

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

A JOINT EXERCISE OF POWERS AGENCY

MINUTES
July 24, 2003

The STATE ROUTE 4 BYPASS AUTHORITY meeting was called to order in the Antioch City Council Chambers of City Hall, 3rd and H Street, Antioch, California by Chair Donald Freitas at 7:41 P.M. and immediately adjourned into Closed Session for Conference with Real Property Negotiators Regarding PROPERTY: McBail Homes Development Property (Lone Tree Way, Antioch); AGENCY NEGOTIATOR: Dale Dennis, Debra Baker; NEGOTIATING PARTIES: State Route 4 Bypass Authority, McBail Company and Del Prado Co.; UNDER NEGOTIATION: Instruction to negotiators concerning price and terms of payment.

Chair Freitas reconvened the State Route 4 Bypass Authority at 8:20 P.M. and advised that there was nothing to report from Closed Session.

ROLL CALL

PRESENT: Annette Beckstrand (Brentwood), Federal Glover (Contra Costa County), and Chair Donald Freitas (Antioch)

ABSENT: Brad Nix (Oakley)

STAFF: Dale Dennis, Project Manager

DETERMINATION ITEMS

A. APPROVE Minutes of June 25, 2003 Meeting

On motion by Federal Glover, seconded by Annette Beckstrand, members of the Authority unanimously APPROVED the minutes of the June 25, 2003 meeting, as submitted.

B. ACCEPT Status Report from Project Manager and Authority's Consultants on SR4 Bypass Project

Project Manager Dale Dennis noted that the presentation had been made last month. At this time, the same presentation was made with the idea of presenting some of the traffic information that was the basis for the current configuration. He stated that during the April-June time period, he had met with every Public Works Director, City Manager and Boardmember to discuss their thoughts with respect to the SR4 Bypass Project.

Discussions had highlighted the need for better communication and the concern that the project was not being delivered quickly enough.

Mr. Dennis advised that a plan had been developed over the last few months to accelerate the design efforts for both Segment 1 and Segment 3. He presented the Segment 1 plan, which included construction of Phase I next spring and advertisement of Phase II in December 2004. He and the design consultants presented the improvements that were to be included in each respective phase.

Michael Lohman, Vice President of Mark Thomas & Company, Inc. presented the overview of Segments 1, 2 and 3 of the SR4 Bypass Project that he had presented at the last meeting and identified what had been accomplished to date and what remained to be accomplished. He also described the two packages that would be advertised to expedite Segment 1 to Spring/Summer 2004 and December 2004. He pointed out, when asked, where the sound wall had been constructed to date.

Package 1 would design the SR4/160 Interchange together with the Contra Costa Water District (CCWD) culvert for the Contra Costa Canal, with construction estimated at \$10 million. Working with Caltrans, construction was expected to commence in the Spring/Summer 2004. Ultimately, the SR4 Bypass would cross the Canal with two bridges, but because of CCWD concerns for crashes and potential contamination of the Canal, it was determined that the construction of a box culvert over the canal would be required.

Package 2 for Segment 1 would construct the remainder of the project by constructing the Bypass mainline, Laurel Road and Lone Tree Way Interchanges, and the Jeffrey Way realignment at a cost of \$38 million, to be bid in December 2004 and with construction to commence in the spring of 2005. The total cost of the two packages was estimated at \$48 million.

On the issue of the CCWD's requirement for a box culvert, Donald Freitas suggested that might necessitate a joint session with the CCWD to discuss the cost benefits of culverting the canal. He characterized that requirement as a waste of public resources.

When asked, Mr. Lohman stated that the CCWD's preliminary estimate of culverting the canal was approximately \$2 million.

Mr. Freitas stated that he would never support that cost even if it meant seeking some relief from the RWQCB.

Mr. Lohman reiterated that the anticipated overall construction cost for that package, Package 1 was approximately \$10 million, on schedule for construction in the spring and that Caltrans was on board with that construction schedule.

Federal Glover clarified from a construction standpoint that the \$10 million Package 1 would construct improvements on SR4 from east of Hillcrest Avenue to the SR4 Bypass, together with constructing the bridge in order to construct the Bypass and that a shoofly and some detour work would be required.

Package 2 would include the remainder of Segment 1 with a total project cost of \$38 million, to be advertised in December 2004 for a project start in early spring 2005, with an estimated two-year construction period.

With respect to Segment 2, additional right of way (ROW) acquisitions remain. Fifteen parcels had to be acquired. Of those, twelve parcels had been acquired to date. Phase 1 of Segment 2 had been completed. While that segment had been constructed, activity remained. Future actions would acquire the balance of the ROW and complete hazardous materials work on contaminated parcels with the Regional Water Quality Control Board (RWQCB) and Caltrans to make certain that contamination levels were acceptable. One parcel would require remediation as well as monitoring. For Segment 3, he noted that the design had not changed substantially.

