



*Administration and Projects Committee Meeting* **MINUTES**

**MEETING DATE:** May 2, 2013

**MEMBERS PRESENT:** Robert Taylor (Chair), David Durant, Newell Arnerich,  
Mike Metcalf, Julie Pierce

**STAFF PRESENT:** Randell Iwasaki, Ross Chittenden, Randy Carlton, Susan Miller,  
Hisham Noeimi, Ivan Ramirez

**MINUTES PREPARED BY:** Mari Shine

---

**A. CONVENE MEETING:** Chair Taylor convened the meeting at 8:30 a.m.

**B. PUBLIC COMMENT:** None

**C. APPROVAL OF MINUTES:**

*ACTION:* The Committee approved the Minutes, 5-0, moved by Commissioner Pierce  
and seconded by Commissioner Metcalf.

**CONSENT CALENDAR**

**1.0 Monthly Project Status Report.**

**2.0 Monthly Accounts Payable Invoice Report for March 2013.**

**3.0 Monthly Cash and Investment Report for March 2013.**

**4.0 Listing of Contract 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 March 31, 2013.**

**6.0 Internal Accounting Report for the Nine Months Ended March 31, 2013.**

**7.0 Select Jurisdictions and Firms for Measure J Compliance Audits for FY 2012-13.**

**8.0 Interstate 80/San Pablo Dam Road Interchange Improvements (Project 7002) – Utility  
Agreement No. 370 with East Bay Municipal Utility District (EBMUD).**

- 9.0 Authorization to Execute Amendment No. 1 to Agreement No. 353 with Gray-Bowen for Project Management Services.**
- 10.0 City of El Cerrito – Transit Oriented Development (TOD) and Access Improvements at El Cerrito Plaza and del Norte BART Stations (Project 10002-01) – Authorization to Sign Cooperative Agreement 10W.01 and Approve Appropriation of Measure J Funds.**
- 11.0 State Route 4 – SR 4/SR 160 Connector Ramps (Project 5001) – Authorization to Execute Agreement No. 367 (Revised) with the East Contra Costa County Habitat Conservancy.**

*ACTION:* Item 11 was removed from Consent Calendar by Susan Miller. The remainder of the Consent Calendar was approved 5-0, moved by Commissioner Arnerich and seconded by Commissioner Pierce.

*DISCUSSION:*

Prior to approval of the Consent Calendar, Commissioner Arnerich requested information related to Agenda Item 1.0, Project Status Report, Project I-80 Integrated Corridor Monitoring. He asked about the cause of delay for public outreach consultants, specifically whether there were any qualified firms to perform the work.

Ross Chittenden responded that Caltrans had implemented a new approval process as a result of recent concerns with the Bay Bridge outreach contract. He said that in the event that Caltrans is unable to award a contract of this nature, the work would be transferred to Alameda CTC.

*ACTION:* Item 11 was approved by the Committee, 5-0, moved by Commissioner Metcalf and seconded by Commissioner Arnerich.

*DISCUSSION:*

Susan Miller stated that there was a need to increase the required amount in the agreement by a not-to-exceed amount of \$20,000 to cover Habitat Conservation Plan (HCP) staff time. She said that if approved by the Committee, the revised agreement would be included in the Authority Agenda packet mail-out.

End of Consent Calendar

**REGULAR AGENDA ITEMS**

- 12.0 Legislative History.**

*ACTION:* This item was presented for information only.

*DISCUSSION:*

Randy Iwasaki reported on two bills of interest to the Authority. He stated that AB792, on which the Authority took a position of "Oppose Unless Amended," had passed committee and that the region's amendments would be done in the next committee.

Mr. Iwasaki stated that AB935, Assembly member Frazier's bill, had been modified and that the Authority's three nominees would no longer be approved by the Governor. He said Contra Costa's representative would be approved by the Senate Rules Committee.

Commissioner Pierce commented that she and others met with Senator DeSaulnier regarding SB792 language. She said that the bill would be revised to conform to what the Joint Policy Committee was working on and suggested that the Authority maintain its position.

**13.0 Approval of FY 2013-14 Preliminary Budget for the Contra Costa Transportation Authority and Congestion Management Agency.**

*ACTION:* None

*DISCUSSION:*

Mr. Carlton gave a PowerPoint presentation on the draft FY 2013-14 Budget, including an overview of funding sources and sales tax revenues and how the funds are allocated toward projects. He reviewed a calendar for the budget and outlined next steps.

