



Joint Exercise of Powers Agency

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

Board of Directors

Thursday, July 13, 2006

7:05 p.m.

Tri-Delta Transit Meeting Room

801 Wilbur Avenue

Antioch, California

1. Call to Order

2. Closed Session

- A. Conference with legal counsel –Existing Litigation (Gov. Code, §54956.9(a))

State Route 4 Bypass Authority v. Immanuel Baptist Church of Antioch, et.al., C.C.C. Superior Court No. C06-00002.

- B. Conference with legal counsel - Anticipated Litigation (Gov. Code, §54956.9(b))

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

3. Public Comment

4. Consent Items

- A. **APPROVE** Minutes of May 31, 2006 special meeting.
- B. **APPROVE** Resolution No. 2006/04 which adopts the Waste Reduction and Recycling Policy and **AUTHORIZE** the Secretary or his designee to sign the resolution.
- C. **APPROVE** Resolution No. 2006/05 which authorizes the Program Manager to apply for the 2006/07 Targeted Rubberized Asphalt Concrete Incentive Grant Program.
- D. **APPROVE** an amendment to the Segment 1 Consulting Services Agreement with Parsons Brinckerhoff Construction Services, Inc. (PB) to increase the total contract payment limit by \$390,253 to a new total limit of \$6,527,410 for additional construction management services for Lindsey Detention Basin and Channel and Segment 1 re-staking, and **AUTHORIZE** the Secretary or his designee to sign the amendment.
- E. **APPROVE** an amendment to the Segment 3 Consulting Services Agreement with Parsons Brinckerhoff Construction Services, Inc. (PB) to increase the total contract payment limit by \$510,215 to a new total limit of \$3,590,184 for construction staking services to be included as part of construction management services to be provided for Segment 3, and **AUTHORIZE** the Secretary or his designee to sign the amendment.

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. **APPROVE** Resolution No. 2006/06 accepting the Tree Removal on Marsh Creek Road and Segment 3B Project as complete and **AUTHORIZE** the Secretary or his designee to sign the resolution.
- G. **APPROVE** Contract Change Order (CCO) Nos. 3, 4, 5, and 6 with McGuire and Hester for an estimated cost of \$12,543.22, for the Undergrounding and Relocation of ECCID Facilities Project in Segment 3 and **AUTHORIZE** the Secretary or his designee to sign the change orders. In addition, **APPROVE** an increase of \$35,000 in contingency funds (for a new contract budget amount of \$688,637) to cover additional change order work currently being negotiated with McGuire and Hester.

5. Determination Items

- A. **RECEIVE** status report on the SR4 Bypass project and the Laurel Road Extension project and **PROVIDE** direction regarding July 18, 2006 Bid Opening and subsequent award of the Segment 3 project. (Item to be mailed separately.)
- B. **RECEIVE** status report on construction activities in Segments 1 and 3.
- C. **AUTHORIZE** the following agreements:
 - 1. **AUTHORIZE** the 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.
 - 2. **AUTHORIZE** the Program Manager to execute an amendment to the Sound Wall Agreement between the SR4BA and Developer to authorize Developer to bid out and manage the SR4BA's portion of the sound wall. SR4BA will pay for the cost of constructing its portion of the sound wall upon review and approval of Developer's invoices.
 - 3. **APPROVE and/or RATIFY** the issuance of the attached encroachment permit to LBL/L Duc III Antioch 330 LLC and Standard Pacific Corporation dba Standard Pacific Homes (contractor) for the portion of buttress installation work to be completed within Authority right of way, and **AUTHORIZE** Secretary or his designee to sign the permit.

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.

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

A JOINT EXERCISE OF POWERS AGENCY

SPECIAL MEETING OF THE BOARD OF DIRECTORS

SUMMARY MINUTES

May 31, 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 6:06 P.M.

ROLL CALL

PRESENT: Vice Chair Donald Freitas (Antioch), Annette Beckstrand (Brentwood), Chair Mary N. Piepho (Contra Costa County), and Brad Nix (Oakley)

ABSENT: None

STAFF: Dale Dennis, Program Manager

Chair Piepho adjourned into Closed Session at 6:10 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 Piepho reconvened into open session at 6:41 P.M. and had nothing to report from Closed Session.

