



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: August 11, 2020

Subject: Approve a Right of Way-Temporary Construction Easement with Kiewit Infrastructure Co, a Delaware Corporation, Antioch area.

**RECOMMENDATION(S):**

As the governing body of the Contra Costa County Flood Control and Water Conservation District (District), APPROVE and AUTHORIZE the Chief Engineer, or designee, to execute a right of way contract and temporary construction easement with Kiewit Infrastructure Co., a Delaware corporation, to acquire a temporary construction easement on property located at 3551 Wilbur Avenue, Antioch, for payment of \$800, in connection with the Drainage Area 29G Storm Drain Line A Repair Project. (Project No. 0330-6W9C14 [DCD-CP#19-30]).

AUTHORIZE the Auditor-Controller to issue a check in the amount of \$800, payable to Kiewit Infrastructure Co., a Delaware Corporation, 100 Kiewit Plaza, Omaha, NE 68131, Attn: Real Estate Department, to be forwarded to the Real Estate Division for delivery.

**FISCAL IMPACT:**

100% County Drainage Maintenance-General Fund

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

Action of Board On: **08/11/2020** ☒ 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: August 11, 2020

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

Contact: Olivia Reynolds-Freeman  
925. 957-2462

By: Stacey M. Boyd, Deputy

cc:

## BACKGROUND:

DA29, Line A is located on a private road (Maritime Way) within District storm drain easements, near Wilbur Avenue, in an unincorporated area of Antioch. Currently, the roadway is compromised due to two (2) sections of underlying 48-inch plastic pipe that is failing. Both sections of roadway are covered by trench plates to allow access to facilities at the end of the road.

The purpose of this Project is to replace two (2) damaged sections of plastic pipe and restore roadway integrity. The first pipe to be replaced is approximately 1,200 feet north of Wilbur Avenue. The second pipe to be replaced is behind the Sportsmen Yacht Club gate, approximately 500 feet north of the first section of pipe. The Project also includes roadway excavation and replacement, dewatering and trench shoring and protection; adjusting utilities; installing construction area signs; providing a staging area; and offsite disposal of all removed material. Appropriate Best Management Practices will be implemented during construction activities.

Under the right of way contract, the District will acquire a 5 1/2 month temporary construction easement from Kiewit Infrastructure, Co., for payment of \$800. The District will also indemnify Kiewit from liabilities that arise from the Project. District and Real Estate staff recommend approval of the right of way contract to acquire necessary property rights for the Project, as planned.

## CONSEQUENCE OF NEGATIVE ACTION:

The Project will not have sufficient land rights to allow for construction in accordance with approved plans and specifications.

## ATTACHMENTS

Right of Way-Temporary Construction Easement