Mr. Carlton stated that the total proposed budget was \$293 million, the largest segment of which is \$103 million in bond proceeds from the 2012 bond transaction. Federal, state, and local funds of \$114 million is the next largest segment. He explained that of the \$293 million, \$211 million is allocated to capital improvement projects underway, \$46.3 million budgeted for programs, \$4.9 million for the county's Congestion Management Agency, \$2.1 million for administrative support, and debt service of \$28 million.

He noted that the draft FY 2013-14 Budget reflected \$190.2 million in revenues, an increase from \$122.9 million for the current fiscal year. Mr. Carlton explained that the upward trend of sales tax since 2011 showed year over year positive growth, and in 2013-14 other revenues from federal, state, local and regional grants and partnerships exceeded sales tax revenues. He said that it demonstrated the ability to leverage sales tax to generate more dollars for Contra Costa's projects.

Mr. Carlton said that staff would be monitoring sales tax revenues closely and would make any necessary adjustments during the mid-year budget review process.

Chair Taylor commented that the revenue slide showed public utilities' sales tax revenue to be down considerably.

Mr. Carlton explained that there were a number of adjustments in that category due to utility companies' adjustments in where they purchase and store products.

Mr. Metcalf asked about the anticipated claims for the Caldecott tunnel project and how they could affect contingency funds for the project.

Mr. Chittenden responded that the Authority would most likely spend the total budget for the project, however discussions were underway with Caltrans Director Dougherty on how to contain the budget or bring in additional state funding. He stated that a complete update would be provided to the APC in June or July.

Chair Taylor asked if the \$23.9 million contract for the eBART project included the two-year extension.

Mr. Chittenden responded that the Budget included expenditures for FY 2013-14 based on the progress on the two current contracts that had been awarded: the transfer facility and grading of the station and parking lot by Hillcrest.

Mr. Carlton clarified that the project appropriations were for the 12-month Budget period beginning July 1 and did not represent the entire project budget.

Commissioner Arnerich asked about the requirements for the remaining \$52 million in the Measure C budget, and whether it was a question of the monies being committed but not yet expended.

Hisham Noemi stated that the 2011 Measure C Strategic Plan set a policy that the Measure be concluded by 2016, and that anything not spent by then, which likely include funding for the 680/4 interchange, would be moved into Measure J.

Commissioner Arnerich asked what the \$4.2 million for Authority staff costs included. He commented that it amounted to \$212K per employee, which was higher than the average cost for public safety employee groups.

Mr. Carlton responded that it included salaries, full costing of leave (at \$270,000), and benefits.

Mr. Carlton stated that the Authority's next bond issuance would be based on project needs and planning and would likely occur near the end of calendar year 2014. He

added that the budget calendar would be presented to the Board later this month and any comments or adjustments would be incorporated into the final budget that the Authority would be asked to approve following a Public Hearing in June.

Commissioner Metcalf asked how the Authority's salaries and benefits compared to other agencies.

Mr. Carlton responded that a Salary and Benefits Study of the Authority and 12-13 other agencies was typically done every three years, and that the next one was scheduled for early 2014.

#### **14.0 Authority Healthcare Benefits.**

**ACTION:** The Committee approved this item, 5-0, moved by Commissioner Arnerich and seconded by Commissioner Pierce.

**DISCUSSION:**

Mr. Carlton stated that as a follow-up to a discussion of health benefits in April, a survey was done comparing the Authority's employee healthcare plan to other agencies, using Kaiser HMO as the constant. The Authority's health benefit provides employees a fixed percentage (95 percent) of the lowest cost HMO plan (currently Kaiser) toward the medical plan of their choosing. Employees are then responsible for the balance.

Mr. Carlton provided a meeting handout which illustrated healthcare benefits offered by other agencies. He stated that staff believed it would be reasonable for the Authority to adjust its health benefit level, and presented a number of alternate scenarios.

Chair Taylor asked about the timeline for making changes to benefits.

Mr. Carlton noted that benefits negotiations were commonly done via collective bargaining, however the Authority's salary and benefits were recommended by the Executive Director and then approved by the Authority Board. He explained that health plan changes were customarily done during the open enrollment period in October, with the new choices going into effect the following January 1. He said that early communication to the employees of any changes affecting healthcare benefits was the goal in bringing this item forward as a follow-up to the Salary and Benefits discussion in April.

Discussion ensued as to various ways in which the comparison data could be presented to make it easier for the Committee to make a recommendation. Commissioners Arnerich, Pierce, Metcalf requested actual data so they could evaluate the bottom line.