PUBLIC COMMENT

There was no public comment on items not on the Agenda.

DETERMINATION ITEMS

RECONSIDER the actions taken by the Authority on May 11, 2006 and approve one of the following options:

- 1. RESCIND** the actions taken by the Authority on May 11, 2006 to reject bids and authorize rebidding of the Segment 3 construction project; **REINSTATE**

the bids for the Segment 3 construction project; and **DIRECT** the Secretary or his designee to send letters to each of the respective bidders requesting that they reaffirm their bids are valid through July 6, 2006, consistent with the bid documents for the State Route 4 Bypass Segment 3 Construction Project.

OR

2. REAFFIRM the following actions taken by the Authority on May 11, 2006:

- A. REJECT** all bids previously submitted for the project.
- B. APPROVE** the plans and specifications and **AUTHORIZE** the rebidding of the project.
- C. DIRECT** the Secretary or his designee to publish a Notice to Contractors in accordance with the procedures in Public Contract Code Sections 20390-20393 inviting bids for the work.
- D. AUTHORIZE** the Secretary or his designee to issue bid addenda as needed for clarification of contract bid documents.

Mr. Dennis presented the two options that were identified in the May 31, 2006 staff report, to the board.

Chair Piepho asked for public comments on this item. Board Member Nix left the meeting at 6:47 P.M.

PUBLIC COMMENTS:

Russ Olney, a representative from Bay Cities Paving & Grading Inc., urged the Board to rebid the project.

Bill Stewart, a representative of RGW, urged the Authority to reaffirm the actions that were taken by the Authority on May 11, 2006, wherein they rejected all bids and moved forward with readvertising the Segment 3 construction project.

Sandy Skaggs from Bingham McCutchen LLP, representing DeSilva Gates Construction, urged the Authority to rescind the actions taken by the Authority on May 11, 2006 and to reinstate the bids for the Segment 3 construction project.

Randall Smith from Smith & Brockhage, LLP, representing DeSilva Gates Construction, stated their opinion that the RGW bid protest was frivolous and discussed the basis for their position. Mr. Smith also indicated that a letter dated May 10, 2006 had also been sent to the Authority presenting their opinion that the bid protest was frivolous.

- Following discussion by the Board, Director Beckstrand moved that the

Board REAFFIRM the actions taken by the Authority on May 11, 2006.

The motion was seconded by Director Freitas and carried, 2-1, with Director Piepho opposing the motion.

BOARDMEMBER COMMENTS

There were no comments from Boardmembers.

CORRESPONDENCE

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

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

With no further business to come before the State Route 4 Bypass Authority, Chair Piepho adjourned the meeting at 7:02 P.M. to the next meeting scheduled for June 8, 2006.

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**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: July 13, 2006

TO: Board of Directors
FROM: Dale Dennis, Program Manager
SUBJECT: Approve Resolution Adopting Waste Reduction and Recycling Policy

Recommendation: **APPROVE** Resolution No. 2006/04 which adopts the attached Waste Reduction and Recycling Policy and **AUTHORIZE** the Secretary or his designee to sign the resolution.

Discussion:

Rubberized Asphalt Concrete (RAC) has been included in the Segment 3 design plans as the material for the top lift of pavement on Segment 3 to help attenuate noise. The design for Marsh Creek Road has always included RAC to help minimize noise impacts and to minimize the profile changes to the existing roadway (The depth of RAC required is less than conventional asphalt concrete). In March, the Board approved adding RAC to the Bypass mainline from Balfour Road to Marsh Creek Road in response to concerns expressed by residents adjacent to Segment 3.

RAC has several benefits compared to conventional asphalt concrete. RAC provides a stronger structural section, retards reflective cracking, reduces wheel noise, and provides a use of old tires that would normally go to a landfill. Disadvantages are that it

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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

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requires the asphalt plant to only produce RAC during asphalt production for the project. RAC also requires specialized equipment be temporarily installed at the asphalt plant during production. As a result of these additional requirements, it is somewhat more expensive than regular AC. The cost from Balfour Road to just south of Fairview Avenue is estimated at a differential cost of \$44,000 (RAC vs. regular AC) and from just south of Fairview to Marsh Creek Road is estimated at a differential cost of \$27,000.