Mr. Dennis added that the Environmental Impact Report (EIR) had been approved in 1994. Three addendums had been approved since that time. The environmental studies were currently being updated and an addendum would be prepared to allow the construction of Segment 1. That addendum would be presented to the Board in the fall.

Mr. Dennis also emphasized, as he had at the last meeting, that there had to be a recognition that the Authority was building and maintaining property along with policing roadways, property management, installing fences, weed abatement, issuing encroachment permits and addressing everything related to work in the ROW. To do that, the Authority had to budget \$180,000 next year. One of the recommended goals was to move the entire project forward to be able to turn it over to Caltrans as soon as possible.

The next steps would be to continue the final design and the ROW acquisition process, to then focus on the final plan to fine-tune the costs for all of the improvements as well as to look at the revenue side to see how to put that together and consider financing or bonding opportunities through the City of Brentwood.

Rob Reese of Fehr and Peers presented an overview of the status of Segments 1, 2 and 3 from a traffic standpoint. Mr. Reese further delineated the history and current status of Segments 1, 2 and 3 and described how the overall highway would be a six-lane facility to Laurel Road with a full interchange at Laurel, and with an extension to Empire Road. There would then be a four-lane freeway to Lone Tree Way, to be reduced to a two-lane facility to tie into the existing two-lane facility at Segment 2.

With respect to traffic and land use assumptions and recommendations for 2015 and 2025 periods, Rob Reese presented a bar chart to identify the land use characteristics when the project had first been started in March 2002, and then identified how those projections had changed. Primary changes related to projections in the cities of Antioch and Brentwood. Subsequent to those projections, the primary differences related to City of Antioch changes to Future Urban Area (FUA) 1 and FUA 2, and City of Brentwood changes in the Cowell Ranch area.

Mr. Reese described the traffic projections for those 2015 and 2025 periods and explained in detail how that would affect the configuration of the Bypass. After 2025, he stated that Segment 3 would need to be a four-lane expressway.

Donald Freitas inquired whether or not there was enough ROW on Segment 2 to expand from four to six lanes and whether or not there was enough ROW to expand from two to four lanes, to which Mr. Dennis stated that there was enough ROW for an eight lane facility with room for transit in Segments 1, 2 and 3.

Mr. Freitas emphasized the importance of the acquisition of ROW.

Federal Glover verified that staff was actively working to acquire the necessary ROW. He thanked the presenters and requested a hard copy of the presentations.

Mr. Shiu advised that the East County Corridor EIR had identified a 250-foot wide corridor, more than eight lanes with transit in the middle and with a separate bike lane.

- C. APPROVE a Consulting Services Agreement with PDM Group (Dale Dennis) in the Amount of \$517,270 to Provide Program and Project Management Services through June 30, 2006, and AUTHORIZE the Secretary or his Designee to Sign on Behalf of the Authority

Contra Costa County Public Works Director Maurice Shiu advised that the previous staff member of the SR4 Bypass Authority, the East County Transportation Improvement Authority (ECTIA) and the East Contra Costa Regional Fee and Financing Authority (ECCRFFA), had retired.

As directed by the Authority, Dale Dennis had been selected to serve as the Project Manager. A temporary contract to August 15, 2003 had been provided to allow Mr. Dennis to serve the three groups. He presented a three-year contract to extend those services and stated that the agreement would be evaluated on a regular basis.

On motion by Federal Glover, seconded by Annette Beckstrand, members of the Authority unanimously APPROVED a Consulting Services Agreement with PDM Group (Dale Dennis) in the amount of \$517,270 to provide Program and Project Management Services through June 30, 2006, and AUTHORIZED the Secretary, his designee to sign on behalf of the Authority.

- D. APPROVE a Consulting Services Agreement Amendment with Mark Thomas and Company Inc. to Increase the Payment Limit by \$3,847,030 to a Total Not-to-exceed Amount of \$6,930,132 and Extend the Term to February 28, 2004, to Perform Engineering and Design Studies Including the Preparation of Plans, Specifications and Estimates Necessary to Construct Segment 1 of the Bypass Project, and AUTHORIZE the Secretary or his Designee to Sign on Behalf of the Authority.

Mr. Dennis stated that this item should have previously been presented to the Authority. He advised that the original contract with Mark Thomas and Company Inc. in 1998 had been based on a different project for design than the project envisioned today. He reported that the material in the Authority packets had identified the work and the detail that had been completed over the last five years. That work, although necessary, had not been included in the original scope of work. He explained that staff had been negotiating a full scope of work for the \$48 million project, with an increase of \$3,083,102 for the subject contract. He stated that represented a 12 percent of project construction cost. The industry standard was 12 to 15 percent.

Mr. Dennis recommended the approval of the Consulting Services Agreement Amendment for Mark Thomas and Company Inc. to a total not to exceed \$6,930,132.

Federal Glover expressed his disappointment with the situation where the consultant had been generating costs out of the scope of work in excess of \$3.0 million [It was later clarified to be \$1.1 million.] He did not want to see anything similar occur in the future.

Donald Freitas agreed and noted that it was extraordinary that the project would have been managed in that fashion. He emphasized that would never be acceptable in the future. On his inquiry as to the reference in the document to a "main line alignment," he was advised that related to operating highway as opposed to ramps and the like. A main line alignment would be the freeway itself.

Bruce Ohlson, Pittsburg, representing the East Bay Bicycle Coalition, urged that any design or construction accommodate safe bicycle operation across the Bypass. He expressed a desire to see a continuous bypass or lane system parallel to Segment 1. He noted that the City of Brentwood was providing that system in Segment 2, although Antioch was not. East County bicyclists were concerned with the segment from Lone Tree Way up to the Antioch border and Canata Drive.

Mr. Ohlson was concerned with the connection of those two pieces, which went under the Bypass.

On motion by Federal Glover, seconded by Donald Freitas, members of the Authority unanimously APPROVED a Consulting Services Agreement Amendment with Mark Thomas and Company Inc. to increase the payment limit of \$3,847,030 to a total not-to-exceed amount of \$6,930,132 and extend the term to February 28, 2004, to perform engineering and design studies including the preparation of plans, specifications and estimates necessary to construct Segment 1 of the Bypass project, and AUTHORIZED the Secretary or his designee to sign on behalf of the Authority.

E. The Following Actions were Recommended:

1. APPROVE Joint Exercise of Powers Agreement (JEPA) Between the Authority, Contra Costa County, the City of Brentwood and the East County Transportation Authority Related to the Camino Diablo/Vasco Road Intersection improvement Project and AUTHORIZE the Secretary or his Designee to Execute it on Behalf of the Authority
2. AUTHORIZE the Project Manager to Take the Necessary Steps to Advertise the Camino Diablo/Vasco Road Project Subject to the Provisions of the JEPA Above. (The Contract to be Awarded at a Future Meeting of the Board)

Project Manager Dale Dennis presented the item related to the JEPA for the Camino Diablo/Vasco Road Intersection Improvement Project, to be jointly delivered. He noted that in May the Board had approved a work plan. As part of that work plan, the ECTIA had asked the SR4 Bypass Authority to administer the contract. The SR4 Bypass Authority would advertise the project on August 5, with an award on September 11 to allow the project to commence construction in the fall of 2003 prior to the rainy season. He recommended approval of the two items submitted for consideration

As noted for the East County Transportation Improvement Authority (ECTIA), Donald Freitas requested that the changes delineated during that meeting be similarly reflected by the SR4 Bypass Authority's approval of the item, with a copy of the amended JEPA to be provided to the Board of Directors.

On motion by Federal Glover, seconded by Annette Beckstrand, members of the Authority unanimously APPROVED the Joint Exercise of Powers Agreement (JEPA) between the Authority, Contra Costa County, the City of Brentwood and the East County Transportation Improvement Authority related to the Camino Diablo/Vasco Road Intersection Improvement Project and AUTHORIZED the Secretary or his designee to execute it on behalf of the Authority; and AUTHORIZED the Project Manager to take the

necessary steps to advertise the Camino Diablo/Vasco Road project subject to the provisions of the JEPa described above, with the changes to Sections 2.D.(6) and 3.F., the addition of 2.C.(7), that ABAG projections be consistent, and that the percentages of growth referenced for the cities of Antioch and Brentwood be corrected, as noted by the ECTIA.

MEMBER AND EX-OFFICIO REPORTS

As to whether or not there was an ex-officio member of the Authority, Donald Freitas described how the inclusion of an ex-officio member had come about as a result of the East County Corridor Study and the Los Vaqueros Project where a member of the Contra Costa Water District Board of Directors had served as an ex-officio member to the SR4 Bypass Authority. Since that was no longer an issue, he suggested that an ex-officio member would no longer be needed on the Board and the staff should make the appropriate adjustments to the meeting agendas as a result.

CORRESPONDENCE

- A. Letter from the East Bay Bicycle Coalition Re Bridge Over the Highway 4 Bypass at the Mokelumne Aqueduct Trail

The letter was received and filed.

PUBLIC COMMENTS

There was no public comment.

ADJOURNMENT

With no further business to come before the State Route 4 Bypass Authority, Chair Freitas adjourned the meeting at 9:05 P.M. to the next meeting on September 11, 2003. As previously determined, the August meeting has been canceled.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk