

**\*UPDATED\* AGENDA**

**Meeting of the Board of Directors**

**Location:** City of Rancho Cordova City Hall  
2729 Prospect Park Drive  
Rancho Cordova, CA

**Date:** Friday, August 26, 2016, 8:30 a.m. to 10:30 a.m.

Members of the public may comment on any item on the agenda at the time that it is taken up by the Board. We ask that members of the public complete Speaker Card, submit it to the Clerk of the Board, and keep their remarks brief. If several persons wish to address the Board on a single item, the Chair may impose a time limit on individual remarks at the beginning of the discussion.

Call to Order / Roll Call

Directors Hume, Mikulaco, Nottoli, Sander, Starsky

Pledge of Allegiance

Public Comments on Non-Agenda Items

Any person wishing to address the Board on any item not on the agenda may do so at this time. After ten minutes of testimony, any additional testimony may be heard following the New Business Items. Note, under the provisions of the California Government Code, the Board is prohibited from discussing or taking action on any item not on the agenda.

1. Executive Director's Report

Consent Agenda

2. Approve Action Minutes of June 24, 2016, Board Meeting

3. Approve Member Jurisdiction Contribution

- a) Staff Report
- b) Resolution

4. Authorize the Executive Director to Enter into an Agreement with Drake Haglan & Associates, Inc. for Program/Project Management and Technical Administrative Services

- a) Staff Report
- b) Resolution

5. Project Activity Report
  - a) Staff Report

#### New Business Items

6. Update on the Construction Management/General Contractor (CMGC) Delivery Method for the Connector
  - a) Staff Report
7. Authorize the Executive Director to Negotiate a Scope of Services with Dokken Engineering for Segment D3/E1 Final Design Engineering Services (White Rock Rd from Prairie City Rd to Latrobe Rd)
  - a) Staff Report

#### Adjourn

The Board may take action on any matter, however listed on this agenda, and whether or not listed on this agenda, to the extent permitted by applicable law. Staff Reports are subject to change without prior notice.

If requested, this agenda can be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact the Board Secretary for further information.

A person with a disability, who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting, should telephone or otherwise contact the Board Secretary as soon as possible. The Board Secretary may be reached at 10640 Mather Blvd., Suite 120, Mather, CA 95655 or by telephone at (916) 876-9094.



## Capital SouthEast Connector JPA Board of Directors

Item # 1  
Receive and File

August 26, 2016

### Executive Director's Report

**Issue:** An Executive Director's report is filed every month on current JPA activities

**Recommendation:** Receive and File

**Discussion:** The following is a brief status report on some of the more significant issues and activities currently being pursued by the Connector JPA staff.

### Administrative

- The next scheduled Connector JPA Board meeting is scheduled for September 23<sup>rd</sup>.

### Project

- With the increased level of activity on multiple project segments, on-going project activity will now be reported as a consent item known as the Project Activity Report. Today's Project Activity Report is agenda item # 5.

### Fiscal

- In addition to the JPA's annual audit, a second audit is underway by the Sacramento Transportation Authority auditing the Measure A claiming process for fiscal year 2015-16. This audit is expected to conclude in late fall and a Final Report will be presented to the Board soon after with a report of their findings.

### Media

- Sacramento Bee
  - 08/07/16 – Fix our crumbling roads and bridges – By Matt Cate, Chris McKenzie and Michael Quigley
- Mountain Democrat
  - 07/11/16 – Silva Valley Interchange opening ceremony – Julie Samrick

### Miscellaneous

- The proposed Sacramento County Transportation Sales Tax known as "Measure B" that was approved by the Sacramento County Board for the November 2016 ballot, has been actively making presentations and developing support materials for several months. JPA staff is assisting the STA consultant team to expand outreach and funding opportunities for the ballot measure and staff has added an informational Measure B page on the Connector website. Staff will keep the Board informed of major developments in this effort.

