



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 24, 2012

Subject: Approve Encroachment Permit for Kirker Pass Road Overlay by City of Pittsburg, Project No. 0662-6R4003

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute Roadway Encroachment Permit issued by the City of Pittsburg 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 the County General Fund. The estimated project cost is \$1,800,000. The project will be funded 88.53% by Federal funds and 11.47% by local road funds.

BACKGROUND:

The Public Works Department is preparing to construct the Kirker Pass Road Overlay Project. The purpose of this project is to improve the pavement condition of Kirker Pass Road from approximately 1.5 miles west of the Pittsburg City Limits to the Pittsburg City Limits. Work will include placing a hot mix asphalt (HMA) overlay, pavement and base failure repair, crack sealing, grinding the existing pavement, placement of pavement reinforcing fabric, replacing existing

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/24/2012** ☒ 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 24, 2012

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

By: STACEY M. BOYD, Deputy

Contact: Larry Theis, (925)
313-2166

BACKGROUND: (CONT'D)

striping and pavement markings, minor concrete median modification and crash cushion grade adjustments, and adjustment of existing inlet grates to grade.

As part of the project work, temporary traffic control and warning signs will need to be placed on adjacent roadways located within the City limits of Pittsburg. 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 permit in its name and not delegate this solely to the general contractor.

For the roadway encroachment permit applications, the above agency requires the County to sign indemnification language that would generally require the County to defend and indemnify the agency 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 agency to replace the roadway encroachment permit 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 permit prior to approval of the Federal funds. The roadway encroachment permit is 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 permit issued by the above agency and arrange for any necessary payment of permit, inspection, and related fees in accordance with the permits.

CONSEQUENCE OF NEGATIVE ACTION:

Without this permit, Federal funding will be in jeopardy.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

#9991 Kirker Pass