Mr. Carlton stated that staff's goal was to provide a reasonable cross-section of agencies within CCTA's jurisdiction, but because many of the agencies have a cafeteria plan, comparing only health plan component was difficult. He said that staff would be coming back in 2014 with a comprehensive Salary and Benefits Study comparing the Authority to other agencies.

**15.0 Amendment No. 4 to the 2011 Measure J Strategic Plan. Resolution 13-13-P.**

*ACTION:* The Committee approved this item, 5-0, moved by Commissioner Pierce and seconded by Commissioner Metcalf.

*DISCUSSION:*

Mr. Noeimi said that staff was requesting adoption of Resolution 13-13-P which would approve Amendment 4 to the 2011 Measure J Strategic Plan. He said that the revision would expand the scope of El Cerrito Plaza and Del Norte BART stations' Transit Oriented Development (TOD) and access improvement project in the Strategic Plan to allow improvements within a half-mile radius of the stations; it would also add the city of El Cerrito as a project co-sponsor. He stated that no funding changes were needed, and that WCCTAC had concurred.

Mr. Noeimi stated that the second action would re-program \$3.4 million in Measure J funds from the SR 4 Somersville to SR 160 project to the SR 4 Loveridge project. He explained that the change would provide for compensation to the Loveridge contractor for pending claims and acceleration of the Loveridge project schedule by 5 months. Mr. Noeimi noted that it would also compensate the project for corridor-wide construction management expenses incurred under Contract No. 197 with Parsons Brinckerhoff.

**16.0 State Route 4 Widening Project – Loveridge Road to Somersville Road (Project 1406/3003) – Authorization to Execute Amendment No. 7 to Consulting Services Agreement No. 197 with Parsons Brinckerhoff, Inc.**

*ACTION:* This item was approved by the Committee, 5-0, moved by Commissioner Arnerich and seconded by Commissioner Metcalf.

*DISCUSSION:*

Ms. Miller requested approval of Amendment No. 7 to Contract No. 197 with Parsons Brinckerhoff for additional construction management services and for office administration services for the Resident Engineer's (RE's) office for all SR 4 corridor projects through Lone Tree, Segment 3A. She said that the 2005 contract for construction management services for the Loveridge project consisted of three packages that provided construction management services for a storm drainage

pumping plant, construction of a team track for Union Pacific Railroad, and the mainline Caltrans project. This amendment provides for corridor-wide services through 2015 for an electrical inspector, storm water prevention plan inspector and a public information officer to keep the public notified of weekly detours and coordinate corridor public outreach, as well as a resident office facility for all three projects. Ms. Miller stated that the amount requested in the amendment was \$3,498,876 and that it called for extension of the agreement through December 31, 2015.

Mr. Chittenden stated that if all related items on the agenda were approved, unencumbered corridor reserves of approximately \$10 million would remain.

Discussion ensued as to the wisdom of dividing the project into several different projects and the subsequent effect on the cost and efficiency of the project.

Mr. Iwasaki added that, considering the size of the contract, it made sense to break it into smaller contracts. The Authority would also benefit from the efficiency of using the same "low-bid" contractor for all three projects: 2, 3A and 3B.

Mr. Arnerich asked for a breakdown of the Resident Engineer's office rent and for details related to the \$3.5 million dollar request.

Ms. Miller explained that the RE office consists of one large building and two trailers on the same site. Once Somersville and Loveridge are completed (expected by the end of this year), the trailers will be gone, and at the end of this year staff would review options for a possible future move, if deemed more cost-effective, prior to expiration of the lease.

Ms. Miller introduced Bart Littell of Parsons Brinckerhoff, who explained that the monthly rent on the building is \$6,744 and on the trailers is \$2,350. Added to that are janitorial services, utilities, phone, and office supplies.

Ms. Miller continued that without the contract the Authority would have to have the project staffed either by Caltrans or another construction management team.

Mr. Chittenden stated that while the work was planned, it was not brought to light in a timely fashion.

Chair Taylor asked if all requested funds would be spent.

Ms. Miller responded that expenditures would be based on hours billed only and that staffing would be carefully managed. She also noted that the project required night work which could lead to overtime.

Mr. Arnerich moved to approve the item. He noted that such large amendments should be avoided in the future, and also emphasized that the APC was approving a not-to-exceed amount.

