



Joint Exercise of Powers Agency

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

Board of Directors

Thursday, March 13, 2008

6:35 p.m.

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

1. Call to Order
2. Public Comment
3. Consent Items
 - A. **APPROVE** minutes of February 14, 2008 meeting.
 - B. **APPROVE** Contract Change Orders No. 9 S2 and 66 S1 with De Silva Gates Construction, for an estimated net cost increase of \$160,240.00 and **AUTHORIZE** the Secretary or his designee to sign them.
 - C. It is recommended that the Board take the following actions:
 1. **APPROVE** Contract Change Order (CCO) No. 10 with Granite Construction, for an estimated cost increase of \$34,468 for Segment 2, Sand Creek Intersection Lowering Project - Phase 1, Stage 1, and **AUTHORIZE** the Secretary or his designee to sign the change order on behalf of the Authority.
 2. **APPROVE** an increase in the project contingency budget for \$34,468 to cover CCO No. 10.
 - D. **APPROVE** the Revised 2007-08 Work Plan and Budget.
4. Determination Items
 - A. **RECEIVE** status report on the overall State Route 4 Bypass projects and the Laurel Road Extension projects.
 - B. **RECEIVE** status report on construction activities for Segment 1, Segment 3 and the Laurel Road Extension projects (*no staff report*).
5. Board Member Comments
6. Correspondence
7. 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.

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

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

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

A JOINT EXERCISE OF POWERS AGENCY

**MINUTES
February 14, 2008**

The STATE ROUTE 4 BYPASS AUTHORITY meeting was called to order in the Tri Delta Transit Meeting Room, 801 Wilbur Avenue, Antioch, California by Chair Bob Taylor at 8:41 P.M.

ROLL CALL

PRESENT: Donald Freitas (Antioch), Brad Nix (Oakley), and Chair Bob Taylor (Brentwood)

ABSENT: Mary N. Piepho (Contra Costa County)

STAFF: Dale Dennis, Program Manager

Chair Taylor adjourned into Closed Session at 8:41 P.M.

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Government Code Section 54956.9(b); one potential case.

Chair Taylor reconvened from Closed Session at 8:48 P.M. and advised that there was nothing to report.

PUBLIC COMMENT

There was no public comment.

CONSENT ITEMS

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

- A. APPROVED minutes of January 10, 2008 Meeting

- B. APPROVED Contract Change Order No. 104 with De Silva Gates Construction/FCI Constructors for an estimated cost of \$94,875 for Segment 1, Package 2, and AUTHORIZED the Secretary or designee to sign the change order on behalf of the Authority.
- C. APPROVED Consulting Services Agreement amendment with PB Americas in the amount of \$555,529 for a not-to-exceed contract amount of \$4,442,362 for continued construction management services for Segment 3, and AUTHORIZED the Secretary or designee to sign the amendment on behalf of the Authority.
- D. APPROVED two Utility Agreement Amendments with PG&E for an increase of \$127,778.85 in the estimated cost for the relocation of gas and electrical facilities in conflict with the Segments 1 and 3 for an amended total estimated cost of \$184,028.65, and AUTHORIZED the Secretary or designee to sign the agreement and amendments.
- E. THE BOARD TOOK THE FOLLOWING ACTIONS:
 - 1. APPROVED and ACCEPTED the Grant of Easement Deed from the United States Department of the Interior Bureau of Reclamation to the State Route 4 Bypass Authority for two highway bridge crossings.
 - 2. AUTHORIZED the Secretary or designee to execute said Grant of Easement on behalf of the Authority.
 - 3. DIRECTED the Real Property Division of Contra Costa County to have the above-referenced Grant of Easement Deed recorded in the Office of the Contra Costa County Recorder, after execution by the United States Department of the Interior.
- F. APPROVED an amendment to the Consulting Services Agreement with Mark Thomas and Company in the amount of \$40,951 for two items: 1) environmental permitting services for the Sand Creek Interchange, Phase I and the 4-Lanes from Laurel Road to Sand Creek Road; and 2) design of landscape improvements in the Lone Tree Way median in Segment 1 and AUTHORIZED the Secretary or designee to sign the amendment on behalf of the Authority.
- G. APPROVED a Contract for Law Enforcement Services with the City of Antioch on a time and materials basis to provide traffic enforcement services on Segment 1 and AUTHORIZED the Secretary or designee to sign the amendment on behalf of the Authority. Staff is currently working with the California Highway Patrol (CHP) to patrol the Bypass prior to route adoption.

3.12

DETERMINATION ITEMS

- A. RECEIVE Status Report on the Overall State Route 4 Bypass Projects and the Laurel Road Extension Projects

Program Manager Dale Dennis reported that right-of-way (ROW) acquisition with respect to Segment 1 was continuing with two parcels under negotiation. One other remaining property from the Contra Costa County Flood Control District (CCCFCD) would need to be purchased prior to transferring that facility to Caltrans. He also reported that the Grand Opening of Segment 1 and the Laurel Road Extension was proposed for either March 7 or March 14 at 9:30 or 10:00 A.M.. He advised that staff was coordinating with Caltrans Director Kempton's office to have him attend the ceremony. Both facilities would be opened at one time.

With respect to Segment 2, Mr. Dennis reported that segment was moving forward with the design of the Sand Creek Interchange, Phase 1, and 4-Lanes from Laurel Road to Sand Creek Road. The design was at the 65 percent stage, to be submitted to Caltrans later this month. That project was on schedule and would be ready to advertise in February 2009.

