



# Joint Exercise of Powers Agency

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

## Board of Directors

Thursday, October 12, 2006

7:00 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. Vierra, et.al*  
C.C.C. Superior Court No. C06-00024

3. Public Comment

4. Public Hearing

A. **CONDUCT** a public hearing to consider the adoption of Resolution No. 2006/07, a Resolution of Necessity for acquisition by eminent domain of certain interests in real property necessary for the construction of Segment 3 of the State Route 4 Bypass. The properties are located at the Marsh Creek Road/Byron Highway intersection. (See attached map).

5. Consent Items

A. **APPROVE** Minutes of September 13 and 21, 2006.

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

i. **APPROVE** the Right of Way Contracts and **ACCEPT** the Grant Deeds and Grant of Easements listed below:

<u>Grantors</u>	<u>Document</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
Alice J. Bunn	59658 & 59659	9/14/06	Placer Title Company Escrow #615-8014 &8015 1981 N. Broadway #100 Walnut Creek, CA 94596	\$42,400.00

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

Francis Mello Debbie Mello	59661	9/19/06	Placer Title Company Escrow #615-7879 1981 N. Broadway #100 Walnut Creek, CA 94596	\$37,000.00
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Susan L. Pacini	59666	9/22/06	Placer Title Company Escrow #615-7876 1981 N. Broadway #100 Walnut Creek, CA 94596	\$19,600.00
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<u>Grantors</u>	<u>Document</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>
Leonard P. Mello Virginia Mello Olive Borba Aguiar	59662	9/7/06	Placer Title Company Escrow #615-7880 1981 N. Broadway #100 Walnut Creek, CA 94596	\$20,800.00
Anthony L. Silva Carmen A. Silva George F. Silva Bertha A. Silva Olive Borba Silva Leonard P. Mello Virginia M. Mello Francis C. Mello Debbie A. Mello Galen R. Young Mary M. Young Gary Daniel Souza Suzanne M. S. Shishnia	59660	9/19/06 9/25/06	Placer Title Company Escrow #615-7878 1981 N. Broadway #100 Walnut Creek, CA 94596	\$2,600.00

- ii. **AUTHORIZE** the Secretary or designee to execute said Right of Way Contracts on behalf of the State Route 4 Bypass Authority (Authority).
  - iii. **APPROVE** payments as listed above for said property rights and **AUTHORIZE** the Auditor-Controller to issue checks in said amounts payable to listed payees, to be forwarded to the Real Property Division for delivery.
  - iv. **DIRECT** the Real Property Division of Contra Costa County to the above-referenced Grant Deeds and Grant of Easements delivered to Placer Title Company for recording in the office of the Contra Costa County Recorder.
- C. **APPROVE** Contract Change Orders (CCOs) 42 and 43S1 with Bay Cities Paving and Grading for an estimated cost increase of \$130,000.00 for Segment 1, Package 1, and **AUTHORIZE** the Secretary or his designee to sign the CCOs.
- D. **APPROVE** Contract Change Order (CCO) No. 59 with De Silva Gates Construction/FCI Constructors JV, for an estimated cost increase of \$25,000.00 for Segment 1, Package 2, and **AUTHORIZE** the Secretary or his designee to sign the CCO.

E. **APPROVE** Consulting Services Agreement amendments with the following consultants for on-call support services during the construction of Segment 3 as directed by Authority staff, and **AUTHORIZE** the Secretary or his designee to sign them on behalf of the Authority.

- Parsons Brinckerhoff (PB) – Management of ground squirrels in the amount of \$50,400.00, for a revised not-to-exceed contract amount of \$3,714,485.00, and extend the contract term to December 31, 2008.
- Parikh Consultants – On-call geotechnical and environmental site assessment services in the amount of \$76,944.14, for a revised not-to-exceed contract amount of \$636,418.24, and extend the contract term to June 30, 2008.
- Richard Loewke – Regulatory agency environmental permit compliance and construction monitoring in the amount of \$209,890.00, for a revised not-to-exceed contract amount of \$705,840, and extend the contract term to December 31 2007.
- Fehr and Peers – Technical support for signal and electrical issues in the amount of \$8,600, for a revised not-to-exceed contract amount of \$170,900, and extend the contract term to June 30, 2008.

F. **APPROVE** an amendment to the Consulting Services Agreement with Harris and Associates in the amount of \$35,720 (*mostly reimbursable by encroachment permit deposits*), for a revised not-to-exceed contract amount of \$2,907,574, to complete currently-assigned, Authority-issued encroachment permits through the end of the year, and **AUTHORIZE** the Secretary or his designee to sign the amendment.

6. Determination Items

- A. **RECEIVE** status report on State Route 4 Bypass program (*no staff report*).
- B. **RECEIVE** status report on construction activities in Segments 1 and 3 (*no staff report*).
- C. **AUTHORIZE** the Secretary or his Designee to negotiate a Contract Change Order with De Silva Gates Construction/FCI Constructors JV, the Segment 1, Package 2 contractor, to rehabilitate existing pavement on State Route 4 near the State Route 160 separation structure.

7. Board Member Comments

8. Correspondence

9. 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.*

# SR4BYPASS SEGMENT III

Marsh Creek Road from east of U.P.R.R. to east of the Byron Hwy.

