



Joint Exercise of Powers Agency

City of Antioch City of Brentwood City of Oakley County of Contra Costa

Board of Directors

Wednesday, September 13, 2006

8:35 p.m.

Tri-Delta Transit Meeting Room
801 Wilbur Avenue
Antioch, California

1. Call to Order
2. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Gov. Code, §54956.9(a))

State Route 4 Bypass Authority v. Delizia Ranch, LLC, et.al., C.C.C. Superior Court C05-00757

3. Public Comment
4. Consent Items

- A. **APPROVE** Minutes of August 10, 2006.
- B. **APPROVE** Agreement with Ronald E. Nunn, whereby Mr. Nunn agrees to pay \$666,844.00 for modifications to planned underground utilities and new underground utilities to be installed within the new Jeffrey Way, and **AUTHORIZE** the Secretary, or his designee, to sign the attached agreement.
- C. **APPROVE** Resolution No. 2006/07 accepting the Walnut Boulevard at Concord Avenue Traffic Signal as complete and **AUTHORIZE** the Secretary, or his designee, to sign and record the resolution.
- D. **APPROVE** an increase of \$41,000 for the amount previous approved for the Nelson Ranch buttress installation cost, whereby the Authority will pay 50% of the construction work costs (not to exceed \$405,022) and 50% of the inspection and testing services costs.
- E. **AUTHORIZE** the Program Manager to issue a Request for Proposals (RFP) for designing, landscaping and mitigation planting and associated irrigation systems for several areas in Segments 1, 2, and 3 and the Laurel Road Extension project and to take the necessary steps to select and retain a firm, subject to the approval of the Board.

Board of Directors:
Mary N. Piepho, Chair
Donald P. Freitas, Vice Chair
Annette Beckstrand
Brad Nix

Authority Staff Office:
Contra Costa County
255 Glacier Drive
Martinez, CA 94553
(925) 686-0619

F. **DETERMINE** that the conveyance of an easement to Chevron Pipe Line Company is in the public's interest and will not substantially conflict or interfere with State Route 4 Bypass Authority (Authority) use of the property. **AUTHORIZE** the secretary, or his designee, to execute the Grant of Easement and **DIRECT** the Contra Costa County Public Works Department's Real Property Division to have the Grant of Easement delivered to Grantee for recording in the office of the County Recorder.

G. It is recommended that the Board take the following actions:

1. **APPROVE** exchange of various property rights with Chevron Pipe Line Company (Chevron) pursuant to Streets and Highways Code 960.4, for the relocation of an 18-inch diameter pipeline near the PG &E Gas Terminal, Segment 3 of the State Route 4 Bypass.
2. **AUTHORIZE** the Secretary or Designee to execute a Grant Deed on behalf of the State Route 4 Bypass Authority (Authority) to Chevron. **DIRECT** the Real Property Division to have said Grant Deed delivered to Chevron for recording in the Office of the County Recorder.
3. **AUTHORIZE** the Program Manager to execute a Joint Use Agreement between Authority and Chevron.
4. **ACCEPT** Quitclaim Deed from Chevron and **DIRECT** the Real Property Division to Quitclaim Deed recorded in the Office of the County Recorder.

5. Determination Items

A. **RECEIVE** status report on the SR4 Bypass project and the Laurel Road Extension project and **PROVIDE DIRECTION** as appropriate for Bid Opening and Contract Award for Segment 3 of the SR4 Bypass. *(No Staff Report)*

B. **RECEIVE** status report on the construction of Segment 1, Packages 1 and 2 and Segment 3 advanced construction contracts. *(No Staff Report)*

C. It is recommended that the Board take the following actions:

1. **DETERMINE** one property (as described in attached Grant Deed - Exhibit "A") is surplus and no longer necessary for Authority purposes (property consists of portions of three properties previously acquired in deeds recorded September 22, 1999, in Series Number 99-0253209, recorded December 3, 1999, in Series Number 99-0313290, and recorded September 22, 1998, in Series Number 99-0229625).
2. **APPROVE** the conveyance of said property to the City of Brentwood, pursuant to Streets & Highways Code Section 960 and **AUTHORIZE** the Secretary or Designee to execute a Grant Deed on behalf of the Authority.

D. **AUTHORIZE** Program Manager to sign the US Army Corps of Engineers (USACE) Nationwide Permit (including Biological Opinion by the US Fish and Wildlife Service (USFWS)) on behalf of the Authority once it is issued, and arrange for payment of \$1,245,000 to the Habitat Conservation Plan (HCP) to mitigate Segment 3 project impacts per conditions in the permit.

E. It is recommended that the Board take one of the following actions:

1. **APPROVE** Resolution No. 2006/06 which authorizes the filing of the project application for the "Mokelumne Trail Bicycle/Pedestrian Overcrossing at the SR 4 Bypass" project for Federal Surface Transportation Funds through the Metropolitan Transportation Commission (MTC) Regional Bicycle and Pedestrian Program and formally commits the local match (up to \$2.5 million) for the project. The total cost of this alternative is \$4,000,000.

OR

2. **DIRECT** staff to formally resubmit the Mokelumne Trail Project (with a revised project description) to CCTA for their consideration. The revised project description is as follows: construct the trail along the west side of the Bypass using existing right of way making use of transit width, south to Sand Creek. The trail would continue along the north side of Sand Creek under the Bypass Sand Creek bridge structure to the CCWD right of way and then continue north back to the Mokelumne Aqueduct right-of-way. The total cost of this alternative is \$2.25 million.

6. Board Member Comments
7. Correspondence
8. Adjournment

The Authority will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Program Manager at least 24 hours before the meeting, at (925) 686-0619.

(2006-08-10)
LIAI

STATE ROUTE 4 BYPASS AUTHORITY
Antioch - Brentwood - Oakley and Contra Costa County

A JOINT EXERCISE OF POWERS AGENCY

MINUTES

August 10, 2006

The STATE ROUTE 4 BYPASS AUTHORITY meeting was called to order in the Tri Delta Transit Meeting Room, 801 Wilbur Avenue, Antioch, California by Vice Chair Donald Freitas at 8:15 P.M.

ROLL CALL

PRESENT: Annette Beckstrand (Brentwood), Brad Nix (Oakley), and Vice Chair Donald Freitas (Antioch)

ABSENT: Chair Mary N. Piepho (Contra Costa County)

STAFF: Dale Dennis, Program Manager

The agenda was taken out of order to consider Public Comment and Consent Items prior to adjourning into Closed Session.

PUBLIC COMMENT

There was no public comment.

CONSENT ITEMS

On motion by Director Nix, seconded by Director Beckstrand, members of the Authority unanimously adopted the Consent Items, as follows:

- A. APPROVED minutes from the July 13, 2006 meeting.
- B. APPROVED a \$10,000 amendment to the Consulting Services Agreement with Anita Tucci-Smith for a revised not-to-exceed total contract amount of \$20,000 for minute taking services, and AUTHORIZED the Secretary or designee to sign the amendment on behalf of the Authority.
- C. APPROVED a \$243,662 amendment to the Consulting Services Agreement with the PDM Group Inc. for a revised not-to-exceed total contract amount of \$1,071,578 for program manager services through June 30, 2008, and AUTHORIZED the Secretary or designee to sign the amendment on behalf of the Authority.

