



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: December 10, 2019

Subject: Amendment No. 2 with Mark Thomas & Company, Inc. for the Kirker Pass Road Northbound Truck Climbing Lane Project, Concord area.

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute Contract Amendment No. 2 with Mark Thomas & Company, Inc. to increase the payment limit by \$185,000 to a new payment limit of \$1,535,000 and extend the term from December 31, 2019 to a new term of June 30, 2021 to provide additional professional engineering services, including construction support for the Kirker Pass Road Northbound Truck Climbing Lane Project, Concord area. (Project No. 0662-6R4052) (District IV)

**FISCAL IMPACT:**

The Consulting Services Agreement will be funded by the Measure J Transportation Sales Tax (Measure J) Program (85%) and local road funds (15%).

**BACKGROUND:**

On April 1, 2014, the Board of Supervisors approved a Consulting Services Agreement with Mark Thomas & Company, Inc. to provide professional engineering services for the Kirker Pass Road Northbound Truck Climbing Lane Project. Professional engineering services include preparing plans, specifications, and estimates, including geological and hydraulic studies, and on-call construction support during the project's construction.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **12/10/2019** ☒ 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: December 10, 2019

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

By: June McHuen, Deputy

Contact: Nancy Wein,  
925.313.2275

cc:



## BACKGROUND: (CONT'D)

On May 2, 2017 the Board of Supervisors approved Amendment #1 to the Consulting Services Agreement to provide additional professional engineering services by increasing the payment limit to \$1,350,000, and extending the term to a new termination date of December 31, 2019. During the course of preliminary design, additional exploration, design work, and project management were identified in order to complete the design of the project. In addition, an asphalt concrete overlay was added to the scope of the project in order to improve the pavement condition of the existing roadway, which required additional effort by Mark Thomas.

The project started construction in May of this year and is expected to be complete by September of 2020. Additional time and funding are now required to allow Mark Thomas & Company, Inc. to continue to provide needed professional engineering services, including civil and structural design support throughout the project's construction, and final close-out activities. In addition, there was additional design effort due to the redesign of Retaining Wall #1 because of field conditions encountered.

## CONSEQUENCE OF NEGATIVE ACTION:

Without Board of Supervisors' approval, the lack of construction support for the project will jeopardize the federal funding programmed for construction of the Kirker Pass Road Truck Climbing Lane project, and may also result in substantial additional project costs.