000	\$1,200,000	\$955,000

If costs exceed the current amount budgeted, a Budget Revision Request will come before your Board for approval to address costs and expenditures that will be incurred by the District. The amounts of these agreements are set high to allow the District to continue to be able to respond to rain and emergency events.

There are no fiscal impacts to the County’s General Fund by approving these recommended actions.

Special Instructions:

Direct the Clerk of the Board to email a copy of the minute order of these actions Christina Lopez at lopez@countyofsb.org.

Attachments:

- Attachment A - Amendment No. 2 to the Agreement for Services of Independent Contractor with R.W. Scott Construction Company, Inc.
- Attachment B - Amendment No. 2 to the Agreement for Services of Independent Contractor with V. Lopez Jr. & Sons General Engineering Contractors
- Attachment C - Amendment No. 1 to the Agreement for Services of Independent Contractor with Filippin Engineering
- Attachment D - Copies of Amendment No. 1 and original Agreement for Services of Independent Contractor with R.W. Scott Construction Company, Inc.
- Attachment E - Copies of Amendment No. 1 and original Agreement for Services of Independent Contractor with V. Lopez Jr. & Sons General Engineering Contractors
- Attachment F - Copy of original Agreement for Services of Independent Contractor with Filippin Engineering

Authored by:

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