



SAN JOAQUIN COUNCIL OF GOVERNMENTS  
Project Delivery Sub-Committee  
SJCOG Executive Conference Room  
555 East Weber Avenue  
Stockton 95202

Monday, July 22, 2013  
5:00 p.m.

The San Joaquin Council of Governments is in compliance with the Americans with Disabilities Act and will make all reasonable accommodations for the disabled to participate in employment, programs and facilities. Persons requiring assistance or auxiliary aid in order to participate should contact Rebecca Calija at (209) 235-0600 at least 24 hours prior to the meeting.

**PARKING:** For your convenience, parking is available at the COG Regional Center off of American marked "Visitor" on the North Side Of the Parking Lot.

**AGENDA**

1. Roll Call and Introductions:
2. Public Comments:
3. Approve Minutes of August 13, 2012:  
Additional Material: Minutes of August 13, 2012  
Recommended Action: Approve as submitted
4. Policy Consideration of Letter of Credit:  
Additional Material: Staff Report  
Recommended Action: Action
5. Highway 4 (Crosstown) Western Extension to Navy Drive Project Right of Way Consultant Agreement Amendment:  
Additional Material: Staff Report  
Recommended Action: Action
6. Cooperative Agreement with Caltrans for Interstate 5 Rehabilitation Construction Project Freeway Service Patrol (FSP)  
Additional Material: Staff Report  
Recommended Action: Action
7. Status of Major Highway Projects:  
Additional Material: Project Matrix  
Recommended Action: Information
8. Caltrans Executive Report (No Staff Report):

9. Executive Director's Report: (No Staff Report):
10. Other Matters of Business:
11. Adjourn to the Next Meeting of Committee:  
Next Regularly Scheduled Meeting: August 12, 2013

**NOTE:**

The agenda packet is available for public inspection in the SJCOG Office at 555 E. Weber Avenue during normal business hours. These documents are also available on the San Joaquin Council of Governments website at [www.sjcog.org](http://www.sjcog.org) subject to staff's ability to post the documents before the meeting.

**PARKING:**

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Stockton, CA 95202

Monday, August 13, 2012

**MINUTES**

1. The meeting was called to order at 7:20am by Chairman Larry Hansen.

**Present:**

Supervisor Steve Bestolarides, San Joaquin County; Councilman Jeff Laugero, City of Escalon; Councilman Larry Hansen, City of Lodi; Mayor Brent Ives, City of Tracy; Councilman Dale Fritchen, City of Stockton.

**Others Present:**

Andrew T. Chesley, Executive Director; Steve Dial, Deputy Executive Director/CFO; Kevin Sheridan, Project Manager; Anthony Zepeda, Associate Regional Planner; Dinah Bortner, Caltrans; Laurel Boyd, Office Assistant II.

2. **Public Comments:** None

3. **Approve Minutes of May 21, 2012:**

It was moved/seconded (Bestolarides/Laugero) to approve the minutes of May 21, 2012. Motion passed unanimously 3/0 by voice vote.

4. **Freeway Service Patrol (FSP) for Interstate 5 and State Route 99 Construction Projects**

Mr. Sheridan stated SJCOG staff sent out a Request for Proposal (RFP) to provide Freeway Service Patrol (FSP) for the Interstate 5 and State Route 99 construction projects on July 11, 2012. On July 24, 2012, staff hosted a Proposer's Conference with three towing contractors, CHP, Caltrans and SJCOG staff in attendance. The Proposer's Conference was held to allow a forum of tow operators to ask questions and seek clarification on any part of the RFP or FSP selection process. SJCOG staff then amended the RFP to allow more tow operators to bid on the RFP.

Mr. Sheridan continued to state staff emphasized to the group that this FSP is construction related and the services were needed during the peak hours for both I-5 and SR99 construction projects. The CHP will provide an estimate for the cost to provide oversight during the duration of the FSP services for construction. Though the CHP has not provided their estimate, SJCOG staff estimates that the CHP cost should be approximately \$200,000 per year for 2.5 years.

\*\*\*Councilman Fritchen entered the meeting at 7:34 am \*\*\*

Supervisor Bestolarides asked if the PDC gives SJCOG the recommendation to the SJCOG Board, will staff have the contract already underway by then.

Mr. Chesley stated SJCOG staff is currently working with CHP and the challenge seems to be the dollar amount.

Mr. Sheridan stated the hourly rate will not change but the number of hours worked will. SJCOG staff would like the CHP out on I-5 and SR99 only during peak hours.

Mr. Sheridan continued to state funding for this service is already included in the I-5 and SR99 construction projects.

It was moved/seconded (Hansen/Fritchen) to Approve and Recommend to the SJCOG Board staff's Recommendation to utilize Mike's Towing, Inc. for Freeway Service Patrol on the Interstate 5 and State Route 99 Corridors. Motion passed unanimously 4/0 by voice vote.

**5. Status of Major Highway Projects**

- **Route 99 South Stockton (Crosstown Freeway to Arch Road) and Route 99 Manteca (Arch Road to Route 120)**

Mr. Sheridan highlighted there was a good turnout for the pre-bid meeting held on August 10, 2012 for construction and advertising. Award should occur towards the end of September 2012.

- **Western Extension of Highway 4 (Crosstown Freeway)**

Mr. Sheridan stated there are three businesses that will be impacted by this project. The businesses are not challenging the design, they are challenging compensation. Caltrans will be going to the California Transportation Commission (CTC) to explore opportunities to further assist commercial property owners with relocation assistance.

- **Highway Bouldin Island Rehabilitation (Caltrans SHOPP)**

Mr. Sheridan stated Caltrans resolved an issue with a property owner and will advertise for construction in the fall of 2012.

- **Arch/Sperry Interchange Project**

Mr. Chesley stated there is a bump in the road for the Arch/Sperry Interchange Project. The City of Stockton who is currently managing this project has had some issues involving the Department of Fish and Game which could potentially add additional costs to the project.

This item was for information only, no action was taken.

**6. Caltrans Executive Report (No Staff Report)**

None.

**7. Executive Director's Report**

None.

**8. Other Matters of Business**

None.

9. **Adjournment**

There being no further business to discuss, the meeting was adjourned at 8:06 a.m. to Monday, September 10, 2012.

## STAFF REPORT

**SUBJECT:** Policy Consideration of Letter of Credit

**RECOMMENDED ACTION:** Consideration of Adopting a Policy to Provide Credit Backing to a Private Entity

### DISCUSSION:

In the past few years, due to the unprecedented number and magnitude of construction projects in San Joaquin County, there has been a considerable number of properties taken during the right-of-way acquisition phase. While property take and relocation of residents and commercial firms is a factor in such projects, SJCOG staff has worked to be “good neighbors” so that even those displaced will appreciate the project. SJCOG staff has worked diligently to minimize the disruptive nature of being displaced.

In the case of a number of properties, the relocation of the businesses is complicated, disruptive and requires an immediate, significant sum of money. These are small businesses that cannot afford to be out of business for even a short period of time. Of significant concern is the need for cash resources for the new property acquisition, construction of the new facility, permits and new equipment. Payments for the fair market value of the land and improvements, loss of goodwill and relocation assistance will be made. These payments will occur over a period of time but may be delayed to such an extent there is harm to the displaced property owner.

Providing some guarantee to the property owner and possibly a lending institution providing resources to the owner would be a Letter of Credit providing assurance to the lender that the loan will be repaid.

A credit facility such as being considered would be limited to and collateralized by the sources of funds listed above. That is the proposal simplified. There are issues that have to be addressed. What if the borrower goes out of business? Will a bank put SJCOG in a primary position on that portion of their loan that SJCOG is backing with the Letter of Credit? And, undoubtedly, more.

SJCOG staff brings this to the committee’s attention to discuss and return in August with more detail.

