



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Betsy Dirks
District No. 1

Kollin Kosmicki
District No. 2
Vice Chair

Peter Hernandez
District No. 3
Chair

Bob Tiffany
District No. 4

Bea Gonzales
District No. 5

Item Number: 2.9

MEETING DATE: 11/08/2022

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Angelika Rangel

DEPT HEAD/DIRECTOR: Steve Loupe

SUBJECT:

RESOURCE MANAGEMENT AGENCY - S. LOUPE, ASSISTANT DIRECTOR - PUBLIC WORKS

Adopt continuing Resolution confirming the RMA Director's authority to enter into emergency repair and replacement contracts to remediate a local emergency, pursuant to Public Contracts Code Section 22050, without adoption of plans and specifications or competitive bidding; finding that there is a need to continue emergency action; and finding emergency repair and replacement work exempt from CEQA under CEQA Guidelines Section 15269(d), as emergency projects within the rights of way of existing County and State highways damaged by flooding and storm events. No new costs are being incurred or authorized by this action. (4/5 vote required)

SBC FILE NUMBER: 75.5

RESOLUTION NO: 2022-140

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

On March 9, 2021, the Board of Supervisors adopted Resolution 2021-23 delegating authority to the RMA Director to enter into emergency repair and replacement contracts to remediate a local emergency, pursuant to Public Contracts Code Section 22050, without adoption of plans and specifications or competitive bidding; finding that there is a need to continue emergency action; and finding emergency repair and replacement work exempt from CEQA under CEQA Guidelines Section 15269(d), as emergency projects within the rights of way of existing County and State highways damaged by flooding and storm events.

On March 23, 2021, the Board adopted Resolution 2021-27, confirming the RMA Director's authority to enter into emergency repair and replacement contracts; finding the need to continue such emergency action; and finding such emergency repair and replacement work exempt from CEQA under CEQA Guidelines Section 15269(d). The Board also approved contracts for PWP-2001 COSB On-Call Emergency Response Roadway Repairs Work with Granite Rock Company in the amount of \$500,000.00 and with The Don Chapin Company in the amount of \$500,000.00; authorized the RMA Director to execute both contracts upon receipt of all contract documents required; authorized the RMA Director to issue contract change orders in the amount of \$37,500.00 (Contract Contingency) on each contract; and approved a budget transfer out from General Fund Contingencies to Road Maintenance for Emergency Response On-Call Emergency Roadway Repairs Work, in the amount of \$500,000.00 for each contract. At the June 22, 2021 and July 27, 2021 meetings, the Interim RMA Director reported that Don Chapin Co. had completed the repairs assigned to it, and that the remaining budget under their contract would be transferred to Granite Rock. The Interim RMA Director has approved Amendment No. 1 to Granite Rock's contract.

The Board of Supervisors adopted Resolution Nos. 2021-33, 2021-40, 2021-47, 2021-55, 2021-63, 2021-76, 2021-89, 2021-103, 2021-113, 2021-117, 2021-126, 2021-127, 2021-136, 2021-143, 2021-158, 2021-166, 2022-10, 2022-15, 2022-25, 2022-34, 2022-41, 2022-46, 2022-50, 2022-54, 2022-63, 2022-68, 2022-77, 2022-89, 2022-98, 2022-110, 2022-119, 2022-123, and 2022-131 at its regular meetings on April 13, 2021, April 27, 2021, May 11, 2021, May 25, 2021, June 8, 2021, June 22, 2021, July 27, 2021, August 10, 2021, August 24, 2021, September 14, 2021, September 28, 2021, October 12, 2021, October 26, 2021, November 9, 2021, November 23, 2021, December 14, 2021, January 25, 2022, February 8, 2022, February 22, 2022, March 8, 2022, March 22, 2022, April 12, 2022, April 26, 2022, May 10, 2022, May 24, 2022, June 14, 2022, June 28, 2022, August 9, 2022, August 23, 2022, September 13, 2022, September 27, 2022, October 11, 2022, and October 25, 2022, again confirming the RMA Director's authority to enter into emergency repair and replacement contracts; finding the need to continue such emergency action; and finding such emergency repair and replacement work exempt from CEQA under CEQA Guidelines Section 15269(d). At the July 27, 2021 meeting, only three Supervisors were available to vote to adopt Resolution 2021-89, and Public Contracts Code section 22050 requires a 4/5 vote; the Board ratified its prior adoption of Resolution 2021-89, by a 4/5 vote, at its meeting on August 10, 2021.

At approximately 5:00 P.M. on February 4, 2021, while the Board of Supervisors was not in session, the San Benito County Chief Administrative Officer, in response to major flooding and storm damages in the South portion of San Benito County, along with rain damage/flooding throughout San Benito County, proclaimed a local emergency effective immediately. On February 9, by Resolution No. 2021-10, the Board of Supervisors ratified the Proclamation issued on February 4, 2021.

