



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: 09/09/14  
Placement: Administrative  
Estimated Tme: N/A  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**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:** Las Vegas/San Pedro Creeks Capacity Improvement Project, Second Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: Yes

As to form: Risk Management

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

- a) Approve and authorize the Chair to execute Amendment Number 1 to the Agreement with HDR Engineering, Inc. (not a local vendor) for the second phase of engineering services for the Las Vegas/San Pedro Creeks Improvement Project increasing the Contract from an amount of \$582,555.00 to a new contract amount of \$732,962.20, an increase of \$150,407.20, and extending the contract period from December 31, 2014 to December 31, 2016; and,
- b) Authorize an increase in contingency in the amount of \$15,040.72 (10%) with HDR Engineering, Inc. for additional work that may be needed to complete work for the project; and,
- c) Determine, pursuant to 14 CCR 15162, that a Mitigated Negative Declaration (MND) was adopted for the Las Vegas-San Pedro Creeks Capacity Improvement Project on October 4, 2011 <http://santabarbara.legistar.com/LegislationDetail.aspx?ID=983726&GUID=3C81EDE1-E69A-4FAA-A743-0099299F0EED> an Addendum to the MND was approved on April 10, 2012 <http://santabarbara.legistar.com/LegislationDetail.aspx?ID=1103714&GUID=F3ACBE62-BDEE-41C5-94D7-EB0E733B7BC8>, and an Addendum to the MND was approved on August 19, 2014 <https://santabarbara.legistar.com/LegislationDetail.aspx?ID=1878938&GUID=785DE1B4-80DF-451E-9A44-126AB887E10A>, that no substantial changes are proposed in the project, no substantial changes have occurred with respect to the circumstances under which the project is

undertaken, and no new information of substantial importance has been received with respect to the project or the mitigation measures, and therefore no new EIR or Negative Declaration is required for the approval of the recommended actions.

**Summary Text:**

On July 9, 2013, the Board entered into an agreement with HDR to provide the second phase of engineering support services for the Las Vegas/San Pedro Creeks Improvement Project. Phase 2 Tasks included 90% and 100% civil and structural design, project management, geotechnical support, hydrology and hydrologic analyses and topographic survey for the amount of \$582,555.00.

At this time, a contingency in the amount of \$58,256.00 with HDR was authorized and approved by the Board. Of this amount, \$57,992.10 has since been authorized for unanticipated costs rising from added efforts required for C&M agreement coordination with Union Pacific Railroad (UPRR), for additional hydraulic modeling to determine whether the floodwall could be eliminated, for division of the UPRR and Conform Grading PS&E packages, and for updating the UPRR project plans to account for changes to Caltrans' approach towards conform work between the Caltrans and UPRR projects on Las Vegas Creek.

This Amendment No.1 for \$150,407.20 includes additional work not included in the original Phase 2 Scope, including preparation and submittal of data and documents required for a Federal Emergency Management Agency (FEMA) Conditional Letter of Map Revision (CLOMR), construction support for the UPRR, Conform Grading and Transition Structure Projects, and associated engineering support and project management. The District recommends a contingency of \$15,040.72 be available in the event of unforeseen tasks associated with Amendment Number 1 work.

The Phase 2 Scope and Amendment Number 1 individual, combined and total costs are as follows:

| <b>HDR Scope</b>                                | <b>Contract</b> | <b>Contingency</b> | <b>Total Costs</b> |
|---|-----------------|--------------------|--------------------|
| Phase 2 Engineering Services                    | \$582,555.00    | \$58,256.00        | \$640,811.00       |
| Amendment No. 1 to Phase 2 Engineering Services | \$150,407.20    | \$15,040.72        | \$165,447.92       |
| Combined Costs                                  | \$732,962.20    | \$73,296.72        | \$806,258.92       |

Other project related items will also be brought to the Board in the future. An agreement with Caltrans to address the coordination and funding of the engineering and processing costs associated with obtaining the CLOMR from FEMA, the reimbursement agreement with UPRR for construction of the railroad bridges, and recommendations to the Board for approval of plans and specifications for the Conform Grading and Transition Structure projects are all forthcoming.

On June 17, 2014, the Board authorized the Purchasing Manager to enter into purchasing contracts with fiber optics companies to reimburse relocation costs required for execution of the UPRR bridge replacement activities. At the same time, the Board authorized the Public Works director to advertise and receive bids for the Conform Grading Project.

On January 14, 2014, the Board authorized the District to proceed with right-of-way negotiations. Easements will be brought back to the Board for acceptance in the future.

The Las Vegas/San Pedro Creeks Capacity Improvement Project has been included in the County's Capital Improvement Program since 2000. Coordination between the multiple agencies, completion of CEQA, and ultimately Caltrans funding have driven the project schedule. The project could not move forward until the Caltrans work was funded and the Agreement with UPRR executed.

**Background:**

Serious flooding in the Goleta area occurred in 1995 and again several times since on Las Vegas and San Pedro Creeks, above U.S. 101. This flooding was a result of the culverts at Calle Real and U.S. 101 being overwhelmed and flood waters backing up into the adjacent residential areas. In addition to the flooded homes and businesses, U.S. 101 has been closed several times due to flooding. U.S. 101 is a critical transportation facility for the County, especially during flood emergencies, for moving equipment, material, and general emergency response.

As a result, the District led a multi-agency coordinated effort to address the issue. The agencies involved include the County Flood Control District, City of Santa Barbara, City of Goleta, Caltrans, UPRR, and several permitting agencies. As a part of the effort, the District was the lead agency for initiation and completion of CEQA for all elements of the project. On October 4, 2011, your Board certified a Mitigated Negative Declaration (MND) #11-NGD-0000-00008 for the project. On April 10, 2012 and August 19, 2014 Addendum #1 and Addendum #2 to the MND were approved, respectively. Concurrently, Caltrans was the lead agency for NEPA, secured funding for the work to replace the culverts under U.S. 101, and is currently under construction.

On May 7, 2013, the Board of Directors of the County Flood Control District (District) received a report on the status of the Las Vegas/San Pedro Creeks Capacity Improvement Project. At that time, the Board authorized and directed the Public Works Director to negotiate a Reimbursement Agreement with the Union Pacific Railroad (UPRR) for the construction of the enlarged railroad bridges over Las Vegas and San Pedro Creek Creeks.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

Narrative:

**Fiscal Analysis:**

| <b><u>Funding Sources</u></b> | <b><u>Current FY Cost:</u></b> | <b><u>Annualized<br/>On-going Cost:</u></b> | <b><u>Total One-Time<br/>Project Cost</u></b> |
|-------------------------------|--------------------------------|---|---|
| General Fund                  |                                |   |   |
| State                         |                                |   |   |
| Federal                       |                                |   |   |
| Fees                          |                                |   |   |
| South Coast FZ                |                                |   | \$ 806,258.92                                 |
| Total                         | \$ -                           | \$ -  | \$ 806,258.92                                 |

This project has been ongoing and has been included in budget for the past several of years. Costs for the construction of the UPRR bridges were included in the approved FY 14-15 budget in the Water Resources Division in the Public Works Department as shown on page D-226 in the budget book. No General Fund monies will be utilized with this project.

The project is also included in the County's Capital Improvement Program on page D-142.

**Special Instructions:**

Direct the Clerk of the Board to send a copy of the minute order to the Flood Control District office, Attn: Christina Lopez.

**Attachments:**

Exhibit A – Site Map

Amendment No. 1 (3originals)

Contract Summary

**Authored by:** Jonathan Frye, Civil Engineering Manager, 568-3444 and Maureen Spencer, Operations and Environmental Manager, 568-3437.