- The special legislative session called by the governor to focus on transportation reform and revenue continues to discuss alternative funding packages without any reportable progress. A "Transportation Leadership Day" was held last Monday, August 22<sup>nd</sup> as an opportunity to provide business and labor leaders an opportunity for direct conversation with legislative and administration officials. Additional information on progress resulting from this effort will be reported at your next meeting.
- A new report issued last week by TRIP, a national transportation research group, details the impact deficient and congested roadways have on the average California motorist, noting that California drivers pay \$53.6B annually as a result of the declining state of California's roadways. The report found that 37% of major roadways in the State are in poor condition, while only 21% are in good condition. TRIP calculated the cost to the average motorist in Sacramento in the form of additional vehicle operating costs, congestion-related delays and traffic crashes. Average per-driver costs in Sacramento is \$2,270 annually;
- At the direction of South Sacramento Habitat Conservation Plan (SSHCP) leadership and their counsel, the Executive Director executed an Incidental Take Permit Application with the US Fish and Wildlife Service as part of the SSHCP approval process.
- On July 1<sup>st</sup> US DOT announced grant recipients of the newly-created FASTLANE grant program. California received one grant for the US/Mexico border crossing. On July 26<sup>th</sup> US DOT announced grant recipients of the TIGER program. California received 1 rural grant and 3 urban grants. Locally, the City of Live Oak (north of Yuba City) received the rural grant. The Connector JPA chose not to submit an application this year but will continue to monitor both programs for future opportunities.
- Staff provided a presentation on the Connector's progress to the Capital Center Association Board of Directors on August 19<sup>th</sup>. The Capital Center Association represents large employers in Rancho Cordova business parks near City Hall. The presentation was well received and feedback was positive as it related to the Connector's ability to facilitate recruitment of employees in the region.

Respectfully Submitted,



Tom Zlotkowski  
Executive Director

**Capital SouthEast Connector JPA Board of Directors**

**Item # 2  
Motion**

August 26, 2016

**Action Minutes of the June 24, 2016, Meeting**

The Capital SouthEast Connector JPA Board of Directors met in regular session on June 24, 2016, in the City of Rancho Cordova City Hall Council Chambers, located at 2729 Prospect Park Drive, Rancho Cordova, CA.

**Call to Order:** Chair Starsky called the meeting to order at 8:30 a.m.

**Roll Call:** Present: Directors Starsky, Hume, \*Budge, \*\*Mikulaco  
\* Director Budge attended as alternate to Director Sander  
\*\* Director Mikulaco arrived at 8:39 a.m. during item #7  
Absent: Director Nottoli

**Public Comments on Non-Agenda Items**

There were no comments from the public on non-agenda items.

**Item #1: Executive Director's Report**

The Executive Director's written report was received and filed.

**Consent Agenda**

The Consent Agenda included:

- Item #2: Approve Action Minutes of May 6, 2016
- Item #3: Adopt Final Budget for FY 2016-2017 and Approve Member Jurisdiction Contribution
- Item #4: Authorize the Executive Director to Extend the Existing Contract with Renne Sloan Holtzman Sakai LLP for Legal Services
- Item #5: Authorize the Executive Director to Execute Amendment No. 1 to the Contract with CH2M for Segment D2 (Grant Line Rd from White Rock Road to Jackson Hwy) for Additional Preliminary Engineering and Environmental Documentation Services
- Item #6: Authorize the Executive Director to Execute a Revised Master Funding Agreement and a Program Supplemental Agreement with the State of California Department of Transportation for Segment B2 (Grant Line Road from Mosher Road to Bradshaw Road)

The action minutes were pulled from the Consent Agenda and were considered after agenda item 7. No public comment was received on the Consent Agenda.