- D. APPROVED a \$73,901 amendment to the Consulting Services Agreement with Parsons Brinckerhoff Construction Services, Inc. (PB) for a revised not-to-exceed total contract amount of \$3,664,085 to add cultural resource services for Segment 3, and AUTHORIZED the Secretary or designee to sign the amendment on behalf of the Authority.
- E. APPROVED Contract Change Order Nos. 3S1, 8, 9, and 10 with McGuire and Hester for an estimated cost increase of \$22,929 for the Undergrounding and Relocation of ECCID Facilities Project in Segment 3 and AUTHORIZED the Secretary or designee to sign the change orders on behalf of the Authority.
- F. APPROVED Contract Change Order Nos. 4S3, 12S1 and 39S1 with Bay Cities Paving and Grading for an estimated cost of \$151,000 for Segment 1, Package 1, and AUTHORIZED the Secretary or designee to sign the change orders on behalf of the Authority.
- G. APPROVED Contract Change Order Nos. 1S2, 10, 20, 38, 39, and 44 with De Silva Gates Construction/FCI Constructors JV, for an estimated cost increase of \$274,624 for Segment 1, Package 2, and AUTHORIZED the Secretary or designee to sign the change orders on behalf of the Authority.
- H. APPROVED Distribution Service and Extension Agreement with Pacific Gas and Electric Company in the estimated amount of \$197,076 to underground existing overhead electrical facilities impacted by the Laurel Road Extension Project, and AUTHORIZED the Secretary or designee to sign the agreement on behalf of the Authority
- I. The Board took the following actions:
 - 1. APPROVED the Right of Way Contract from Peter and Joann Landgraf, Trustees and AUTHORIZED the Secretary or Designee to execute said Right of Way Contract on behalf of the State Route 4 Bypass Authority
 - 2. APPROVED payment in the amount of \$100,000 for said property rights and AUTHORIZED the Auditor-Controller to issue a check in said amount payable to Placer Title Company, 1981 N. Broadway, #100, Walnut Creek, CA 94596, Escrow No. 615-9638, to be forwarded to the Real Property Division for delivery.

4A3

3. DIRECTED the Real Property Division of Contra Costa County to have the above-referenced Grant of Easement recorded in the Office of the County Recorder.

Vice Chair Freitas adjourned into Closed Session at 8:16 P.M.

CLOSED SESSION

Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a))

- A. *State Route 4 Bypass Authority vs. Abreu, et. al, C.C.C. Superior Court No. C05-01746*
- B. *State Route 4 Bypass Authority vs. Matsutani, et. al, C.C.C. Superior Court No. C05-01123*

Vice Chair Freitas reconvened at 8:17 P.M. and advised that there was nothing to report from Closed Session.

DETERMINATION ITEMS

- A. RECEIVE Status Report on the SR4 Bypass Project and the Laurel Road Extension Project

Program Manager Dale Dennis advised that Segment 1 was moving forward into construction. He stated that the Laurel Road Extension Project was now ready to be opened to the contractor, a month in advance of contractual obligations.

With respect to Segment 3, Mr. Dennis reported moving forward with right-of-way acquisition on the Byron Highway and with utility relocations. As to the jurisdictional permits, he stated that the Biological Opinion from the US Fish and Wildlife Service (USF&WS) should be completed by August 11, to then be reviewed internally by USF&WS. He noted that the Biological Opinion was anticipated next week.

Mr. Dennis also verified with Directors that August 26 would be an appropriate time to conduct another field trip of Segment 1.

- B. RECEIVE Status Report on Construction Activities in Segments 1 and 3

Bart Littell, Parsons Brinckerhoff Construction Services, Inc. offered updated photos of the status of Segments 1 and 3.

Director Freitas referred to rough paving on the future SR 160 connector and asked staff for a clarification of that situation. He requested that a corrective item for that portion of the roadway be placed on the next meeting agenda.

Mr. Dennis stated that staff would return with a proposed solution.

Mr. Littell reported that the contractor had completed \$3 million in construction over the last month. That project was 43 percent complete in a 33 percent timeline. The goal was to pave in September. With respect to the Laurel Road Intersection, he stated that the goal would be to complete drainage work prior to the start of rainy weather.

Director Nix expressed concern for the Laurel Road and Empire Avenue intersection, particularly related to the upcoming school year.

BOARDMEMBER COMMENTS

There were no Boardmember comments.

CORRESPONDENCE

There was no correspondence other than that which had been included in Authority packets.

ADJOURNMENT

With no further business to come before the State Route 4 Bypass Authority, Vice Chair Freitas adjourned the meeting at 8:28 P.M. to the next meeting scheduled for September 14, 2006.

Respectfully submitted,


Anita L. Tucci-Smith
Minutes Clerk

431

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: September 13, 2006

TO: Board of Directors

FROM: Dale Dennis, Program Manager 

SUBJECT: **APPROVE** Agreement with Ronald E. Nunn to provide funding for utilities in Jeffrey Way

Recommendation: **APPROVE** Agreement with Ronald E. Nunn, whereby Mr. Nunn agrees to pay \$666,844.00 for modifications to planned underground utilities and new underground utilities to be installed within the new Jeffrey Way, and **AUTHORIZE** the Secretary, or his designee, to sign the attached agreement.