**17.0 State Route 4 Widening – Somersville Road to SR160 – Segment 3B(Project 1407/3001)**

**17.1 Amendment No. 2 to Agreement No. 330 with S&C Engineers, Inc. for Construction Management Services.**

*ACTION:* This item was approved by the Committee, 5-0, moved by Commissioner Pierce and seconded by Commissioner Metcalf.

*DISCUSSION:*

Ms. Miller introduced the amendment to Contract No. 330 with S&C Engineers, for construction management services for Highway 4, Segment 3B, Hillcrest Avenue project. She noted that the contract included Circlepoint as a sub-consultant providing communications and media outreach for the entire corridor.

Ms. Miller explained that, due to the size of the project, there was a need to augment the Public Information Officer position. She said that Circlepoint's initial scope was to launch a new website with enhanced social media tools and broaden media outreach. She noted that the joint BART/media tour in February was highly successful in terms of establishing relationships. Ms. Miller stated that staff had developed a scope and fee to continue Circlepoint services through 2015, and that the amount of the amendment was \$729,184.

**17.2 Authorization to Execute a Memorandum of Understanding (MOU), Agreement No. 14.07.07, between the Authority and the San Francisco Bay Area Transit District (BART).**

*ACTION:* This item was approved by the Committee, 5-0, moved by Commissioner Pierce and seconded by Commissioner Metcalf.

*DISCUSSION:*

Ms. Miller stated that BART and the Authority had been coordinating the eBART and freeway projects, specifically related to the Hillcrest design and right-of way acquisition and construction. She said that a large portion of the eBART facilities were being built within the 3B project, and that acquisitions by both agencies involved parcels with a single property owner. Ms. Miller said that a joint settlement had been reached and involved a remainder piece that was beyond the minimum necessary to construct both projects. She noted that the terms of the MOU specified that the Authority would fund

the additional amount required for settlement on the remainder piece, and that BART would retain and maintain the property for a period of ten (10) years, during which time it must propose a transportation use for the property to be approved by the Authority or sell the parcel as excess. Net proceeds would then be returned to the Authority, per the Authority's policies.

Ms. Miller stated that staff was seeking concurrence on the general principles of the MOU and on the dollar amount of \$2,786, 491 plus interest costs until settlement, not to exceed \$25,000. She said that a final version of the MOU would be brought to the Authority in June.

Mr. Arnerich asked if this was the only overage in terms of the property acquisition budget.

Mr. Chittenden responded that the item would be brought back to the Committee as part of an overall SR 4 corridor update.

Mr. Metcalf summarized the understandings: BART will have title and can expand its parking lot. BART must bring any proposed use project to the Authority for approval, and both parties may use the property in the interim for construction. No other public agency can propose use.

### **17.3 Authorization to Execute Amendment No. 3 to Cooperative Agreement 90.14.21 with Caltrans.**

*ACTION:* This item was approved by the Committee, 5-0, moved by Commissioner Arnerich and seconded by Commissioner Metcalf.

*DISCUSSION:*

Ivan Ramirez requested authorization for the Chair to execute Amendment 3 to the Cooperative Agreement with Caltrans for Segment 1, Somersville Road, to add \$4.5 million from Measure J funds into the contract to complete the job and settle outstanding Notice of Potential Claims in one global settlement. He stated that it should be sufficient funding to complete the job, but noted that there was one remaining issue involving cracked concrete which staff believes has no merit. Mr. Ramirez said that the contractor does not want to accept responsibility for the failed material and is claiming \$1.2 million.

Mr. Chittenden added that the global settlement did not include the concrete-cracking issue, and that additional funds might have to be appropriated. He stated that the

concrete had been rejected and replaced and that discussions regarding responsibility for the problem were underway.

**18.0 Correspondence and News Clippings.** Mr. Iwasaki stated that there had been a substantial amount of press recently and that he planned to include it in his report to the Authority Board.

**19.0 Commissioner and Staff Comments:**

**19.1** Chair's Comments and Reports

**19.2** Commissioners' Comments and Reports on Activities and Meetings

**19.3** Executive Staff Comments

**20.0 Other Business.**

**20.1 Adopt Alternative Date for July 4, 2013 Administration and Projects Committee Meeting.** Staff Contact: Ross Chittenden

*DISCUSSION:*

By consensus it was decided that, due to the Holiday, the July APC meeting would be scheduled for Wednesday, July 3<sup>rd</sup> at 8:00 a.m.

**21.0 Adjournment to Next Meeting.** The next regular meeting is proposed for Thursday, June 6, 2013 at 8:30 am.

The meeting was adjourned at 10:30 a.m.