Mr. Dennis added that Segment 3 construction was continuing. The ROW acquisition had been completed.

Director Nix advised of the need to discuss landscaping and to consider alternatives in lieu of using East Contra Costa Regional Fee and Financing Authority (ECCRFFA) funds (due to lower revenues) to do landscaping at this point, moving ahead under some future reimbursement. He recommended that discussion be scheduled for a future agenda.

- B. RECEIVE Status Report on Construction Activities for Segment 1, Segment 3 and the Laurel Road Extension Projects

Bart Littell of Parsons Brinckerhoff Construction Services presented updated construction photographs and reported with respect to Segment 1 that January had been very difficult getting work done with the rain and low temperatures. Since the weather had improved in February, extensive work had been done. He took this opportunity to thank Dave Niece and Mike Scott and stated that the contractor had been working non stop since the weather had improved.

Mr. Littell advised that the Bypass would be opened over three days (February 15-17) given the amount of work to be done and the safety considerations with respect to that work. He detailed the portions of the Bypass that would open during those three days.

BAA

Mr. Littell reported that press releases had been issued, flyers had been sent to affected businesses, the Chambers of Commerce of all three cities had been notified, all churches had been notified and changeable message signs would be displayed so that all commuters would know what was occurring. After the traffic switch, the message boards would be left up to identify the new alignment. He explained how Lone Tree Way would be accessed during the interim condition.

Mr. Littell added that there had been a meeting on Wednesday with City staff, the CHP, emergency services, representatives from all the cities, police, Caltrans, and city maintenance and traffic engineers to go through the whole process. He stated that the openings were well organized and well publicized at this point. While backups were anticipated on Saturday, he did not envision much of a backup on Sunday. He advised that there would be full-time CHP enforcement throughout the weekend.

As to the opening and the construction delays due to weather, Mr. Littell stated that the project was not behind schedule. The project would be open on time and there had been no extensions. The project was not only on schedule but was ahead of schedule by a few days. He explained that when work could not occur because of adverse weather, there would be no charges for those days.

Mr. Dennis advised that even when opened, there would be punch list items that the contractor would finish up during the next few weeks.

Chair Taylor was pleased to see the completion of that portion of the Bypass and commented that it was very exciting given the long effort.

Director Freitas agreed and stated that the opening would provide a much needed north/south access and ultimately enhance economic development opportunities for East County.

With respect to Segment 3, Mr. Littell stated that work had resumed. He noted that Segment 3 had been more impacted than Segment 1 by weather. Supervisor Piepho had asked at the last meeting for a flyer to advise Marsh Creek residents of the status of the work and that had been completed. He stated that the second sound wall would be completed in about a week. Segment 3 was 70 percent complete, 70 percent on time.

Mr. Dennis stated that Walnut to Sellers was complete and Sellers up to Byron would be completed in the April timeframe including the segment on the SR4 Bypass itself, depending on weather.

BOARDMEMBER COMMENTS

There were no comments.

CORRESPONDENCE

There was no correspondence.

ADJOURNMENT

With no further business to come before the State Route 4 Bypass Authority, Chair Taylor adjourned the meeting at 9:06 P.M. to the next meeting scheduled for March 13, 2008.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

3131

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: March 13, 2008

TO: Board of Directors

FROM: Dale Dennis, Program Manager



SUBJECT: APPROVE Segment 3 Contract Change Orders

Recommendation: APPROVE Contract Change Orders No. 9 S2 and 66 S1 with De Silva Gates Construction for Segment 3, for an estimated net-cost increase of \$160,240.00 and **AUTHORIZE** the Secretary or his designee to sign them on behalf of the Authority.

Discussion

Contract Change Order 9 S2:

This Contract Change Order (CCO) provides for the construction of the BBID Canal and associated detour. The cost for the initial CCO was estimated at \$200,000. With all the costs to-date now submitted from the Contractor and compiled, the actual cost for work under this CCO is \$260,240. As such, a supplemental CCO is recommended for \$60,240.00. This work is being paid for as a decrease in contract items and at-force account. Determination of a time extension to the project milestone for Marsh Creek Road and/or project completion date will be determined upon submittal of a time impact analysis by the Contractor.

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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

332

Contract Change Order 66 S1:

This CCO is required because the soil along Marsh Creek Road between Sellars Avenue and Byron Highway contained levels of pesticides that prevented it from being placed at a residential site. The Contractor had planned to take this excess material to a residential site off Marsh Creek Road. Although the material could not be placed at a residential site, the levels of pesticides do not exceed levels that prevent its use on a roadway project. As such, the material has been stockpiled within Authority right-of-way and will be used in the Sand Creek Interchange project. The cost difference of the higher trucking costs for stockpiling the material near the Vasco Road/Walnut intersection is estimated at \$130,000. The initial CCO was issued for \$30,000 to avoid delay and keep the Contractor working. Subsequently, the extent of the work became apparent and a full estimated cost has been determined. As such, a supplemental change order in the amount of \$100,000 will be issued at-force account to pay for the additional trucking costs. Supplemental funds in the amount of \$100,000 were provided by the Designer for unanticipated hazardous materials issues. With approval of this CCO, \$89,462.68 remains in contingency funds.

Attached is a worksheet, prepared by Parsons Brinckerhoff, which shows a summary of the executed change orders to-date, as well as the status of several pending change orders. The source for funding contract changes orders comes from three places: Supplemental funds, Authority furnished materials and the traditional project contingency.