Due to the winter storm of January 26-28, 2021 County Roads sustained substantial damages and are in need of immediate repairs, including such work as: Pavement repairs; Bridge repairs; Shoulder and culverts clearing/replacement; Slides and debris removal; New bridges/culverts; Roadway section stabilization; etc. As a result of heavy rainfall throughout San Benito County and the financial impact this event has had on the residents of the County and the County itself, the Board of Supervisors also requested the Governor to Proclaim a State of Emergency for San Benito County.

This resolution relates to the authorization of emergency contracts under Public Contracts Code 22050 and must be reviewed by the Board of Supervisors at every regular meeting until the need for emergency

action terminates.

Preliminary Summary of Road Damages

Public Works crews responded to numerous issues related to the 451-mile County Maintained Road System over the course of the storm, beginning the evening of Tuesday, January 26, including:

- Downed Trees
- Debris and sediment on travel ways
- Flooding
- Slip outs/landslides/rockslides
- Surface damages/failures (pavement deterioration, potholes, cracking)
- Washouts

It is estimated that approximately \$5 million in repair costs are needed because of damages sustained during the event. Many County roads were affected; however, ten major (Arterial and Collector) roads were severely impacted. Most of those were in 'South County' (south of Hollister) - where the largest rainfall amounts were experienced. Additional damages on Lonoak Road were also found to have been sustained during the emergency events. Damage Assessments are continuing.

The following roads were most affected (alphabetical order):

- Cienega Rd - from Mudstone Ranch to Bird Creek (near the entrance to the Hollister State ORV Park)
- Coalinga Rd - from SR25 to Fresno County
- Fairview Rd near and north of Hollister City Limits (shoulder flooding)
- King City Rd/Bitterwater Rd -from SR25 to Monterey County
- Lonoak Rd
- New Idria Rd - from Panoche Valley to 20+ miles south - (complete washout)
- Panoche Rd - from Paicines to Fresno County
- Salinas Grade Rd - from San Juan Bautista to Monterey County
- Southside Rd - from Hollister City Limits to Tres Pinos Creek

CHARACTERIZATION OF REPAIRS NEEDED

The needed repairs range from relatively straightforward pavement rehabilitation/overlays to complete reconstruction. Preliminary estimated costs by road reaches are as follows:

Cienega Rd - \$0.2 million

Coalinga Road - \$0.3 million

Fairview Rd - \$0.4 million

New Idria - \$3.0 million

Panoche Rd/King City Rd (Bitterwater Rd)/Lonoak Rd - \$0.2 million

Salinas Grade Rd - \$0.2 million

Southside Rd - \$0.1 million

TOTAL: Approximately \$4.6 million

REPAIRS COMPLETED

Don Chapin Co. has completed repairs to the following roads, which were assigned to Don Chapin Co. under its contract:

- King City/Bitterwater Rd
- Lonoak Rd
- Panoche Rd

Granite Rock's contract has been amended to transfer the remaining budget left on Don Chapin Co's contract, to enable Granite Rock to complete the repairs assigned to it.

On February 1, 2022, the County received a payment of \$139,319.00 from the Governor's Office of Emergency Services (Cal OES) for emergency work already performed pertinent to emergency repairs on Panoche Road, King City/Bitterwater Road and Lonoak Road required from the storm event. Additional funding is currently being requested by the County from Cal OES for repairs pertinent to the storm event.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

Yes

CONTRACT NEEDED FOR THIS ITEM:

No

CONTRACT AND RFP HISTORY:

On March 23, 2021, the Board approved contracts for PWP-2001 COSB On-Call Emergency Response Roadway Repairs Work with Granite Rock Company in the amount of \$500,000.00 and with The Don Chapin Company in the amount of \$500,000.00; authorized the RMA Director to execute both contracts

upon receipt of all contract documents required; and authorized the RMA Director to issue contract change orders in the amount of \$37,500.00 (Contract Contingency) on each contract. At the June 22, 2021 Board meeting, the RMA Director reported to the Board that Don Chapin Co. had completed its work, and that the remaining budget under their contract would be transferred to the contract with Granite Rock, for completing work assigned under their contract. The Interim RMA Director has approved Amendment #1 to Granite Rock's contract, transferring \$361,646.00, for a total amount not to exceed \$861,646.00 on their contract.

LAST CONTRACT AMOUNT OR N/A:

N/A

STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:

N/A

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

No

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

BUDGETED:

No

BUDGET ADJUSTMENT NEEDED:

No

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

State and/or Federal Assistance has been requested

CURRENT FY COST:

Estimated at \$4 million (for informational purposes only)

STAFF RECOMMENDATION:

Staff respectfully recommends that the Board adopt a Resolution:

- 1) Confirming the RMA Director's authority to enter into emergency repair and replacement contracts to remediate a local emergency pursuant to Public Contracts Code Section 22050, without adoption of plans and specifications or competitive bidding;
- 2) Finding that there is a need to continue emergency action; and
- 3) Finding the emergency repair and replacement work exempt from CEQA under CEQA Guidelines Section 15269(d), as emergency projects within the rights of way of existing County and State highways damaged by flooding and storm events.

(4/5 vote required)

BOARD ACTION RESULTS:

Adopted Resolution No. 2022-140 per staff recommendation. (5/0 vote)

ATTACHMENTS:

[Board Resolution](#)