



Joint Exercise of Powers Agency

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

Board of Directors

Thursday, January 11, 2007
7:15 p.m.

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

1. Call to Order
2. Election of Officers
3. Closed Session

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

State Route 4 Bypass Authority v. Irwin Brent Pomeroy, et al., C.C.C. Superior Court No. C05-01025

4. Public Comment
5. Consent Items

- A. **APPROVE** Minutes of November 9, 2006 meeting. (*December 14, 2006 meeting canceled*)
- B. **APPROVE** Resolution No. 2007/01 Accepting the Undergrounding and Relocation of East Contra Costa Irrigation District (ECCID) Facilities Project as Complete (Project No. 4460-6X4476-05) and **AUTHORIZE** the Secretary or his designee to sign the resolution.
- C. **APPROVE** Contract Change Order Nos. 47, 58, 61 and 67 with De Silva Gates Construction/FCI Constructors JV for an estimated cost increase of \$220,000 for Segment 1, Package 2, and **AUTHORIZE** the Secretary or his designee to sign the contract change orders on behalf of the Authority.
- D. **APPROVE** a \$68,825 amendment to the Consulting Services Agreement with Parsons Brinckerhoff (PB) for a revised not-to-exceed contract amount of \$3,783,310 for on-call biological monitoring services during the construction of Segment 3 as directed by Authority staff, and **AUTHORIZE** the Secretary or his designee to sign the amendment on behalf of the Authority.
- E. **APPROVE** Consulting Services Agreement with Wood Biological Consulting in the amount of \$40,100 for Riparian Implementation Assistance and Post-construction Monitoring services for Segment 3, and **AUTHORIZE** the Secretary or his designee to sign the agreement on behalf of the Authority.
- F. **APPROVE** a \$38,500 amendment to the Consulting Services Agreement with Nolte Associates Inc. for a revised not-to-exceed contract amount of \$255,300 to provide

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

- G. engineering construction support services related to the Marsh Creek Trail crossing of Segment 3, and **AUTHORIZE** the Secretary or his designee to sign the amendment on behalf of the Authority.
- H. **APPROVE** Electrical Facility Cost Sharing Agreement with Caltrans and Contra Costa County for electrical facilities at the intersection of Marsh Creek Road and Byron Highway and **AUTHORIZE** the Secretary or his designee to sign it in substantially the same form on behalf of the Authority.

Determination Items

- A. **RECEIVE** status report on Segment 1, Segment 3 and the Laurel Road Extension projects *(no staff report)*.
- B. **RECEIVE** status report on construction activities for Segment 1, Segment 3 and the Laurel Road Extension projects *(no staff report)*.

- 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.

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

A JOINT EXERCISE OF POWERS AGENCY

MINUTES
November 9, 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 Chair Mary N. Piepho at 6:37 P.M.

ROLL CALL

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

ABSENT: None

STAFF: Nancy Wein, Senior Transportation Engineer, representing Program Manager Dale Dennis

* Arrived after Roll Call during the Closed Session.

PUBLIC COMMENT

Public Comment was opened prior to the Closed Session. There were no comments from the public.

CLOSED SESSION

Chair Piepho adjourned into Closed Session at 6:38 P.M.

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

- A. *State Route 4 Bypass Authority vs. Tullio Jacuzzi, et. al.*, C.C.C. Superior Court No. C05-00570
- B. *State Route 4 Bypass Authority vs. Toshiko Morimoto, et. al.*, C.C.C. Superior Court No. C05-00485
- C. *State Route 4 Bypass Authority vs. Ronald E. Nunn, et. al.*, C.C.C. Superior Court No. C05-00857
- D. *State Route 4 Bypass Authority vs. Robert L. Calisesi, et. al.*, C.C.C. Superior Court No. C06-00003
- E. *State Route 4 Bypass Authority vs. Patricia Caramagno-Robertson, et. al.*, C.C.C. Superior Court No.05-01993
- F. *State Route 4 Bypass Authority vs. Virginia L. Wurts, et al.*, C.C.C. Superior Court No. C05-01678

Chair Piepho reconvened at 6:55 P.M. and advised that there was no reportable action from the Closed Session.

CONSENT ITEMS

On motion by Director Freitas, seconded by Director Beckstrand, members of the Authority unanimously adopted the Consent Items, as follows, with the clarification in Item H. of the not-to-exceed amount shown for the Distribution Service and Extension Agreement with Pacific Gas and Electric Company, to be \$45,560.48 and not the \$78,145.93 as shown on the agenda.

- A. APPROVED minutes of October 12, 2006.
- B. APPROVED Contract Change Order Nos. 43, 35, 50, 54, and 56 with De Silva Gates Construction/FCI Constructors JV, for an estimated cost increase of \$192,046 for Segment 1, Package 2, and AUTHORIZED the Secretary or designee to sign the contract change orders.
- C. APPROVED Contract Change Order No. 1 with DeSilva Gates Construction, L.P. for an estimated cost increase of \$100,000 for additional traffic control on Segment 3 of the State Route 4 Bypass and AUTHORIZED the Secretary or designee to sign the contract change order.
- D. APPROVED Contract Change Order No. 7 with McGuire and Hester for a cost increase of \$45,921.86 for the Undergrounding and Relocation of ECCID Facilities Project in Segment 3 and AUTHORIZED the Secretary or designee to sign the contract change order. In addition, APPROVED an increase of \$25,000 in contingency funds (for a new contract budget amount of \$713,636.50) to cover additional change order work currently being negotiated with McGuire and Hester.
- E. APPROVED the 2005-06 End of Year Work Plan and Budget.
- F. ACCEPTED Audit Report prepared by Wallace Rowe and Associates, Certified Public Accountants, for the Fiscal Year ending June 30, 2006.
- G. APPROVED Utility Agreements with Pacific Gas and Electric Company in the estimated total amount of \$130,440 for relocation of electrical facilities in conflict with the Segment 3 project at three locations, and AUTHORIZED the Secretary or designee to sign the agreements on behalf of the Authority.
- H. APPROVED Distribution Service and Extension Agreement with Pacific Gas and Electric Company in the not-to-exceed amount of \$45,560.48 for electrical services required for Segment 1 operations, and AUTHORIZED the Secretary or designee to sign the agreement on behalf of the Authority.