



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: March 7, 2017

Subject: Declare an emergency for the repair of the Morgan Territory Road Slide, Clayton area.

RECOMMENDATION(S):

1. ADOPT Resolution No. 2017/84 finding and declaring that an emergency exists and AUTHORIZE the Public Works Director to proceed in the most expeditious manner with the Morgan Territory Road Slide Repair Project, Clayton area. Project No. 0672-6U6203 (District III)
 2. FIND, based on the evidence set forth below, pursuant to Public Contract Code Section 22035 and 22050, that an emergency exists, that the emergency will not permit a delay resulting from the normal procedures for solicitation of bids and contract award, and the action described in this order is necessary to respond to the emergency.
 3. DELEGATE to the Public Works Director the authority to proceed in the most expeditious manner to repair the Morgan Territory Road Slide Repair in the Clayton area.
 4. DIRECT the Public Works Director to make periodic reports to the Board of Supervisors, as required by the Public Contract Code 22050, to enable the Board of Supervisors to review the emergency action and to determine whether there is a need to continue the emergency action.
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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/07/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Diane Burgis, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: Candace Andersen, District II
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 7, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Kevin Emigh,
925.313.2233

cc:

5. WAIVE the County's Outreach Program requirements for contracts, equipment, services, and supplies procured for the above project.

RECOMMENDATION(S): (CONT'D)

6. DETERMINE that the project is exempt from the California Environmental Quality Act (CEQA) under Section 15269 of the State CEQA Guidelines.

7. DIRECT the Department of Conservation and Development Director, or designee, to file a Notice of Exemption with the County Clerk.

8. AUTHORIZE the Public Works Director or designee to arrange for payment of a \$25 fee to the Department of Conservation and Development for processing the Notice of Exemption, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

FISCAL IMPACT:

The total cost of the project is unknown at this time, but is not expected to exceed \$2,000,000. The project will be funded by Local Road Funds (100%). The project may be eligible for partial or full reimbursement under the state of emergency declared by Governor Brown on January 23, 2017, to secure funding to help communities respond to and recover from severe winter storms that have caused flooding, mudslides, erosion, debris flow and damage to roads and highways.

BACKGROUND:

Due to the continued rains and saturated soil conditions, a portion of Morgan Territory Road, approximately one mile south of Marsh Creek Road in unincorporated Contra Costa County, began showing signs of sliding during the week of February 20. First, the movement caused a break in the existing water line and has continued to slide, cracking the road surface to the point that the road is no longer passable. Residents to the south of the slide location are now required to travel south to Livermore as their only access option.

The repair work requires removal of debris, excavation, installation of a structural retaining wall system, backfill, construction of embankment, new pavement, and pavement striping. If the Public Works Department were to follow its normal design and bidding process for construction projects, the resulting delays would keep the road out of service, potentially compromise public safety, and result in more extensive damage, environmental impacts, and increased repair costs.

Going forward, the Public Works Department anticipates the following tasks and timelines in order to complete the project and put the road back in service:

Perform geotechnical analysis and design repair alternative by March 31, 2017.

Solicit bids from contractors and award contract by April 30, 2017

Begin emergency repairs by May 15, 2017 or sooner if conditions allow

The Morgan Territory Road Slide Repair Project is exempt from the California Environmental Quality Act (California Public Resources Code section 21000 *et seq.*)

pursuant to Section 15269 of the State CEQA Guidelines (14 California Code Regulations section 14000 *et seq.*).

A proclamation of local emergency was signed by Contra Costa County Administrator David Twa on January 19, 2017, and ratified by the Board of Supervisors in a special meeting on January 26, 2017.

CONSEQUENCE OF NEGATIVE ACTION:

If the above recommendation is not adopted, the Public Works Director will not be authorized to execute emergency contracts to perform expedient repairs, and there will be danger to the public's safety in allowing Morgan Territory Road to remain unrepaired. The road will remain closed adversely affecting traffic circulation. The Public will not be able to use this vital transportation link, and local residents will continue to be impaired in terms of public safety response time.

ATTACHMENTS

Resolution No. 2017/84