It was moved by Director Starsky, seconded by Director Hume, and passed by unanimous vote that:

**THE CAPITAL SOUTHEAST CONNECTOR AUTHORITY BOARD OF DIRECTORS APPROVES THE FOLLOWING ITEMS FROM THE CONSENT AGENDA: 2) APPROVE ACTION MINUTES OF MAY 6, 2016; 3) ADOPT FINAL BUDGET FOR FY 2016-2017 AND APPROVE MEMBER JURISDICTION CONTRIBUTION; 4) EXTEND THE EXISTING CONTRACT WITH RENNE SLOAN HOLTZMAN SAKAI LLP FOR LEGAL SERVICES; 5) EXECUTE AMENDMENT NO. 1 TO THE CONTRACT WITH CH2M FOR SEGMENT D2 (GRANT LINE RD**

FROM WHITE ROCK ROAD TO JACKSON HWY) FOR ADDITIONAL PRELIMINARY ENGINEERING AND ENVIRONMENTAL DOCUMENTATION SERVICES; 6) EXECUTE A REVISED MASTER FUNDING AGREEMENT AND A PRGRAM SUPPLEMENTAL AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR SEGMENT B2 (GRANT LINE ROAD FROM MOSHER ROAD TO BRADSHAW ROAD)

**New Business Items**

**Item #7: Authorize the Executive Director to Negotiate and Enter into an Agreement with Drake Haglan & Associates for Program/Project Management and Technical Administrative Services for the Capital SouthEast Connector**

Mr. Zlotkowski introduced the item and provided a summary of the requested action. A discussion followed. The Board also requested that staff bring the terms of the new, negotiated contract back to the Board for final approval in August, 2016. But to avoid any disruptions in project work, the Board also authorized staff to extend the existing DHA contract through September 1, 2016 to allow the existing Project Manager and Technical Administrative Assistant to start on a full-time basis starting July 1, 2016.

No public comment was received on Item #7.

A motion was made by Director Starsky to approve. The motion was seconded by Director Hume and approved unanimously.

**Item #2: Approve Action Minutes of May 6, 2016, Board Meeting**

The Action Minutes from the May 6, 2016, Board meeting were considered after the arrival of Director Mikulaco.

No public comment was received on Item #2.

It was moved by Director Hume, seconded by Director Starsky, and passed by the following vote: Ayes: Starsky, Hume, Mikulaco. Abstain: Budge

**Item #8: Update on Segment D2 (Grant Line Road from White Rock Road to Jackson Highway) Preliminary Engineering and Environmental Documentation Progress**

Mr. Zlotkowski introduced the item, provided a brief summary, and introduced Mr. Mike Higgins from CH2M Hill. Mr. Higgins presented an overall summary of the progress on Segment D2.

No public comment was received on Item #8.

**Adjournment**

The meeting adjourned at 9:06 a.m.

Approved By:

Attest:

---

Jeff Starsky  
Chair of the Board

---

Tom Zlotkowski  
Board Secretary



**Capital SouthEast Connector JPA Board of Directors**

**Item # 3  
Resolution**

August 26, 2016

**Approve Member Jurisdiction Contribution**

**Issue:** To approve the amount of the annual contribution to be provided by the member jurisdictions.

**Recommendation:** The Executive Director recommends that the Board approve the amount of the annual contribution to be provided by the member jurisdictions.

**Background:** In January 2015, during the Plan of Finance workshop, the Executive Director of the Sacramento Transportation Authority (STA) indicated that STA would prefer that the JPA find an alternative form of funding to support JPA administrative functions, instead of continuing to rely on "Pay-Go" funds. At that time, the Board discussed gradually increasing the annual member contributions, a solution which received conceptual support from several Board members. In March 2015, the Board formally approved a schedule outlining the planned gradual increase in the member contributions over the next four fiscal years.

Consistent with this schedule, at the June 2016 Board Meeting, the Board approved the FY 2016-17 budget and adopted a resolution requesting a \$25,000 local contribution from the individual member jurisdictions. The resolution was unanimously supported by the Board members present, however, Section 6.d.5 and 7.b of the Joint Exercise of Powers Agreement requires a unanimous vote by all five member jurisdictions to adopt the contributions and Directors Nottoli and Mikulaco were absent for this item.