Discussion:

Construction of new Jeffrey Way has recently started. Mr. Nunn has requested the Authority modify planned underground utilities and install new underground utilities within the new Jeffrey Way, including the following:

- Installation of approximately 405 meters of 200mm PVC sewer
- Installation of 5 new sewer manholes
- Installation of 125 meters of steel casing for sewer across SR4 Bypass ROW
- Installation of 130 meters of steel sleeves on Jeffrey Way Driveway access for future utilities
- Modifications of a 300mm PVC waterline to allow for installation of the new sewer line. This modification includes revising waterline profile, addition of a new air relief valve and the addition of a new blow-off valve.
- Increase the capacity to drainage system 34b, 34d, 34f, 34l, 34n, 34p, 34t, and 34v by increasing the size of storm drains from 450mm or 600mm to 900mm diameter.

DD:nw.tr
G:\TransEng\2006\SR4BP\StaffReports\July-Sept\dd nw Staff Report Nunn Agreement for Jeffrey Way 09-05-06.doc

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ___ **OTHER** ___

VOTE OF DIRECTORS
_____ **UNANIMOUS (ABSENT** _____ **)**
AYES: _____ **NOES:** _____
ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority

JBL

Mr. Nunn has agreed to provide \$666,844.00 in funding prior to constructing improvements to cover the entire cost of the abovementioned improvements (prior to constructing the improvements). Staff has coordinated with City of Brentwood staff and Mr. Nunn's engineer on these proposed changes and recognizes the value of constructing these improvements prior to the completion of new Jeffrey Way and, as such, recommends approval of the attached agreement to formalize this arrangement.

AGREEMENT

**STATE ROUTE 4 BYPASS AUTHORITY
AND
RONALD E. NUNN**

1. **PARTIES:** This Agreement is made effective September 13, 2006, between the State Route 4 Bypass Authority, a joint powers agency (“AUTHORITY”), and Ronald E. Nunn, an individual (“PROPERTY OWNER”).

2. **RECITALS:**

- A. AUTHORITY is constructing a new realigned Jeffrey Way with certain planned utilities south of Lone Tree Way in Brentwood, California (“Realignment Project”).
- B. PROPERTY OWNER has requested that AUTHORITY add to the Realignment Project certain modifications to the planned underground utilities and new underground utilities (“Additional Utilities”) consisting of:
 - i. Installation of approximately 405 meters of 200mm PVC sewer.
 - ii. Installation of 5 new sewer manholes.
 - iii. Installation of 125 meters of steel casing for sewer across SR4 Bypass right-of-way.
 - iv. Installation of 130 meters of steel sleeves on Jeffery Way driveway access for future utilities.
 - v. Modifications to a 300mm PVC waterline to allow for installation of the new sewer line. This modification includes revising waterline profile, addition of a new air relief valve, and the addition of a new blow-off valve.
 - vi. Increase the capacity to drainage system 34b, 34d, 34f, 34l, 34n, 34p, 34t, and 34v by increasing the size of storm drains from 450mm or 600mm to 900mm diameter.

NOW, THEREFORE, in consideration of the mutual promises below, the parties agree as follows:

3. **RESPONSIBILITIES OF DEVELOPER AND AUTHORITY:**

- A. PROPERTY OWNER shall:
 - i. Provide a complete design for the Additional Utilities.
 - ii. Pay to AUTHORITY the sum of \$666,844.00 to cover the cost of design, construction, and contract administration for the Additional Utilities.

- 4/10/06
- B. AUTHORITY shall:
- i. Using the design provided by PROPERTY OWNER, convert it to Caltrans format (i.e., metric units) and prepare an addendum to the design documents for the Realignment Project.
 - ii. Construct the Additional Utilities as part of the Realignment Project pursuant to a change order issued to the AUTHORITY's construction contractor.
4. **FINANCIAL RESPONSIBILITY:**
- A. PROPERTY OWNER shall pay the \$666,844.00 to AUTHORITY no later than September 13, 2006.
 - B. Should the cost of the Additional Utilities exceed \$666,844.00, PROPERTY OWNER shall pay the additional cost to AUTHORITY within ten days of billing.
5. **INDEMNIFICATION:** PROPERTY OWNER shall defend, indemnify, save, and hold harmless AUTHORITY, its governing board, officers, agents, and employees from any and all claims, expenses, and liability arising during construction of the Additional Utilities.
6. **ACCEPTANCE AND MAINTENANCE:**
- A. Upon completion of the Additional Utilities, AUTHORITY will conduct an inspection and, if satisfactory to AUTHORITY, will accept the Additional Improvements as complete on behalf of PROPERTY OWNER.
 - B. Following AUTHORITY's acceptance of the Additional Utilities, PROPERTY OWNER shall be responsible for any and all necessary repairs, maintenance, or replacement and shall defend, indemnify, save, and hold harmless AUTHORITY, its governing board, officers, agents, and employees from any and all claims, expenses, and liability, whether related to the design, construction, use, operation, or maintenance of the Additional Utilities.
7. **CHOICE OF LAW:** This Agreement is made in Contra Costa County and shall be construed in accordance with and governed by the laws of the State of California. Any action relating to this Agreement shall be filed and prosecuted in the courts of Contra Costa County.
8. **AGREEMENT MODIFICATION:** This Agreement shall be subject to modification only with the written consent of all parties. None of the parties shall unreasonably withhold its consent to the implementation and accomplishment of the overall purpose for which the Agreement is drafted.
9. **NOTICES:** All notices (including requests, demands, approvals, or other communications) under this Agreement shall be in writing.

- 1165
- A. Notice shall be sufficiently given and delivered for all purposes as follows:
- (1) When mailed by certified mail with return receipt requested, notice is effective on receipt if delivery is confirmed by a return receipt.
 - (2) When delivered by overnight delivery by a nationally recognized overnight courier, notice is effective on receipt if delivery is confirmed by a return receipt.
 - (3) When personally delivered to the recipient, notice shall be deemed delivered on the date personally delivered, as evidenced by a declaration under penalty of perjury, setting forth the date, time and circumstances of the delivery and executed by the person making the delivery.
- B. The place for delivery of all such notices shall be as follows:

To: AUTHORITY

State Route 4 Bypass Authority
Attn: Dale Dennis, Program Manager
255 Glacier Drive
Martinez, CA 94553
Fax: (925) 313-2333
E-mail: dodennis@earthlink.net

With copy to:

Contra Costa County Public Works Department
Attn: Maurice M. Shiu, Public Works Director
255 Glacier Drive
Martinez, CA 94553
Fax: (925) 313-2333
E-mail: mshiu@pw.co.contra-costa.ca.us

To: PROPERTY OWNER

Ronald E. Nunn

Brentwood, CA _____

Fax:

E-mail:

Or to such other addresses as AUTHORITY or PROPERTY OWNER may designate by written notice to the other. Parties are encouraged, but not required, to fax and/or email notice in addition to delivering notice as provided above. However, the failure to do so shall not be a breach of this Agreement and shall not affect the validity of any delivery made as provided above.

8. **ENTIRE AGREEMENT:** This Agreement contains the entire understanding of the parties with respect to the subject(s) covered in the Agreement. Any alleged promise, understanding, representation, or commitment relating to the subject matter of this Agreement shall be unenforceable unless set forth in writing in this Agreement.

IN WITNESS WHEREOF, on the dates set out below, the parties have executed this Agreement by their agents, and each person signing this Agreement represents that he is the agent of the party for which he acts and is duly authorized to execute this Agreement and thereby to bind his principal.

**STATE ROUTE 4 BYPASS
AUTHORITY
(AUTHORITY)**

**RONALD E. NUNN, an individual
(PROPERTY OWNER)**

By: _____
Secretary/Designee

(signature)

APPROVED AS TO FORM:
Silvano B. Marchesi
County Counsel


By: _____
David F. Schmidt, Deputy County Counsel

401

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: September 13, 2006

TO: Board of Directors

FROM: Dale Dennis, Program Manager 

SUBJECT: Approve Resolution of Acceptance and Notification of Completion of the Walnut Boulevard at Concord Avenue Traffic Signal, Project No. 0662-6R4495

Recommendation: **APPROVE** Resolution No. 2006/07 accepting the Walnut Boulevard at Concord Avenue Traffic Signal project as complete and **AUTHORIZE** the Secretary, or his designee, to sign and record the resolution.

Discussion:

Authority staff recommends that the Board accept the work as complete as of August 18, 2006 and direct the Secretary, or his designee, to file the Notice of Completion with the County Recorder's office. This action by the Board will release the surety bonds secured by the Contractor to ensure the performance of the work and allow for the final payment to be made. The final estimated contract amount, including all Contract Change Orders, is \$134,658.00.

DD:nw:tr
G:\TransEng\2006\SR4BP\StaffReports\July-Sept\dd Staff Report\AcceptSignalProject Final_A_ w RES.doc

ACTION OF BOARD ON _____ **APPROVED AS RECOMMENDED** ___ **OTHER** _____

VOTE OF DIRECTORS

_____ **UNANIMOUS (ABSENT** _____)

AYES: _____ **NOES:** _____

ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority

437

Recording Requested By:
State Route 4 Bypass Authority
c/o Contra Costa County Public Works Dept.
255 Glacier Drive
Martinez, CA 94553

Return to:

WHEN RECORDED, RETURN TO SECRETARY
OF THE STATE ROUTE 4 BYPASS AUTHORITY
c/o Contra Costa County Public Works Department

STATE ROUTE 4 BYPASS AUTHORITY, CALIFORNIA

In the Matter of Accepting and Giving)	RESOLUTION OF ACCEPTANCE
Notice of Completion of Contract for)	and NOTICE OF COMPLETION
Walnut Boulevard at Concord Avenue)	
Traffic Signal)	(C.C. § 3086, 3093)
Project No. 0662-6R4495)	RESOLUTION NO. 2006/07

WHEREAS, the State Route 4 Bypass Authority on December 13, 2005 contracted with Richard A. Heaps Electrical Contractor, Inc. for construction of the Walnut Boulevard at Concord Avenue Traffic Signal, with Travelers Casualty and Surety Company of America as surety, for work to be performed in the unincorporated area of Contra Costa County; and

WHEREAS, the Program Manager reports that said work has been inspected and complies with the plans, special provisions and standard specifications, and recommends its acceptance as complete as of August 18, 2006.

NOW, THEREFORE, BE IT RESOLVED, the SR4 Bypass Authority accepts said work associated with the Walnut Boulevard at Concord Avenue Traffic Signal as complete on August 18, 2006 and directs the Secretary or his designee to file a copy of this Resolution and Notice as a Notice of Completion for said contract with the County Recorder.

PASSED and ADOPTED on September 13, 2006, by the following vote:

AYES:

NOES:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the SR4 Bypass Authority at the regular meeting of the Board of Directors on the date indicated above.

Date: _____


MAURICE M. SHIU, SECRETARY
State Route 4 Bypass Authority

By: _____

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: September 13, 2006

TO: Board of Directors

FROM: Dale Dennis, Program Manager 

SUBJECT: Agreement with LB/L DUC III ANTICOH 330 LLC and Encroachment Permit with LB/L DUC III ANTICOH 330 LLC and Standard Pacific Corporation dba Standard Pacific Homes

Recommendation: **APPROVE** an increase of \$41,000 for the amount previously approved for the Nelson Ranch buttress installation cost, whereby the Authority will pay 50% of the construction work costs (not to exceed \$405,022) and 50% of the inspection and testing services costs.

Discussion:

In July 2006, the Authority authorized Program Manager to negotiate and execute an agreement between the SR4 Bypass Authority (SR4BA) and LB/L DUC III ANTICOH 330 LLC ("Developer") regarding the Nelson Ranch buttress installation whereby the Authority would pay 50% of the construction work costs (not to exceed \$364,022) and 50% of the inspection and testing services costs.

