

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

**A JOINT EXERCISE OF POWERS AGENCY**

**MINUTES  
May 10, 2007**

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 Donald Freitas at 7:08 P.M.

**ROLL CALL**

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

ABSENT: None

STAFF: Dale Dennis, Program Manager

**PUBLIC COMMENT**

There was no public comment.

**CLOSED SESSION**

Chair Freitas adjourned into Closed Session at 7:09 P.M. to discuss the following.

- A. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a))
  - 1. *State Route 4 Bypass Authority vs. Christina Nena Custodio and Frank Hernandez, Co-Trustees, et al.*, Contra Costa County Superior Court Case No. C05-00373
  - 2. *State Route 4 Bypass Authority vs. H. John Bloomfield, Trustees, et al.*, Contra Costa County Superior Court Case No. C05-02371

Chair Freitas reconvened into open session at 7:45 P.M. and advised that there was no reportable action from Closed Session.

**CONSENT ITEMS**

On motion by Director Nix, seconded by Director Taylor, members of the Authority unanimously adopted the Consent Items, as follows, with the removal of Item C.

- A. APPROVED Minutes of March 8 and April 12, 2007 Meetings.
- B. APPROVED Contract Change Order Nos. 18 and 26 with DeSilva Gates Construction for an estimated cost increase of \$78,230 for Segment 3, and AUTHORIZED the Secretary or designee to sign the change orders.
- C. APPROVE cancellation of two previously approved contract agreements with Pacific Gas and Electric Company in the amount of \$45,560.48 for electrical services in Segment 1 and APPROVE seven new Distribution Service and Extension Agreements in the not-to-exceed total amount of \$140,853.34 and AUTHORIZE the Secretary or designee to sign the agreements on behalf of the Authority, and DIRECT the Program Manager to apply the previous authorized payment of \$45,560.48 already received by PG&E towards the total for the new agreements and arrange for payment of the balance of \$95,292.86.  
**[REMOVED FOR DISCUSSION]**

The following item was removed from the Consent Calendar for discussion.

- C. APPROVE cancellation of two previously approved contract agreements with Pacific Gas and Electric Company in the amount of \$45,560.48 for electrical services in Segment 1 and APPROVE seven new Distribution Service and Extension Agreements in the not-to-exceed total amount of \$140,853.34 and AUTHORIZE the Secretary or designee to sign the agreements on behalf of the Authority, and DIRECT the Program Manager to apply the previous authorized payment of \$45,560.48 already received by PG&E towards the total for the new agreements and arrange for payment of the balance of \$95,292.86.

Program Manager Dale Dennis referred to a revised staff report with corrections in the amount of the agreements. He noted that the Authority had entered into an agreement last fall with a preliminary estimate.

With completed engineering, Mr. Dennis reported that the not-to-exceed should be \$106,709.36 and an additional balance of \$61,148.88.

On motion by Director Piepho, seconded by Director Nix, members of the Authority unanimously APPROVED cancellation of two previously approved contract agreements with Pacific Gas and Electric Company in the amount of \$45,560.48 for electrical services in Segment 1 and APPROVED seven new Distribution Service and Extension Agreements in the not-to-exceed total amount of \$106,709.36 and AUTHORIZED the Secretary or designee to sign the agreements on behalf of the Authority, and DIRECTED the Program Manager to apply the previous authorized payment of \$45,560.48 already received by PG&E towards the total for the new agreements and arrange for payment of the balance of \$61,148.88.

### **DETERMINATION ITEMS**

- A. RECEIVE Status Report on the Segment 1, Segment 3 and the Laurel Road Extension Projects

Program Manager Dale Dennis reported that Segment 1 and Segment 3 continued with condemnation cases, primarily in Segment 1, with one case in Segment 3. The project continued to move forward on schedule.

- 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 that the contractors on the two jobs had completed \$2.3 million in construction in the last month.

For Segment 1, the mainline bridge, Mr. Littell reported that the contractor had been constructing the approach slabs which were near completion. The sound walls were also in process with piles and reinforcing installed. The retaining wall was being constructed at the Lone Tree Way on-ramp northbound. Overhead signs were going up along with electrical work and fine grading along the existing Highway 4. He added that by the next Board meeting the paving should be significantly completed and traffic from the Antioch Bridge (SR4 westbound) would be shifted to complete work in the SR4/160 Interchange area.

Mr. Littell added with respect to the Laurel Road Extension, that the joint trench installation had been completed and utility work was continuing and would take time to complete. The Laurel Road overhead was also proceeding. False work was up and the stem and soffit core would be poured in three weeks or so. The sub base had been placed in some portions of the roadway. Underground and drainage work were nearly complete. Overall the project was 71 percent complete, 64 percent on time.

For Segment 3, ongoing work included grading on the Vasco Extension, moving 10,000 cubic meters a day. The Fairview Bridge stem and soffit core would be done this month. The paving of Marsh Creek Road was scheduled to be completed by May 14.

Mr. Littell noted that Harvest Time had advised that the beginning of the U-Pick season would commence the weekend prior to Memorial Day. He stated that two-way traffic on Marsh Creek Road between Orchard and Walnut would be established in the middle of next week. The plan would be to leave it open for the weekend from Orchard to Walnut and Walnut to Sellers. After the weekend, the next detour from Walnut to Sellers would be installed.

Director Taylor questioned whether or not there would be a need for assistance from the California Highway Patrol (CHP) given the heavy traffic expected during the U-Pick season. He was concerned with safety and he asked if some assistance would be warranted in this case to address potential public safety concerns.

Director Piepho stated that some extra enforcement could be requested during the U-Pick season. She noted that the U-Picks were opening now and it was critical to keep Marsh Creek Road open. Given the concern, she advised that she would contact the CHP and she asked Director Taylor to seek help with enforcement from the Brentwood Police Department.

Mr. Littell stated that the plan was to reestablish everything from Orchard to Walnut prior to next weekend, with the traffic signal in place and with wide shoulders on both sides since there would be lanes not yet open.

Director Piepho asked about the Summerset development and whether or not there had been complaints from those residents.

Mr. Dennis reported that there had been several meetings with several residents. He noted several of the residents indicated they had not received correct or detailed information from the developer regarding the SR4 Bypass project when they purchased their properties. He explained that staff was ensuring that correct information was being presented at the meetings.

Director Piepho verified that the sound wall in that area would attenuate the noise, although Mr. Dennis noted that it would also restrict the view. The residents had been advised that the sound wall was required.

Director Piepho stated that she had also held meetings to appropriately advise affected residents of the project and its status.

Chair Freitas emphasized that the history of the residents demanding the sound wall and the landscaping should be clearly identified.

When asked when Segment 1 and Laurel Road would be opened, Mr. Littell stated that the contract time was January 2008. He expressed his belief that the work would be done by late October or early November for Segment 1. With respect to Laurel Road, he noted that the contractor was working to finish the entire project.

Dave Bates, Project Manager, SCI, suggested that the Bid B portion (Laurel Road Extension) would require the contract period. He noted that there were issues that had to be resolved. For Bid A (Segment 1), they were tracking to attempt to open on time based on the resources available. He did not want to commit to an early opening although he suggested that might occur.

Mr. Dennis stated that Segment 3 had a biological issue with hawks that had nested in the Marsh Creek area which had delayed the start of construction for the Marsh Creek Bridge. The biologist was monitoring the situation and had submitted an approach to the Department of Fish and Game to maintain an aggressive construction schedule. He suggested that there might be a month or two delay of the Balfour Road section down to the Walnut Boulevard portion as a result.

- C. APPROVE Contract Change Order No. 75 with De Silva Gates Construction/FCI Constructors JV, for an Estimated Cost Increase of \$900,000 for Segment 1, Package 2 for Placement of Approximately 90,000 Cubic Meters for Construction of the Embankments of the Second Lone Tree Way Bridge, APPROVE a Contract Amendment of \$90,000 for PB Americas for Construction Management Services Related to this Work and AUTHORIZE the Secretary or Designee to Sign the Change Order and Contract Amendment

Mr. Dennis advised that the item was intended to take advantage of an opportunity that had arisen. He referenced a property owner in the Laurel Road area where slides had occurred eighteen months ago. The material, once expected to be used, would no longer be used and there was an opportunity to move the dirt over the next couple of months to get the embankments for the second bridge in place, saving approximately \$2 million. He recommended approval of a contract change order to have De Silva Gates move forward with the placement of the embankments for the second Lone Tree Way Bridge.

Director Piepho referred to Page 2 of the Change Order and noted that the contingency fund would drop down to \$1.2 million. She asked if that would be sufficient.

Mr. Dennis stated that at this point in time they were getting through a lot of the major issues and the remaining contingency may or may not be sufficient to meet all the change orders.

Chair Freitas requested a report on that situation.

On motion by Director Nix, seconded by Director Taylor, members of the Authority unanimously APPROVED Contract Change Order (CCO) No. 75 with De Silva Gates Construction/FCI Constructors JV, for an estimated cost increase of \$900,000 for Segment 1, Package 2 for placement of approximately 90,000 cubic meters for construction of the embankments of the second Lone Tree Way Bridge, APPROVED a contract amendment for PB Americas for \$90,000 for construction management services related to COO No. 75 and AUTHORIZED the Secretary or designee to sign the change order and contract amendment.

- D. AUTHORIZE the Program Manager to Include Value Engineering Elements (5 year mainline pavement design and continued use of temporary signals) into the Sand Creek Intersection Lowering Project to Provide Estimated Savings of \$600,000

Mr. Dennis stated that the item had been submitted for consideration for the Sand Creek Intersection lowering project. The 65 percent design had been estimated at \$4 million for construction including a 10 percent contingency. With the final plans, the new estimate was \$4 million without contingency. Given that the current budget was \$4 million for construction, he stated that staff had considered ways to reduce the estimated cost and remain within the original budget. Since there was now funding for Stage 2 of the Phase 1 project, the pavement that would be placed in Stage 1 would be temporary pavement and would be used until the Stage 2 project was in place. The current schedule identified a 2009 construction start with completion in 2010 or 2011.

In addition, currently the plans included signals for \$250,000 that would effectively be removed and lost with Stage 2 construction. Mr. Dennis referenced conversations with Caltrans which had indicated that as long as the Authority would maintain the pavement and temporary signals until Stage 2 had been completed, a reduced structural section and the elimination of the permanent signals would be fine. The mainline pavement constructed as part of the intersection lowering project would be removed at the time of Stage 2. He recommended that the value engineering be pursued with a \$600,000 estimated savings.

On motion by Director Nix, seconded by Director Piepho, members of the Authority unanimously AUTHORIZED the Program Manager to include value engineering items (5 year mainline pavement design and continued use of temporary signals) into the Sand Creek Intersection Lowering Project to provide estimated cost savings of \$600,000.

**BOARDMEMBER COMMENTS**

There were no Boardmember comments.

**CORRESPONDENCE**

There was no correspondence.

**ADJOURNMENT**

With no further business to come before the State Route 4 Bypass Authority, Chair Freitas adjourned the meeting at 8:09 P.M. to the next meeting scheduled for June 14, 2007.

Respectfully submitted,

Anita L. Tucci-Smith  
Minutes Clerk