**Discussion:** Staff requests that the Board unanimously adopt a resolution requesting the \$25,000 local contribution from the member jurisdictions.

As in prior budgets, this local contribution will provide the JPA with the ability to maintain adequate cash availability and provide flexibility for non-STA allowed expenses.

Respectfully submitted,

Tom Zlotkowski  
Executive Director



Item # 3  
Attachment

**RESOLUTION NO. 2016-18**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY  
ADOPTING THE MEMBER JURISDICTION CONTRIBUTION  
FOR THE 2016-17 FISCAL YEAR**

**BE IT RESOLVED** by the Board of Directors (“Board”) of the Capital SouthEast Connector Joint Powers Authority (“Authority”) that each member jurisdiction shall contribute local funds in the amount of \$25,000 for the FY 2016-17 Annual Budget, as presented to the Board at the June 24, 2016, meeting.

This Resolution is intended to facilitate the expeditious transfer of funds from member jurisdictions to the Authority, pursuant to the Joint Powers Agreement executed by each member jurisdiction.

This Resolution shall take effect from and after the date of its passage and adoption.

\* \* \* \* \*

PASSED AND ADOPTED this 26<sup>th</sup> day of August, 2016, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Secretary





## Capital SouthEast Connector JPA Board of Directors

Item # 4  
Resolution

August 26, 2016

### **Authorize the Executive Director to Enter into an Agreement with Drake Haglan & Associates, Inc. for Program/Project Management and Technical Administrative Services**

**Issue:** To present the Board with the terms of the recommended consultant agreement for Program/Project Management Services and to request authorization to enter into such agreement for services.

**Recommendation:** Staff recommends that the Board authorize the Executive Director to enter into an Agreement with Drake Haglan & Associates for Program/Project Management and Technical Administrative Services for FY 2016-2019 in an amount not-to-exceed \$2.8 million.

**Background:** At your June 2016 meeting, the Board authorized staff to negotiate a contract with Drake Haglan and Associates to provide Program/Project Management and Technical Administrative Services for the majority of FY 2016-17 through FY 2018-19, and directed the Executive Director to bring the terms of agreement for services back to the Board for approval at today's meeting, if the parties could agree to terms that were favorable to the JPA. In order to avoid a work stoppage while staff negotiated the contract and brought it back to the Board for approval, the Board also authorized staff to extend DHA's then-existing contract through September 1, 2016.

**Discussion:** Negotiations were held with Drake Haglan over the past 60 days to finalize a scope of services that provided the needed technical skills at a reasonable price. The negotiated contract is for an initial three year term, with two one-year options to extend the contract at the discretion of the JPA, for a total term of five years. Performance reviews will occur at six month intervals and will reported to the Board as part of the Executive Director's Report. Under the agreed upon scope, DHA will provide the following services:

#### FY 2016-17

- A Program Manager beginning September 1, 2016, for an average of 28 hours per week. (This amount reflects an 11% reduction from what was originally proposed by DHA in response to the RFP.) This adjustment was made in recognition of the JPA's need to lower Program Manager activities due to funding uncertainties related to the STIP funds.
- A Project Manager beginning September 1, 2016, for 40 hours per week. (This is the continuation of the Project Manager position in the current contract.)
- A Technical Administration Assistant beginning September 1, 2016 for 40 hours per week. (This is the continuation of the Technical Administration Assistant position in the current contract.)
- Various technical and managerial assistance/consultation services, including but not limited to coordination on Construction Management and Strategic Planning services, of up to 440 hours total for the remainder of the Fiscal Year, to be provided on a task order basis.
- Funds for reimbursable expenses.