To help offset the additional cost of using RAC, staff is recommending applying for a grant through the California Integrated Waste Management Board (CIWMB). The CIWMB requires applicants for its tire recycling grants to submit a recycled-content purchasing policy as part of the application. In order to demonstrate the Authority's commitment to sustainable practices and be eligible for the current and future funding from the CIWMB, staff recommends that the Board adopt the attached Waste Reduction and Recycling Policy through a resolution.

Authorization to submit an application for the CIWMB's 2006/7 Targeted Rubberized Asphalt Concrete Incentive Grant Program is requested in Item 4.C: Approve Resolution Authorizing Program Manager to Apply for 2006/7 Targeted Rubberized Asphalt Concrete Incentive Grant Program.

11/15/06

STATE ROUTE 4 BYPASS AUTHORITY
RESOLUTION ADOPTING WASTE REDUCTION AND RECYCLING POLICY
RESOLUTION NO. 2006/04

WHEREAS, the State Route 4 Bypass Authority is committed to conserve and protect natural resources for current and future citizens; and

WHEREAS, establishment of a written policy to participate in waste reduction and recycling programs will provide specific guidance for the Authority's employees and contractors to follow the Authority's commitment; and

WHEREAS, federal and state agencies have implemented procurement guidelines requiring government agencies to buy products made with recycled materials; and

WHEREAS, the California Integrated Waste Management Board (CIWMB) requires applicants for its tire recycling grants to submit a recycled-content purchasing policy as part of the application; and

WHEREAS, the Authority is planning to submit an application for the CIWMB's 2006/7 Targeted Rubberized Asphalt Concrete Incentive Grant Program;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the State Route 4 Bypass Authority authorizes the adoption of the attached Waste Reduction and Recycling Policy.

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

AYES: NIX, PIEPHO, FREITAS, AND BECKSTRAND

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: _____

THE STATE ROUTE 4 BYPASS AUTHORITY WASTE REDUCTION AND RECYCLING POLICY

The State Route 4 Bypass Authority will act to make resource conservation an integral part of its waste reduction and recycling programs. The practice of discarding materials used in the Authority facilities is wasteful of natural resources, energy, and money.

It will be the policy of Authority to implement the following actions:

1. The Authority will integrate the concept of resource conservation, including waste reduction and recycling, into its environmental programs.
2. The Authority will decrease the amount of waste of consumable materials by: a) reducing the consumption of consumable materials wherever possible; b) full utilization of all materials prior to disposal; and c) minimization of the use of non-biodegradable products wherever possible.
3. The Authority will cooperate with, and participate in, recycling efforts being made by the city and county. As systems for the recovery of waste and recycling are developed within the Authority, they will participate by appropriately separating and allowing recovery of recyclable waste products.
4. The Authority will purchase, where financially viable, recycled products. The Authority will also encourage suppliers, both private and public, to make recyclable products and unbleached paper products available for purchase.
5. Representatives of the Authority will actively advocate, where appropriate, for resource conservation practices to be adopted at the local, regional, and national levels.

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: July 13, 2006

TO: Board of Directors
FROM: Dale Dennis, Program Manager
SUBJECT: Approve Resolution Authorizing Program Manager to Apply for 2006/7 Targeted Rubberized Asphalt Concrete Incentive Grant Program.

Recommendation: **APPROVE** Resolution No. 2006/05 which authorizes the Program Manager to apply for the 2006/7 Targeted Rubberized Asphalt Concrete Incentive Grant Program.

Discussion:

The State Route 4 Bypass Authority currently has plans to use rubberized asphalt concrete (RAC) on the State Route 4 Bypass, Segment 3 project. RAC is made using recycled tire material. This Resolution authorizes the Program Manager to apply for the 2006/7 Targeted Rubberized Asphalt Concrete Incentive Grant Program to help fund the use of RAC on the project.

The California Integrated Waste Management Board (CIWMB) administers tire grant programs to provide opportunities to divert waste tires from landfill disposal, prevent illegal tire dumping, and promote markets for recycled-content tire products. The CIWMB is currently accepting applications from cities, counties, districts, and other local government agencies that fund public works projects for the Grant. The deadline for the application is August 15, 2006.