## STAFF REPORT

**SUBJECT:** Highway 4 (Crosstown) Western Extension  
to Navy Drive Project Right of Way  
Consultant Agreement Amendment

**RECOMMENDED ACTION:** Motion to Recommend the SJCOG Board to  
Authorize the Executive Director to Approve  
Contract Amendment #4 with Bender  
Rosenthal, Inc., Modifying the Scope of  
Services and Extending Term of the  
Agreement

### **DISCUSSION:**

As Caltrans finalizes the Right of Way Acquisition process, SJCOG's consultant BRI, Inc. will need to continue providing support services in order to obtain the Order of Possessions, vacate, and relocations assistance for the remaining condemnation parcels. This contract amendment is revenue neutral and would extend the term of the contract and revise the scope of services to use the funding from activities underspent within the contract to cover the services being requested.

### FISCAL IMPACT

This phase of the project is funded through Measure K Renewal Congestion Relief (State Highway) funds available to SJCOG. Funding will remain at the level previously approved.

### BACKGROUND

Although the project is on schedule and has achieved all delivery requirements to advertise for construction, some of the Right of Way condemnation parcels were delayed in initiating the condemnation process. As a result, not all of the Orders of Possessions are complete, which also delayed other activities such as vacation/relocation. The term of the BRI contract is being requested to be extended from September 2013 to December 2014 to complete the Orders of Possession process.

The scope of services is requested to be amended shifting \$75,000 within the contract to further support Caltrans for activities associated with the Eminent Domain process. The original scope of services estimated that additional "Goodwill Appraisals" could be necessary to help reach negotiated Right of Way contracts with properties owners, these were not needed. BRI will continue to provide extensive advisory services for Relocation Agents to assist Displacees as well

as their attorneys, and Caltrans Legal, Acquisition, and Relocation Departments as part of the Relocation Assistance Program.

To date BRI has vacated 32 residential properties and 1 commercial property, with 10 property relocations outstanding. Additionally, the commercial property may request, and is entitled to, a second move.

This project is funded with Measure K Renewal and the Trade Corridor Improvement Funds (TCIF) program. The TCIF program required that projects had a 50/50 match between Local Funds and TCIF funds, with TCIF funds being reserved for the construction phase only. Measure K funding has been programmed in all phases of the project as a result of the match requirement. The total cost programmed for the project is \$193,640,000. The project has \$96.82 million in Prop 1B (TCIF), \$96.820 million Measure K Renewal. However, as the project has progressed the estimated cost has been significantly reduced by approximately \$25 million for construction, and \$16 million in right of way.

SJCOG is financially responsible for the right of way phase and Caltrans is the implementing agency. To deliver this phase of work, SJCOG split the delivery of the right of way phase work between Caltrans and SJCOG's consultant Bender Rosenthal Inc. (BRI). SJCOG reimburses Caltrans for performing property acquisition. Bender Rosenthal Inc. is handling all appraisals and other related activities including utilities and relocation assistance.

In 2008 the SJCOG Board originally programmed and approved \$44.6 million for the right of way phase. Taking into consideration the change in real estate market value, the right of way estimate was revised in October 2009 to \$25 million. In October 2011, after receiving the contaminated soil remediation report and the cost estimates associated with the commercial properties, the right of way estimate was revised back up to approximately \$29 million. This estimate includes both contracts with Caltrans and BRI (\$24 million), and \$5 million that the SJCOG Board approved in July 2009 for advanced right of way activities and relocation assistance associated with the BRI contract work.

### **Recommended Action**

That the Project Development Committee recommend to the SJCOG Board to authorize the Executive Director to sign contract amendment #4 with BRI, Inc. to extend term limit and revise the scope of services to use \$75,000 from underspent activities , Goodwill Appraisals, to continue to support Caltrans Right of Way acquisitions process, relocation and vacations of displacees.

## STAFF REPORT

**SUBJECT:** Cooperative Agreement with Caltrans for Interstate 5 Rehabilitation Construction Project Freeway Service Patrol (FSP)

**RECOMMENDED ACTION:** Authorize the Executive Director to Execute a Cooperative Agreement with Caltrans Not To Exceed \$1,000,000 for the I-5 Rehabilitation Project

### DISCUSSION:

#### SUMMARY

In August 2012, the SJCOG Board approved a contract with Mike's Towing Services, Inc. (Mike's Towing) to provide Freeway Service Patrol (FSP) for all phases of the Interstate 5 and State Route (SR) 99 construction projects with a cost not-to-exceed \$1,828,632. Of this \$1.8 million contract, \$1 million is coming out from the I-5 Rehabilitation (SHOPP) construction budget. The \$828,632 for the FSP services associated with the I-5 and 99 Widening projects was approved by the Board in the construction agreements for those projects with Caltrans. As identified in the August 2012 SJCOG Board approval, a separate cooperative agreement with Caltrans would be needed to be executed for the I-5 Rehabilitation (SHOPP) Project for the \$1 million to extend the FSP services from Country Club Boulevard down to Eighth Street. The \$1 million will reimburse SJCOG for the FSP services with Mike's Towing.

#### RECOMMENDATION

It is recommended that the SJCOG Board authorize the Executive Director to execute a cooperative agreement with Caltrans for the reimbursement to SJCOG not to exceed \$1 million for the cost associated with providing FSP services on the I-5 Rehabilitation (SHOPP) Project as previously identified in the August 2012 SJCOG Board approval.

#### FISCAL IMPACT

Upon execution of the cooperative agreement, Caltrans will reimburse SJCOG not to exceed \$1 million for the cost associated with the FSP services on the I-5 Rehabilitation (SHOPP) Project. This will complete the funding package for Mike's Towing which already began FSP services on this project on July 1, 2013 as identified in the terms and conditions of the contract.

## **BACKGROUND**

SJCOG operates the construction FSP and contracted with Mike's Towing Services. Mike's Towing has been providing FSP services for the I-5 Widening and SR 99 Widening Construction Projects according to the contract terms and conditions, and also in accordance with Caltrans Traffic Management Plans (TMPs) on state highway construction projects. To date, assisted motorists have all commended and appreciated the presence and assistance the FSP program is providing to the traveling public (see attachment) in a work zone, any type of incident can significantly impact traffic conditions and may result in secondary collisions.

Under this contract, Mike's Towing is providing a total of five FSP service trucks. There are two trucks patrolling the I-5 Widening and another two trucks for the two SR 99 Widening projects, plus one back-up vehicle readily available during weekday peak hours and on weekends, one truck is patrolling on each of the construction projects. During the winter period when construction activities are expected to be slower than normal, the FSP service will continue its regular schedule. At a special event such as this year's Asparagus Festival, the FSP service during that weekend was doubled in anticipation of the heavier traffic than usual.

SJCOG, Caltrans, and CHP jointly oversee the services and responsible for ensuring that Mike's Towing is abiding the terms and conditions of the contract.

*Staff report prepared by: Donald Mascardo, Associate Regional Planner  
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# STAFF REPORT

**SUBJECT:** Status of Major Highway Projects

**RECOMMENDED ACTION:** Project Matrix

**DISSCUSSION:**

Attached to this staff report is a project matrix developed as a project management communication tool to provide updates on the current delivery status of projects on the state highway system. For these major highway projects, SJCOG is an implementing agency, financial sponsor, or both and shares in the responsibility in helping to insure the successful delivery of the projects identified.

Please see project notes section on the spread sheet for related information.

Major Highway Project in Construction

Project Exceeding Expectations  
 Project Meeting Expectations  
 Project Not Meeting Expectations

Project Description	Total Project Cost (millions)	Existing Funding Commitment	Measure K		RTIF		Other Local	PROP 1B					STIP		Other State	Federal Funds	Project Phase	Begin Construction Date	Comments
			Measure K Highway	Measure K Local	RTIF Highway	RTIF Local		TCIF	CMIA	Route 99	HRCSA	SLPP	STIP Local (RIP)	STIP State (IIP)					
Highway 12 Improvements (I-5 to Terminus) Intersection Improvement, left turn channelization, lane extension, and ITS.	20.5	20.5											20.5				Construction	May 2012	Project construction on going, target completion in Summer 2013
Highway Bouldin Island Rehabilitation (Caltrans SHOPP) shoulder widening to 10' and pavement rehab from Terminus to Moke River	56.33	56.33													56.33 SHOPP		Design	Summer/Fall 2013	Caltrans scheduled advertise date for the construction contract in April 2013 and awarding in July 2013. Construction beginning in Fall 2013
Western Extension Highway 4 (Crosstown Freeway) Extend Crosstown Freeway from Fresno Ave to Navy Drive.	193.64	193.64	93.82		3			96.82									Complete RW & Design Summer 2013	Nov 2013	Right of Way Certification and CTC funding request approved at the June CTC meeting. The project is now ready to list for construction contract advertisement in September. SJCOG and Caltrans to finalize remaining Right of Way activities and contaminated soil remediation.
Route 99 South Stockton (Crosstown Freeway to Arch Road) Inside widening to 6 lanes, interchange modification/construction, and auxilliary lanes	214.46	214.46	36.56	11						132.26		16.01	17.02	1.558			Construction	February 2013	Caltrans Pre-construction meeting held 1/7. Groundbreaking ceremony held on 2/20 Public outreach meetings on going, Caltrans gave Board of Supervisors presentation on 2/12, City of Stockton presentation scheduled in March to discuss construction staging and detours.
Route 99 Manteca (Arch Road to Rt. 120) Inside widening to 6 lanes, interchange modifications/construction.	154.84	154.84	22.53	10						89.54			32.77				Construction	Phases 1 & 2 Summer/Fall 2012, Phase 3 Winter 2012	Project split into three construction phases. Construction on going for all phases. Phase 1 Hwy. 99 inside widening, Phase 2 French Camp Interchange, Phase 3 Lathrop Road/Main Street Interchange. Caltrans gave Board of Supervisors presentation on 2/12. All phases construction on going, on schedule.
I-5 North Stockton Widening Inside widening to 8 lanes from Country Club to Hammer Lane with some auxiliary lanes and HOV lane option beginning at Charter Way.	119.5	119.5	44.22												32.8 SHOPP for Construction		Construction	August 2011	Stage I to widen the median and bridges in progress, Swain Road temporarily closed per plan to Aug 2013. Swain road utility conflicts resolved between City of Stockton and Caltrans. Contractor preparing for Stage II to shift traffic to the median Northbound from Country Club to Hammer Lane by the end of July.
I-205 Auxiliary Lanes construct 2 aux lanes between Mt. House and 11th Street and (5) Accel/Decl lanes at Grant Line, Tracy Blvd., and Holly Dr.	19.72	19.72	10.65										9.07				Construction.	April 2011	Construction completed April 2013.
I-5 French Camp Road Interchange Modify and reconstruct Interchange	48.90	48.9	9.2	.50			21					3.8			14.4 RSTP & IMD		Construction	January 2013	Groundbreaking ceremony held 11/20/12. Pre-construction meeting held 12/21/12. Parsons Brinkerhoff Construction Management firm for the City of Stockton. Construction contractors are Bay Cities/Myers Inc. Joint Venture. Partnering meetings being held between Contractors, City of Stockton, and SJCOG staff. Construction on going.
Sperry Road Extension and realignment of approximately 5,300 linear feet of Sperry Road from Performance Drive to French Camp Road	47.90	47.90		9.2		1.5	13.50	23.7									Construction	June 2011	The project is about 65% complete with anticipated completion by October 2013
North Stockton Grade Separations Constructing two roadway overpass on Eight Mile Road and an underpass crossing at Lower Sacramento Road	71.20	55.2		27.8			16.3 City & 2.6 UPRR				19.3	5.1					Construction	January 2011	The project is about 90% complete with anticipated completion by August 2013
<b>Total =</b>	<b>946.99</b>	<b>930.99</b>	<b>216.98</b>	<b>58.50</b>	<b>3.00</b>	<b>1.50</b>	<b>53.40</b>	<b>120.52</b>	<b>42.42</b>	<b>221.80</b>	<b>19.30</b>	<b>24.91</b>	<b>70.29</b>	<b>1.56</b>	<b>89.13</b>	<b>14.40</b>			
			<b>275.48</b>		<b>4.50</b>		<b>53.40</b>			<b>428.95</b>			<b>160.98</b>		<b>14.40</b>				