

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

A JOINT EXERCISE OF POWERS AGENCY

MINUTES
October 9, 2003

The STATE ROUTE 4 BYPASS AUTHORITY meeting was called to order in the Brentwood City Council Chambers at 734 Third Street, Brentwood, California by Chair Donald Freitas at 8:25 P.M.

ROLL CALL

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

ABSENT: None

STAFF: Dale Dennis, Project Manager

DETERMINATION ITEMS

A. APPROVE Minutes of September 11, 2003 Meeting

On motion by Federal Glover, seconded by Brad Nix, members of the Authority unanimously APPROVED the minutes of the September 11, 2003 meeting, as submitted.

B. APPROVE an End of Year-Adjusted Budget for the 2002-03 Fiscal Year

On motion by Brad Nix, seconded by Annette Beckstrand, members of the Authority unanimously APPROVED an adjustment to the 2002-03 Work Plan and Budget.

C. ACCEPT Status Report on the SR4 Bypass Project

Project Manager Dale Dennis provided a status report on the SR4 Project and identified the status and timeline of each segment.

With respect to the environmental addendum, Mr. Dennis explained that would be presented to the Board next month for approval. There had been a public meeting on September 24 attended by 40 to 50 people to discuss the project and present the studies that had been completed for the addendum. One of the most significant was the noise study and the requirements for sound walls. He pointed out the proposed placement of sound walls on the map displayed in the Chambers and explained that once the Environmental Impact Report (EIR) had been approved, any developments approved after that time would be responsible for mitigating noise and providing the sound walls. The sound walls would be constructed within the right of way (ROW) and Caltrans would be responsible for those sound walls in the future.

Brad Nix highlighted an ongoing issue with regard to the width of Segment 2, particularly on Balfour Road heading north, which appeared to narrow considerably. He was concerned with the same thing for Segment 1 and he questioned whether or not four lanes would fit.

Mr. Freitas concurred.

Mr. Dennis stated that an exhibit would be provided at the next meeting to identify the lanes and width of the segments.

Mr. Nix sought a blueprint of the ultimate buildout, although Mr. Dennis stated that the geometry for the ultimate buildout was probably not yet available. What was available would be provided.

Mr. Dennis added that an entire look through the corridor to identify the eight lanes and the medians was underway.

Mr. Nix reiterated that it was extremely narrow, but beyond that one wall was up 30 to 40 feet above another. He suggested that space would be lost given the height differential.

Mr. Dennis stated that available information would be provided at the next meeting. He also noted that coordination for utility relocations were underway with the intent to get the utility relocations lined up, which was a major focus. Another effort started in mid October was to move forward to secure permits for the project from the Army Corps of Engineers, the State Department of Fish and Game and the US Fish and Wildlife Service. Now that the studies were complete, staff was moving forward with the permitting process.

In addition, Mr. Dennis reported that a contractor doing work in the area of Home Depot had extra dirt to offer and Authority staff was working with that contractor to provide, place and compact that dirt to Caltrans' specs, representing a significant cost benefit to the SR4 Bypass Authority. He noted that Max Anasco, a representative of Caltrans who was in the audience was helping in that regard. The work would be started in the next few days.

Mr. Dennis stated that amendments to consultant agreements would also be presented at the next meeting for approval of the tasks related to the placement of this extra dirt.

Mr. Dennis also referred to an exhibit related to options for crossing the Contra Costa Water District (CCWD) canal. He noted that with a presentation some months ago Donald Freitas had indicated that he was not supportive of a \$1.9 million cost for a boxed culvert over the canal.

Staff had been working with Doug Chen and Steve Welch of CCWD staff and CCWD engineers to consider options to reduce those costs.

Mr. Dennis referenced a summary of the full boxed culvert, which was the CCWD's preferred method, and noted that the CCWD had found ways to do the work without shutting down the canal. As such, the cost had been reduced to \$722,000. As part of that staff costs would be capped at \$20,000, a recommendation to be taken to the CCWD Board of Directors. He noted that the greatest cost difference in the options related to a crash barrier on the roadway. At this point he described the situation as a win/win situation with a cost savings of close to \$1.2 million for the project.

Mr. Dennis sought direction from the Board to amend the agreement with the CCWD next month to include construction of the box culvert and to move forward since the design and construction would have to be done by next summer in order to meet the schedule for construction.

Federal Glover commended Mr. Freitas for his leadership which resulted in the significant savings discussed above and mentioned that the savings could be put to good use on other aspects of the SR4 Bypass project.

Donald Freitas characterized the modifications as a good compromise between the CCWD and the SR4 Bypass Authority. He thanked the staffs of both agencies for pursuing a more regional approach that represented a significant cost and timesavings of six months on the project schedule.

By consensus, the Authority directed staff to write the letter for the agreement with the CCWD with the capped costs as identified.

D. APPROVE a Consulting Services Agreement Amendment with Taber Consultants in the Amount of \$79,100 for Continued Geotechnical and Environmental Site Assessment Services for Segment 1, and AUTHORIZE the Secretary or his Designee to Sign on Behalf of the Authority

In response to Donald Freitas with respect to the October 2, 2003 letter from Taber Consultants with respect to timeline, Mr. Dennis clarified that Package 1 was scheduled to be bid in March 2004 and constructed in summer 2004. Package 2 would be bid in December 2004 and with an award of bid at the February 2005 Board meeting to allow time for submittals, to then start construction in spring 2005.

Donald Freitas also noted that the second paragraph stated in part: "expenses to-date include considerable out-of-scope work performed as directed by Authority staff over the past several years and described herein." He inquired how many more similar items needed to be cleaned up.

Mr. Dennis stated that he was evaluating the consultant agreements to assess the scope of work of each.

Donald Freitas emphasized the need that those issues be cleaned up ASAP. He also requested a clarification of the reference on the second page of the letter related to overhead signage based on data developed by Mark Thomas & Co.

Mr. Dennis explained that the overhead signs required foundations and geotech work as a result.

On motion by Brad Nix, seconded by Federal Glover, members of the Authority unanimously APPROVED an Amendment to the Consulting Services Agreement with Taber Consultants in the amount of \$79,100 for a not to exceed amount of \$367,915 to continue to provide environmental assessment and geotechnical services for the Segment 1 Project and AUTHORIZED the Secretary or his designee to execute it on behalf of the Authority.

E. APPROVE Consulting Services Agreement Amendment with Fugro West Inc. (Subsurface Consultants Inc.) in the Amount of \$25,000 and Extend the Term to December 31, 2004 to Complete Segment 2 Environmental Site Assessment Activities as Requested by Caltrans, and AUTHORIZE the Secretary or his Designee to Sign on Behalf of the Authority

On motion by Brad Nix, seconded by Federal Glover, members of the Authority unanimously APPROVED a Consulting Services Agreement Amendment with Subsurface Consultants Inc./Fugro West in the amount of \$25,000 and extended the term to June 30, 2004 to complete Segment 2 environmental site assessment activities as requested by Caltrans, and AUTHORIZED the Secretary or his designee to sign on behalf of the Authority.

F. APPROVE a Consulting Services Agreement Amendment with Richard T. Loewke in the Amount of \$69,200 to Complete the Environmental Permitting for Segments 1 and 3 and AUTHORIZE the Secretary or his Designee to Sign it on Behalf of the Authority

On motion by Federal Glover, seconded by Brad Nix, members of the Authority unanimously APPROVED a Consulting Services Agreement Amendment with Richard T. Loewke in the amount of \$69,200 to complete the environmental permitting for Segments 1 and 3, and AUTHORIZED the Secretary or his designee to sign it on behalf of the Authority.

G. APPROVE a Consulting Services Agreement with Pacific Advanced Civil Engineering in the Amount of \$10,000 to Evaluate Lateral Stream Bank Erosion

and Scour for the Marsh Creek Bridge, Segment 3 to Address Caltrans Concerns, and AUTHORIZE the Secretary or his Designee to Sign it on Behalf of the Authority

On motion by Federal Glover, seconded by Brad Nix, members of the Authority unanimously APPROVED a Consulting Services Agreement with Pacific Advanced Civil Engineering, Inc. in the amount of \$10,000 to evaluate lateral stream bank erosion and scour for the Marsh Creek Bridge, Segment 3, to address Caltrans concerns, and AUTHORIZED the Secretary or his designee to sign it on behalf of the Authority.

H. APPROVE Proposal and Labor Estimate from Contra Costa County Public Works Department, Engineering Design Division, in the Amount of \$2,612,400 to Perform Engineering and Design Studies Including the Preparation of Plans, Specifications and Estimates Necessary to Construct Segment 3 of the Bypass Project through June 30, 2005

Mr. Dennis introduced the item with some background and information. He stated that over the last two to three years the County Public Works Department (PWD) had been doing the design for Segment 3. The PWD had completed the 35 percent designs and were moving forward to the 65 percent level. He had been discussing with PWD management ways to strengthen the team and proceed expeditiously into the final design to support an aggressive schedule.

Mr. Dennis stated that in researching the contractual setup with the County and in looking at the JPA, the SR4 Bypass Authority did not have an agreement and the JPA had not included a provision that the County would be officially providing those types of services, which services had been performed on an informal basis over the years.

As such, Mr. Dennis recommended an agreement with the SR4 Bypass Authority and the County, and to discontinue the informal basis in the areas not only of design but where the County was supporting ROW engineering and ROW acquisition. He suggested that an agreement would formalize tighter budgets and scopes.

Annette Beckstrand inquired whether or not the Authority could make such an agreement without going to bid. She questioned how the Authority could proceed from informal to formal without pursuing a bid process.

Mr. Dennis stated that it would not necessarily be a bid process. Consultant selection was quality based. He indicated that his understanding was that one public agency could use other public agency staff without going through a competitive selection process.

Mr. Dennis noted that the Contra Costa Transportation Authority used Contra Costa County's Real Property Division for acquisitions and that it had been doing that on all

State Highway facilities without going through a selection process. Another example he cited was that of Brentwood providing services and maintenance on the existing SR4 Bypass.

Federal Glover was glad to see the proposal for a formal agreement and indicated he thought it would allow the Authority to see how well the work was being performed.

Brad Nix recommended that the applicable City Attorneys clarify that situation as to whether or not a competitive selection process would be necessary.

Mitch Avalon, Deputy Director of the County Public Works Department was available to discuss the approach to be taken and to advise the Board that the Department was moving forward with changes to enhance the team. He noted that the PWD had recognized a new schedule and new expectations for the project that had been in process for many years. He assured the Authority that this project was the number one project in the PWD. As such, the PWD had essentially doubled its design team and were in the process of selecting consultants to bring in expertise so that Authority staff was comfortable that the PWD could do what it was committed to do, to complete the work on schedule and on budget. He supported an official agreement to meet the expectations and to remain in budget and on schedule.

Chair Freitas concurred with the need for a formalized agreement. He sought an accounting of where the current \$1.2 million had been spent and to see the blueprints that money had represented. He assumed that the \$1.2 million had nothing to do with the item on the agenda.

Mr. Dennis stated that Mr. Freitas was correct. The \$2.6 million related to the item on the agenda for work yet to be completed and that the \$1.2 million had already been expended.

Chair Freitas reemphasized the need to know what the \$1.2 million had presented.

In response, Mr. Dennis stated that \$500,000 had been spent on preparing the 35 percent design plans, and to his knowledge the other \$700,000 prior to May 2003 had been spent on preliminary and planning tasks and looking at alternatives and alignments for the last two to three years.

Gary Huisingsh from the PWD restated that the \$500,000 represented the engineering work to complete the 35 percent design plans and that the other part of the \$1.2 million was for planning where PWD staff had acted as an extension of planning staff in the Transportation and Engineering Division of the PWD.

Mr. Huisingsh added that it had not cost \$1.2 million to get to the 35 percent design stage. The majority represented the assistance offered by the PWD.

Annette Beckstrand and Don Freitas reinforced that they would like a more detailed accounting of the work that Contra Costa County had performed to date.

On motion by Federal Glover, seconded by Brad Nix, members of the Authority unanimously APPROVED Proposal and Labor Estimate from Contra Costa County Public Works Department, Engineering Design Division, in the amount of \$2,612,400 to perform engineering and design studies including the preparation of plans, specifications and estimates necessary to construct Segment 3 of the Bypass project through June 30, 2005.

On another matter, Mr. Dennis reported that the Camino Diablo/Vasco Road Project was moving forward.

MEMBER REPORTS

There were no Member Reports.

CORRESPONDENCE

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

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 8:51 P.M. to the next meeting on November 13, 2003.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk