



**Contra
Costa
County**

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 25, 2011

Subject: Approve Encroachment Permit for Countywide Bridge Deck Methacrylate Project by City of Walnut Creek, City of Martinez, County of Alameda and Caltrans

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute Roadway Encroachment Permits issued by the County of Alameda, the Cities of Martinez and Walnut Creek, and Caltrans for the above construction project and to arrange for any necessary payment of permit, inspection, and related fees in accordance with the permits.

FISCAL IMPACT:

There will be no impact to County General Fund. The estimated project cost is \$1,134,200. The permits will be funded 88.5% by Federal funds and 11.5% by local road funds.

BACKGROUND:

The Public Works Department is preparing to construct the Countywide Bridge Deck Methacrylate Project. The purpose of this project is to improve the lifespan of numerous existing bridge decks throughout the County. Work

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/25/2011** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Mary N. Piepho, 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 25, 2011

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

By: EMY L. SHARP, Deputy

Contact: Larry Theis,
313-2166

cc:

BACKGROUND: (CONT'D)

will include applying a high resin methacrylate sealant, replacing joint seals, and repairing concrete spawling on the bridge deck surface.. The estimated cost of this project is \$1,134,200, funded 88.5% by Federal funds and 11.5% from local road funds.

As part of the project work, temporary traffic control and warning signs will need to be placed on adjacent roadways located within the unincorporated area of the County of Alameda and within the City limits of the Cities of Martinez and Walnut Creek and on adjacent State highways under the jurisdiction of Caltrans. Normally, the County would leave it to the general contractor to apply for and obtain roadway encroachment permits covering the traffic control activities and signs in the adjacent jurisdictions. However, in this case, as part of the Federal funding, Caltrans and the Federal Highway Administration (FHWA) have required that the County initially obtain the roadway encroachment permits in its name and not delegate this solely to the general contractor.

For the roadway encroachment permit applications, the above agencies require the County to sign indemnification language that would generally require the County to defend and indemnify the agencies for any accidents or damages resulting from the traffic control activities. Given the minor and temporary nature of the traffic control activities, the indemnification requirements would involve relatively low risk to the County and, in any event, would be covered by the general contractor's liability insurance. In addition, County staff plans to work with the above agencies to replace the roadway encroachment permits initially obtained by the County with those subsequently obtained by the County's general contractor for this project.

To meet the expected tight deadlines to construct this project, it is necessary for the County to promptly obtain the roadway encroachment permits prior to approval of the Federal funds. The roadway encroachment permits are an essential part of the County's project submittal package to Caltrans. Under the circumstances, the Public Works Director recommends that the Board authorize staff to execute roadway encroachment permits issued by the above agencies and arrange for any necessary payment of permit, inspection, and related fees in accordance with the permits.

CONSEQUENCE OF NEGATIVE ACTION:

Without these permits, Federal funding will be in jeopardy.

CHILDREN'S IMPACT STATEMENT:

Not Applicable.