

**SAN BENITO COUNTY  
COUNCIL OF GOVERNMENTS  
SPECIAL MEETING**

**April 3, 2008 8:30 A.M.**

**FINAL MINUTES**

**MEMBERS PRESENT:**

Vice-Chair Botelho, Director Edge, and Director Marcus

**STAFF PRESENT:**

Deputy County Counsel, Shirley Murphy; Executive Director, Lisa Rheinheimer, Transportation Planning Manager, Mary Dinkuhn; Secretary, Monica Gomez

**OTHERS PRESENT:**

Kerry Theran, Quincy Engineering

**CALL TO ORDER:**

Vice-Chair Botelho called the meeting to order at 8:35 A.M.

**A. PLEDGE OF ALLEGIANCE**

**B. CERTIFICATE OF POSTING**

*Upon a motion duly made by Director Edge and seconded by Director Marcus, the Directors unanimously acknowledged the Certificate of Posting.*

**REGULAR AGENDA**

**TRANSPORTATION ISSUES:**

**1. Highway 25 Bypass Project**

- a. RECEIVE** Update on Highway 25 Bypass Project,
- b. APPROVE** Construction Contract Change Orders for an Amount not to Exceed \$150,000

Transportation Planning Manager Mary Dinkuhn provided a brief update on the Highway 25 Bypass Project. Ms. Dinkuhn noted that staff continues to prepare for the upcoming work at the Sunnyslope Road/Airline Highway intersection, which is now estimated to begin in early May.

Ms. Dinkuhn played the Highway 25 Bypass public service announcement (virtual detour) for the Boards review.

Ms. Dinkuhn reviewed the Contract Change Orders and noted that Item #31 was the most significant. Change Order Item #31 included reconstruction on the Bypass at the northbound intersection with Meridian Street. The project's original design called for one left turn lane, two through lanes, and one right turn lane.

The Board inquired about Change Order Item #38, removing PG&E vaults in the Sunnyslope/Airline Highway area.

Ms. Dinkuhn stated that PG&E is responsible for removing the vaults; however, staff is concerned that the vaults will not be removed in time for the contractor to get the work done in the area. The contractor will remove the vaults and COG will follow up with PG&E for reimbursement.

There was discussion amongst the Director's and staff regarding PG&E.

Executive Director Lisa Rheinheimer and Director Marcus decided to place a call to PG&E in an attempt to expedite the process of moving the vaults.

Board members inquired about Change Order Item #31.

Ms. Rheinheimer explained that during Caltrans' review of the final project design, Caltrans commented that the proposed intersection design was not adequate and should include two left turn lanes and two through lanes, with no free right turn lane.

There was extensive discussion between Board members and staff regarding Change Order Item #31.

Board members expressed concern with approving Change Order Item #31 and asked what the risks would be if it is not approved.

Ms. Rheinheimer stated that Caltrans made the design change a part of its list of conditions on the project that are required to be met prior to Caltrans' acceptance of the road as State Route 25. If the Board does not comply with Caltrans' condition, there is a risk that Caltrans may not accept the Bypass as a State Route.

Board members inquired about the negative contingency balance for the Project.

Staff stated that \$7.5 million in funds received from the City of Hollister Redevelopment Agency are eligible to be used towards the Highway 25 Bypass Project or the Highway 25 Safety Project if needed.

Kerry Theran explained that changes were made in the contractor's schedule to accommodate some of the utility conflicts that came up. The contractor agreed to work "between streets" to allow time for the utilities work to be completed at the intersections.

The Board asked for clarification, since there appeared to be two separate issues to consider with the Change Order, the change in design and undoing work that was already completed.

It was noted that the contractor began work in the project area by direction from the Resident Engineer, as the design per Caltrans' comments was not finalized at the start of construction. Therefore, a portion of the Change Order includes the contractor's cost to remove some of the work (paving and sidewalk) that was already completed.

The Board inquired if the cost of Item #31 would have been less if the contractor would have waited for Caltrans' design comments.

Mr. Theran stated that the re-design issue would have been included in the original bid for approximately \$30k-\$40k and Change Order Item #31 would not have totaled up to the current \$97k.

After extensive discussion between the Board, Staff, and Mr. Theran, the Board approved all Change Orders except Item #31, and directed staff to include representatives from Caltrans and Parsons Transportation Group, the project design firm, at the next COG meeting to dispute the design issue.

*Upon a motion duly made by Director Marcus and seconded by Director Edge, the Director's unanimously voted to approve all Contract Change Orders except Item #31.*

*Upon a motion duly made by Director Marcus and seconded by Director Edge, the Director's unanimously voted to adjourn the COG meeting.*

**ADJOURN to COG Meeting on Thursday, April 17, 2008 at 2:00 p.m.**