The initial buttress construction work was completed in August 2006. The Authority's geotechnical consultant, Taber Consultants, reviewed the excavation and determined additional material should be excavated. The estimated cost to complete the additional work is approximately \$82,000. Staff is recommending the additional work be performed with the same participation rate of 50%, which would result in a \$41,000 increase in construction cost for the Authority, from a not-to-exceed amount of \$364,022 to a not-to-exceed amount of \$405,022.

DD:NW:tr
G:\TransEng\2006\SR4BP\StaffReports\July-Sept\dd staffreport 2nd Standard PacificHomes-NelsonRanch.doc

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ___ **OTHER** ___

VOTE OF DIRECTORS

_____ UNANIMOUS (ABSENT _____)
AYES: _____ **NOES:** _____
ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.


ATTESTED _____
Secretary to the Authority

112.1

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: September 13, 2006

TO: Board of Directors

FROM: Dale Dennis, Program Manager 

SUBJECT: Request for Proposals (RFP) for Landscaping Design Services for Segments 1, 2 and 3 and Laurel Road Extension

Recommendation: **AUTHORIZE** the Program Manager to issue a Request for Proposals (RFP) for designing, landscaping and mitigation planting and associated irrigation systems for several areas in Segments 1, 2, and 3 and the Laurel Road Extension project and to take the necessary steps to select and retain a firm, subject to the approval of the Board.

Discussion:

Now that Segment 1 and the Laurel Road Extension are under construction, and Segment 3 construction is planned to start soon, staff is recommending moving forward with landscaping and mitigation planting plans for Segments 1, 2, and 3 of the SR4 Bypass project, as well as the Laurel Road Extension project.

The RFP will be sent to several firms with experience on similar projects and to any firms that request a copy. The proposals will be evaluated with attention given to the firm's experience with Caltrans landscaping projects. Based on the current schedule, the RFP will be issued in late September, with interviews tentatively scheduled for mid-November. Once a firm has been selected, a contract will be negotiated and brought to the Board for approval at a future meeting.

DD:NW:tr
G:\TransEng\2006\SR4BP\StaffReports\July-Sept\dd StaffReportSegment 1 3 Landscaping RFP Authorize.doc

ACTION OF BOARD ON _____ **APPROVED AS RECOMMENDED** ___ **OTHER**___

VOTE OF DIRECTORS
UNANIMOUS (ABSENT _____)
AYES: _____ **NOES:** _____
ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority

4F1

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: September 13, 2006

TO: Board of Directors

FROM: Dale Dennis, Program Manager

SUBJECT: Convey Grant of Easement to Chevron Pipe Line Company for Pipeline at Site 3 in Segment 3

Government Code 2556.5

Recommendation: **DETERMINE** that the conveyance of an easement to Chevron Pipe Line Company is in the public's interest and will not substantially conflict or interfere with State Route 4 Bypass Authority (Authority) use of the property. **AUTHORIZE** the secretary, or designee, to execute the Grant of Easement and **DIRECT** the Contra Costa County Public Works Department's Real Property Division to have the Grant of Easement delivered to Grantee for recording in the office of the County Recorder.

Discussion:

In January 2006, the Board approved a Reimbursement Agreement with Chevron to physically relocate and/or protect its facilities at five locations in Segment 3. Chevron's facilities are currently within an existing easement. Per the agreement, the Authority has agreed to obtain any necessary replacement land rights required by Chevron for this work. One of these locations is just south and west of the current Vasco Road/Walnut Boulevard intersection.

An 18-inch pipe will be relocated to provide a transverse crossing of the roadway and to eliminate a longitudinal crossing and to upgrade the pipeline material to withstand increased loading requirements from the highway construction. Staff recommends that the Board approve the attached Grant of Easement which will provide the land rights required for the pipeline relocation.

DD:nw:
G:\TransEng\2006\SR4BP\StaffReports\July-Sept\StaffReport Chevron JUA.doc

ACTION OF BOARD ON _____ APPROVED AS RECOMMENDED ___ OTHER _____

VOTE OF DIRECTORS

_____ UNANIMOUS (ABSENT _____)

AYES: _____ **NOES:** _____

ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority