



Administration and Projects Committee **MINUTES**

MEETING DATE:	February 7, 2013
MEMBERS PRESENT:	Newell Arnerich, Janet Abelson (for Tom Butt), Dave Hudson, Julie Pierce, and Robert Taylor
STAFF PRESENT:	Randell Iwasaki, Ross Chittenden, Susan Miller, Randy Carlton, Hisham Noeimi, Arielle Bourgart
MINUTES PREPARED BY:	Ellen M. Wilson

- A. **CONVENE MEETING:** Acting Chair Pierce convened the meeting at 8:30 am.
- B. **PUBLIC COMMENT:** None.
- C. **APPROVAL OF MINUTES:**

ACTION: The Committee approved the Minutes, 4-0, moved by Commissioner Hudson and seconded by Commissioner Taylor.

CONSENT CALENDAR

- 1.0 **Monthly Project Status Report.**
- 2.0 **Monthly Accounts Payable Invoice Report for December 2012.**
- 3.0 **Monthly Cash and Investment Report for December 2012.**
- 4.0 **Listing of Construction Change Orders (CCOs) Greater than \$25k for Construction Contracts Less than \$15M, and Greater than \$50k for Construction Contracts Larger than \$15M.**
- 5.0 **Quarterly Sales Tax Revenue Report for the Period Ended December 31, 2012.**
- 6.0 **Internal Accounting Report for the Six Months Ended December 31, 2012.**
- 7.0 **Proposed Actions to Various Funding Resolutions.**
- 8.0 **Acceptance of Annual Measure J Compliance Audits for the Year Ended June 30, 2012.**

- 9.0 Acceptance of Annual Single Audit for the Year Ended June 30, 2012.**
- 10.0 State Route 4 Widening – Somersville Road to SR160 – Segment 3B, Hillcrest Avenue Interchange (Project 1407/3001/5009) – Approval of Resolution 12-62-P, rev.1.**
- 11.0 Quarterly Project Funding Plans – Major State Highway Projects.**
- 12.0 City of Pleasant Hill – Contra Costa Boulevard Improvements (Project 24026)**
 - 12.1 Approval of Peer Review for 65% Design.**
 - 12.2 Request for Closing Environmental Resolution 11-41-P, Amending Design Resolution 11-42-P, and Appropriating Funds for Construction.**
- 13.0 City of Pleasant Hill – Geary Road Widening, Phase 3 (Project 24007) – Approval of Peer Review for 65% Design.**
- 14.0 State Route 4 – SR 4/SR 160 Connector Ramps (Project 5001) – Authorization to Execute Agreement No. 367 with the East Contra Costa County Habitat Conservancy.**
- 15.0 Public Employees’ Pension Reform Act of 2013.**

ACTION: The Committee approved the Consent Calendar, 4-0, moved by Commissioner Hudson and seconded by Commissioner Abelson.

End of Consent Calendar

REGULAR AGENDA ITEMS

- 16.0 Legislation.** Staff Contact: Arielle Bourgart

- 16.1 Legislative History.**

ACTION: This item was presented for information only.

DISCUSSION:

Arielle Bourgart noted that the attached list of proposed legislation represented the first round of bills that have been introduced in the State legislature. A recurring theme is the reduction of the 2/3 threshold required to pass local special taxes--not only related to transportation, but also to other sectors (education, libraries, community development, etc.) that are in need of funding. Ms. Bourgart indicated that the various

sectors would likely collaborate on a united strategy to address the threshold issue, and that Mark Watts, CCTA's Sacramento lobbyist, would be part of those discussions.

Another theme was how to address the need for local agencies to replace funds lost owing to the elimination of redevelopment funds, particularly in light of requirements on local agencies to fulfill certain obligations under SB 375.

16.2 State Legislation—Items for Discussion and/or Action.

ACTION: This item was presented for information only.

DISCUSSION:

Arielle Bourgart introduced Mark Watts, who presented information on proposed legislation, starting with a number of bills introduced to deal with the reduction of the voter threshold. Two bills, SCA 4 (Liu) and SCA 8 (Corbett) would reduce the threshold for purposes of transportation funding (*Note: the Authority took a support position on these two bills at its January 2013 meeting*). A number of other bills have been introduced that would reduce the threshold for other purposes, including schools (SCA 3), library construction (SCA 7), community and economic development (SCA 9), or, in the case of SCA 11 (Hancock), for special taxes (excepting real property taxes) enacted by local governments. Mr. Watts stated that with the volume of bills, it may be difficult for transportation to achieve a stand-alone bill, and joining with other interests will likely be the most effective approach to take. Additionally, early polling has begun by the Alliance for Jobs to gauge the likelihood of voter support. Mr. Watts noted that voter sentiment was—in some cases surprisingly—negative towards special taxes, even for transportation (e.g., Alameda County's failed) attempt to raise its transportation sales tax), and there is concern that the public will have little appetite for voter threshold reduction measures in the near future. However, he indicated this attitude may shift to a more favorable mode over time.

Mr. Watts then presented information on AB 210 (Wieckowski) that would raise the ceiling on the allowable level of special taxes per county (for Alameda County only) through January 1, 2017 to accommodate a new or increased special tax in that county. Commissioner Pierce recommended that the Authority take a position of support if the bill is amended to include Contra Costa.

Mr. Watts briefly discussed the State Budget, noting that the Governor had directed the Secretary of BTH to convene a workgroup consisting of state and local transportation stakeholders to refine the transportation infrastructure needs assessment, explore long-term, pay-as-you-go funding options, and evaluate the most appropriate level of government to deliver high-priority investments to meet the state's infrastructure needs.

17.0 Caldecott Fourth Bore Project (Project 1698/1001)

17.1. Interim Status Update.

ACTION: The Committee approved items 17.1, 17.2 and 17.3 with the provision that the new Chair will assume duties previously performed by Don Tatzin as Chair, 4-0, moved by Commissioner Taylor and seconded by Commissioner Hudson.

DISCUSSION:

Ross Chittenden presented this item, stating that he would cover the schedule, Risk Assessment, and interaction with the State Fire Marshall (SFM) and discussions with Caltrans relative to additional costs. Mr. Chittenden noted that the schedule is on track, and the fourth bore will open in late 2013. Risk Assessment has concluded there is a high probability that the project will be completed within programmed funds. However, if additional risks are encountered, additional Measure J funds may need to be redirected from other SWAT and TRANSPAC projects. With respect to discussions with the SFM, the original approval of the project had been rescinded, and additional work was required by the SFM before approvals are reinstated.

The costs identified in the Risk Assessment were needed to cover the following:

- Significant changes to design and equipment delay completion of West Substation
- Cumulative effect risk as a result of numerous changes
- Two month delay to opening of 4th bore judged Owner caused
- Delay in providing changes and approvals by SFM pushes much of the work into the latter part of the project introducing resource, scheduling and cost risk
- Traffic Control System installation delays start - up / commissioning

The work required will decrease the contingency reserve by between \$18.4 and \$28.4 million, therefore Staff has requested that Caltrans participate in the costs associated with upgrades to Bores 1, 2 and 3 and costs associated with changes introduced by the SFM. A Caltrans Director's Order being pursued to make modifications to the water lines in Bores 1, 2 and 3 may result in additional State funding. Negotiations related to other costs are continuing. In addition, staff has met with SFM staff and were told that reviews will be expedited and that future concerns can be addressed by direct communications with the SFM office.

Commissioner Taylor asked why there was such a disparity in the cost range for work, with Mr. Chittenden responding that the contractor is still negotiating with Caltrans for unit cost adjustment items. Additionally, in response to Commissioner Taylor's question regarding the time frame for the risks, Mr. Chittenden stated that after March, many risks will be passed. Commissioner Hudson questioned whether Don Tatzin would be required to continue his involvement in discussions going forward. Both Ross Chittenden and Randy Iwasaki stated that involvement of the Board Chair and other Commissioners working with State representatives has led to positive results both at Caltrans and the SFM.

17.2. Authorization to Execute Amendment No. 4 to Agreement No. 261 with Parsons Transportation Group for Design Support During Construction Services.

ACTION: The Committee approved this item as part of item 17.1

DISCUSSION: None

17.3. Authorization to Execute Amendment No. 3 to Agreement No. 262 with Parsons Brinckerhoff, Inc., (formerly PB Americas, Inc.) for Construction Management Services.

ACTION: The Committee approved this item as part of item 17.1

DISCUSSION: None

18.0 Policy on Consultant Selection for Architectural and Engineering (A&E) Services.

ACTION: The Committee approved this item, 4-0, moved by Commissioner Abelson and seconded by Commissioner Hudson.

DISCUSSION:

Ross Chittenden introduced this item, stating that the Board has asked that staff review and update policies which are out of date and do not conform to best practices. His item addresses policies relating to Engineering and Architectural (A&E) Professional Services Contracts. Existing policies are documented in the Administrative Code, as well as several ad hoc policies adopted over the years. These policies mainly relate to evaluation of cost proposals, diversity in the workforce and local preference. The intent of this item is to retire outdated provisions and establish a clear direction that A&E Contracts are to be qualification based and reaffirm the established Local Preference Goal. Authority practices have consistently followed these practices. At this time, staff recommends removing all references to WBE, MBE and DBE with regard to preference points; eliminate the prohibition of firms from holding simultaneous contracts; and retain Local Preference points for non-Federal contracts. Mr. Chittenden stated that if approved, this information would be added to the Administrative Code at a later date when a more comprehensive review of the procurement policies occurs.

19.0 Consider Appointment of Non-Elected WestCAT Board Member to Serve as Ex-Officio Bus Transit Representative to the Authority.

ACTION: The Committee approved forwarding this item to the Board with additional information from WestCat, 4-0, moved by Commissioner Abelson and seconded by Commissioner Hudson.

DISCUSSION: Peter Engel presented this item, noting that in December 2011 the Authority's Administrative Code was amended to allow the appointment of a non-elected individual as an Ex-Officio Bus Transit Representative if requested by the entity and why an appointed rather than elected official is more beneficial. WestCat has requested that WestCat Member Dr. Maureen Powers be appointed as Ex-Officio Public Transit Operating Bus representative.

Mr. Engel stated that WestCAT and Tri Delta Transit have historically had difficulties finding elected officials on their respective boards to volunteer to sit as the ex-officio representative to the Authority. With the appointment rotation moving to WestCAT this issue has again come up. On December 13, 2012, WestCAT staff requested support for Dr. Powers as the ex-officio bus transit representative from the other county bus operators as part of the Bus Transit Coordinating Council meeting. The bus operators agreed that Dr. Powers would be a good voice for representing them at the Authority meetings. Mr. Engel added that Dr. Powers has served on the WestCAT Board for seven years. In that time she has served as Chair twice during her service. She has also held a seat on WestCAT's Finance and Administration Committee for four years. Dr. Powers lives in an unincorporated area in the WestCAT service area and was appointed to represent the County by the Board of Supervisors. Dr. Powers has shown a commitment to public transit and transit passengers in West County.

Charlie Anderson, General Manager for WestCAT added that Dr. Powers has always been well informed and an advocate for transit.

Commissioner Hudson expressed his concerns – first, that no evidence was presented as to why it would be more beneficial to appoint Dr. Powers, and secondly that RTPCs generally require a two-year commitment to learn the board's process, etc., and that non-electeds don't report to city councils but to transit agencies. Commissioner Pierce added that the structure is a composite, and that conditions of other representatives in the county is different. Her concern is information going back to cities, etc. Mr. Anderson responded that he had neglected to provide this information in his request, and that with Dr. Powers' state level experience, a learning curve would not be required. Commissioner Pierce added that this request should be heard by the full board, noting the hybrid style in West County, and that other regions should respect that difference.

20.0 Correspondence and News Clippings.

21.0 Commissioner and Staff Comments:

21.1 Chair's Comments and Reports – None.

21.2 Commissioners' Comments and Reports – None.

21.3 Executive Staff Comments – None.

22.0 Other Business.

23.0 Adjournment to Next Meeting. The meeting was adjourned at 9:33 am. The next meeting is scheduled for Thursday, March 7, 2013 at 8:30 am