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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

Eligible projects must use a minimum of 3,500 tons of RAC within the jurisdiction and must use crumb rubber derived from 100 percent California waste tires. The total amount available per jurisdiction for this grant is \$175,000. Funding for projects will be based on the amount of RAC material used and the differential cost of using RAC in lieu of conventional asphalt concrete (AC). Approximately 24,170 metric tones (90,442 tons) of RAC will be placed on the Bypass mainline from Balfour Road to Marsh Creek Road and on Marsh Creek Road to its intersection with Byron Highway.

RAC has several benefits compared to AC that is normally used. RAC provides a stronger structural section, retards reflective cracking, reduces wheel noise, and provides a use of old tires that would normally go to a landfill.

Disadvantages are that it requires the asphalt plant to only produce RAC during asphalt production for the project. RAC also requires specialized equipment to be temporarily installed at the asphalt plant during production. As a result of these additional requirements, it is more expensive than regular AC.

On July 13, 2006, the Board adopted Resolution No. 2006/04 implementing a policy regarding the procurement of recycled products. Said policy requires the use of recycled products and materials whenever possible. The use of RAC is consistent with this policy.

The grant, if received, will help to offset the additional cost of using RAC vs. regular asphalt concrete. This resolution will authorize the Program Manager to apply for the grant.

**RESOLUTION AUTHORIZING THE APPLICATION FOR
THE 2006/7 TARGETED RUBBERIZED ASPHALT CONCRETE
INCENTIVE GRANT PROGRAM**

RESOLUTION NO. 2006/05

WHEREAS, on July 13, 2006, the Board of Directors approved Resolution 2006/04, thereby adopting a policy regarding the procurement of recycled products; and

WHEREAS, the State Route 4 Bypass Authority currently has plans to use Rubberized Asphalt Concrete ("RAC") on the SR4 Bypass - Segment 3 project; and

WHEREAS, RAC contains rubber from recycled tire material; and

WHEREAS, Public Resources Code Section (PRC) 42872.5, authorizes the California Integrated Waste Management Board (CIWMB) to establish a grant program to fund rubberized asphalt concrete (RAC) projects; and

WHEREAS, the CIWMB has been delegated the responsibility for the administration of the program, setting up necessary procedures governing application by local governments and their subdivisions under the program; and

WHEREAS, said procedures established by the CIWMB require the applicant to certify, by resolution, approval of the application before submission of said application to the State; and

WHEREAS, if awarded a grant, the applicant will enter into an agreement with the State of California for development of the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the State Route 4 Bypass Authority authorizes the submittal of an application to the CIWMB for a Targeted Rubberized Asphalt Concrete Incentive Grant. The Secretary or his designee, of the State Route 4 Bypass Authority is hereby authorized and empowered to execute in the name of the State Route 4 Bypass Authority all necessary applications, contracts, agreements, amendments, and payment requests hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application.

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

AYES: NIX, PIEPHO, FREITAS, AND BECKSTRAND

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: July 13, 2006

TO: Board of Directors

FROM: Dale Dennis, Program Manager

SUBJECT: Approve Consulting Services Agreement Amendment with Parsons Brinckerhoff Construction Services, Inc. for work in Segment 1: Lindsey Basin and Channel and Segment 1 Re-staking

Recommendation: APPROVE an amendment to the Consulting Services Agreement with Parsons Brinckerhoff Construction Services, Inc. (PB) to increase the total contract payment limit by \$390,253 to a new total limit of \$6,527,410 for additional construction management services for Lindsey Detention Basin and Channel and Segment 1 re-staking, and AUTHORIZE the Secretary or his designee to sign the amendment.

Discussion

Staff recommends amending the contract with PB to cover additions to the scope of work related to the construction of the Lindsey Detention Basin and Channel portion of the Segment 1 contract. The Authority is constructing the basin and upstream channel on behalf of the Contra Costa County Flood Control District (CCCFCD). This item was added after PB's contract was executed. This work will be paid for by CCCFCD and includes inspection and contract administration by PB as well as construction staking by Mark Thomas and Company, PB's subconsultant. The proposed budget increase for this portion of the work is \$316,935, and includes PB's 5% subconsultant markup.

Also included in this amendment are cost increases associated with re-staking a portion of the Segment 1 roadway mainline (Bid Schedule A), estimated at \$73,318. The re-staking costs will be back charged to the contractor in accordance with the contract, since the stakes were damaged and/or not maintained as required by the contractor. The additional services are discussed in greater detail in the attached PB letter dated June 26, 2006.

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ACTION OF BOARD ON _____ APPROVED AS RECOMMENDED ___ OTHER _____

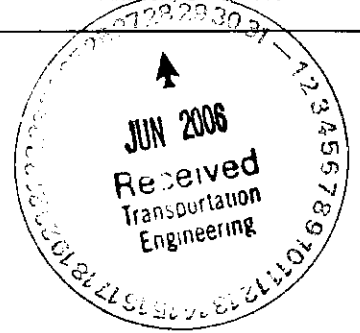
VOTE OF DIRECTORS
UNANIMOUS (ABSENT _____)
AYES: _____ NOES: _____
ABSENT: _____ ABSTAIN: _____

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

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**Parsons
Brinckerhoff**
3260 Lone Tree Way, Ste. 104
Antioch, CA 94509



June 26, 2006

Mr. Dale Dennis
State Route 4 Bypass Authority
255 Glacier Drive
Martinez, CA 94553

SUBJECT: AMENDMENT NO. 4 REQUEST
SR4 Bypass, Segment 1

Dear Mr. Dennis,

Construction management (CM) of the Lindsey Basin was not included in our original contract scope. At this time, we request an amendment for the construction staking which is being performed by our sub-consultant, Mark Thomas & Company, as well as direct construction management / inspection costs for Lindsey Basin. Please note that the materials testing costs were included under prior Amendment #3 to PB's CM contract.

The cost estimate for staking the Lindsey Basin is \$131,935, including PB's standard 5% markup.

PB's estimated additional CM costs for Lindsey Basin are \$185,000. PB will track costs separately for Lindsey Basin and bill in accordance with our CM contract.

Also included in this amendment request is \$73,318, including PB's 5% markup, for re-staking on Bid Package A. This re-staking cost will be back-charged to the construction contractor in accordance with the construction contract.


In summary, the total request for this Amendment is:

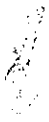
I) Lindsey Basin	
Construction Staking	\$131,935
Construction Management / Inspection	<u>\$185,000</u>
	\$316,935
II) Re-staking for Bid Package A	\$73,318
Grand Total Amendment No. 4	\$390,253

Thank you for consideration of this request. If you have any questions, please contact me at 925-756-2382 / littell@pbworld.com.

Sincerely,

Parsons Brinckerhoff Construction Services, Inc.


Bart Littell, PE
Vice President / Construction Manager



MARK THOMAS & COMPANY, INC.
 Providing Engineering, Surveying and Planning Services

1960 Zanker Road
San Jose, CA 95112
 PHONE (408) 453-5373
 FAX (408) 453-5390

June 19, 2006

54-0163B-G

Mr. Bart Littell
 Parsons Brinckerhoff Construction Services, Inc.
 3260 Lone Tree Way, Suite 104
 Antioch, California 94509

RE: LINDSEY BASIN CONSTRUCTION STAKING ESTIMATE

Dear Mr. Littell:

Mark Thomas & Company, Inc. (MTCO) appreciates the opportunity to submit this proposal to provide the construction staking support for the Lindsey Basin Project. Listed below are the staking tasks that have been identified for this type of project.

MTCO will provide one set of stakes for line and grade, based on the instructions for staking as outlined by the standards set forth in the Caltrans Manual for Construction Staking. This manual includes provisions for Survey Request, Cut Sheets and Staking procedures.

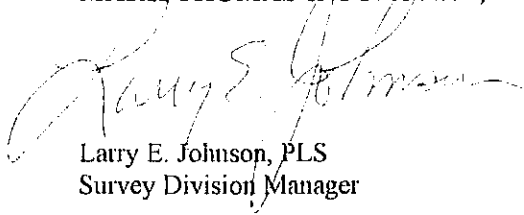
Construction Staking Tasks	Estimated Budget
ITEM I	
Task 1 - Rough Grade Staking (Includes fill area north of Laurel Road, embankments for Lindsey Basin, access roads to basin and the LC-low flow channel.	\$50,000
Task 2 – Finish Grade Staking	
Low Flow Channel – 1500 meters for the LF line	10,944
Access Road – 3,000 meters	9,876
Basin Contour Grading -- 20 meter grid and the fill areas north of Laurel Road	8,720
Slope Staking Embankments for FG (200 stations)	12,000
Slope Staking Embankments for FG (200 stations)	15,392
Task 3 – Drainage Structures	8,720
Task 4 – Restaking (Estimated only)	10,000
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Total Item I	\$125,652
ITEM II - Restaking Bid Package A	<u>69,827</u>
Estimated total budget	\$195,479

This estimate is based on time and materials at our contracted rates. The restaking budget (Task 4), is only an estimate and subject to your approval. The budgets shown for each task include the pre-calculation office time as well as a two or three-man survey field crew.

Please call with questions.

Sincerely,

MARK THOMAS & COMPANY, INC.

A handwritten signature in cursive script, appearing to read "Larry E. Johnson".

Larry E. Johnson, PLS
Survey Division Manager

c: Mike Lohman, MTCO, Walnut Creek Office

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: July 13, 2006

TO: Board of Directors

FROM: Dale Dennis, Program Manager

SUBJECT: Approve Consulting Services Agreement Amendment with Parsons Brinckerhoff Construction Services, Inc. for work in Segment 3

Recommendation: APPROVE an amendment to the Segment 3 Consulting Services Agreement with Parsons Brinckerhoff Construction Services, Inc. (PB) to increase the total contract payment limit by \$510,215 to a new total limit of \$3,590,184 for construction staking services to be included as part of construction management services to be provided for Segment 3, and AUTHORIZE the Secretary or his designee to sign the amendment.

Discussion

Staff recommends to amend the contract with PB be to add construction staking to the original scope of work for Segment 3. In September last year, the Board approved a consulting services agreement with PB in the amount of \$3,079,939 to provide construction management services. At the time the contract was approved, it was thought that construction staking would be provided by the Contra Costa County Public Works Department. The County is no longer able to provide this service due to reductions in staff and a higher than anticipated work load for the next 18 months. Staff recommends however, that the County continue to provide right of way staking as needed in concert with the PB survey subconsultant.

PB had added Towill, Inc. to its team to provide construction staking services at an estimated cost of \$710,215 to perform the work, which includes PB's standard 5% mark up. This amount is reduced to \$510,215 when a \$200,000 line item is factored in that was included in the original budget for PB for supplemental construction staking in the event additional support was needed once construction started. The total amount of the amendment is \$510,215, which results in a revised not-to-exceed amount of \$3,590,184. The specific tasks and items of work to be performed by Towill, Inc. are discussed in greater detail in the attached PB letter dated June 16, 2006.

DD:rw
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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



June 16, 2006

Mr. Dale Dennis
State Route 4 Bypass Authority
255 Glacier Drive
Martinez, CA 94553

SUBJECT: AMENDMENT NO. 1 REQUEST – CONSTRUCTION STAKING, TOWILL, Inc.
SR4 Bypass, Segment 3

Dear Mr. Dennis,

Per your request, PB will provide the construction staking services for Segment 3 of the SR4 Bypass Project. As such, we have added Towill, Inc. to perform the construction staking.

Attached is a cost proposal from Towill, Inc. to perform this work. The estimated total cost to perform the work, including PB's standard 5% markup, is \$710,215. However, PB included \$200,000 in our original Contract to perform potential extra and peak survey services in the event it was needed. Thus, the amount of this amendment request is \$510,215.

Thank you for consideration of this request. If you have any questions, please contact me at 925-756-2382 / littell@pbworld.com.

Sincerely,

Parsons Brinckerhoff Construction Services, Inc.

Bart Littell, PE
Vice President / Construction Manager

Attachment: Towill Cost breakdown