



Contra  
Costa  
County

To: Board of Supervisors

From: Brian M. Balbas, Interim Public Works Director/Chief Engineer

Date: January 9, 2018

Subject: CONTINUE the emergency action for the Morgan Territory Road Slide Repair project, Clayton area.

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### **RECOMMENDATION(S):**

CONTINUE the emergency action originally taken by the Board of Supervisors on March 7, 2017, pursuant to Public Contract Code Sections 22035 and 22050, to repair the Morgan Territory Road Slide Repair Project, as recommended by the Interim Public Works Director, Clayton area. Project No. 0672-6U6203 (District III)

### **FISCAL IMPACT:**

The total cost of the project is not expected to exceed \$6,000,000. The project will be funded by Local Road Funds (100%). County staff is actively pursuing reimbursement through the Federal Emergency Management Agency (FEMA) as a result of the State and Federal emergency declarations.

### **BACKGROUND:**

On March 7, 2017, the Board of Supervisors declared an emergency and authorized the Public Works Director to proceed in the most expeditious manner to repair Morgan Territory Road approximately 1 mile south of Marsh Creek Road.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **01/09/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

#### **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V 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: January 9, 2018

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

By: Stacey M. Boyd, Deputy

Contact: Kevin Emigh,  
925.313-2233

cc:

The repair work requires the installation of two structural retaining wall systems, excavation and backfill of embankment between the wall systems, reconstruction of pavement, drainage improvements, and pavement striping.

Public Works Department

### BACKGROUND: (CONT'D)

staff completed the road repair design and requested prices for the necessary equipment, services, and supplies to perform the emergency repair project as expeditiously as possible. The resulting price quotes were received on May 23, 2017. On June 1, 2017, the Public Works Director signed a construction contract with Flatiron West, Inc. to perform the emergency repair work.

The emergency repairs began on July 17, 2017 and was substantially completed and opened to public traffic on November 18, 2017. During the construction period, Morgan Territory Road was closed at the slide site and local traffic used a temporary access on Leon Drive through the Marsh Creek Detention Facility driveway. The Public Works Director signed an agreement, "License Agreement for Temporary Use of Private Road (Leon Drive)", with each owner of Leon Drive for public use of the private road as needed for the duration of the construction phase of the emergency repairs. On November 18, 2017, the Leon Drive temporary access was closed to public traffic.

The temporary detour road on Leon Drive was repaved on December 1, 2017 in accordance with the signed License Agreement. The County utilized the existing contract with Granite Rock Company to repave Leon Drive. The existing bridge on Leon Drive will be inspected to determine whether any damage occurred to it during its use by the County as a temporary detour and public access in accordance with the signed License Agreement. The emergency action will be continued until the a determination is made on the condition of the Leon Drive Bridge and final inspection of improvements to Leon Drive are completed in accordance with the License Agreement.

Public Contract Code Section 22050 requires that, for a body that meets weekly, the need to continue the emergency declaration be reviewed at least every 14 days until the local emergency is terminated. Since the conditions that warranted the emergency declaration persist, it is appropriate for the Board to continue the emergency actions regarding the hazardous conditions caused by storm damage.

### CONSEQUENCE OF NEGATIVE ACTION:

Non-concurrence at this point in the project could cause delays in completion of the slide repairs.