The total cost for these services reflects a 21% reduction for FY 2016-17 from the original fee proposal submitted by Drake Haglan in June, 2016. This number is consistent with the approved FY 2016-17 final budget allocation for consultant services and is fully supportable with currently available revenue.

FY 2017-18 & FY 2018-19

The hours and fees for the remaining two years of the Drake Haglan contract are essentially the same except for the 3% per year escalation in hourly rates allowed in multi-year contracts.

- The Program Manager hours are scheduled to increase from 28 to 32 hours per week (on average), reflecting the anticipated increase in workload over the various segments of the project.
- Both the current Project Manager and the Technical Administration Assistant will remain at 40 hours per week.
- A second Project Manager will be introduced (if needed) at 32 hours per week (on average) as activities on the various segments increase and construction on the D3 segment is initiated. Should funding anticipated to be secured in FY 2017-18 not be realized, the second Project Manager hours can be reduced or eliminated to reflect the reduced workload.
- Various technical and managerial assistance/consultation services, including but not limited to coordination on Construction Management, and Strategic Planning services of up to 500 hours total for each Fiscal Year to be provided on a Task Order basis.

The costs for these two fiscal years remain consistent with the original proposal, but provide for additional hours for both the Program Manager position and the support staff consultation for extra work items noted above. The total not to exceed cost for the three years of services outlined above is \$2,779,259, which reflects an overall reduction of 6% from DHA's proposed fee schedule, as well as a 2.6% increase in overall hours from senior consultant management staff.

Respectfully Submitted,



Tom Zlotkowski  
Executive Director



**Item # 4  
Attachment**

**RESOLUTION NO. 2016-19**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE CAPITAL SOUTHEAST CONNECTOR AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE  
A CONTRACT FOR PROGRAM/PROJECT MANAGEMENT AND TECHNICAL ADMINISTRATIVE SERVICES  
BETWEEN THE CAPITAL SOUTHEAST CONNECTOR  
AND DRAKE HAGLAN AND ASSOCIATES**

**BE IT RESOLVED** by the Board of Directors (“Board”) of the Capital SouthEast Connector Authority (“Authority”) that the Executive Director is hereby authorized and directed to execute a contract for Program/Project Management and Technical Administrative Services with Drake Haglan and Associates, with the assistance of counsel, for FY 2016-2019, in an amount not to exceed \$2,800,000.

This Resolution shall take effect from and after the date of its passage and adoption.

\* \* \* \* \*

PASSED AND ADOPTED this 26<sup>th</sup> day of August, 2016, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Secretary



## Capital SouthEast Connector JPA Board of Directors

Item # 5  
Receive and File

August 26, 2016

### Project Activity Report

**Issue:** A Project Activity Report is provided below to provide an update on current JPA activities related to planning and engineering.

**Recommendation:** Receive and File the report on current Connector project activities.

**Background:** In the past, staff has provided brief updates on project related activities within the Executive Director's Report and through periodic presentations. Now, with seven Connector segments, totaling 23 miles, undergoing either planning or engineering, staff believes it would be prudent to provide the Board a more focused update. Presentations are still anticipated at key milestones.

**Discussion:** The following is a report on some of the more significant project related activities currently underway.

#### A1/A2 – Kammerer Road Project

Length: 6.3 miles

Consultant Team: Willdan Group, Inc. with assistance from HDR Inc. and Michael Baker International

Current Phase: Preliminary Engineering and Environmental Documentation

- This project is independent from the Connector and is being pursued by the City of Elk Grove with the County of Sacramento as the CEQA Lead Agency and Caltrans as the NEPA Lead Agency. Funding for the project is being provided by the City of Elk Grove. It is anticipated that the Connector JPA will be listed as a Responsible Agency under CEQA.
- In June, the City of Elk Grove received approval of its Time Extension Request for the federal funding component of the project, which will allow the City to complete the Preliminary Engineering phase by June 2018.
- The current project schedule shows a draft CEQA/NEPA document being released to the public in March 2017, and completion of the environmental phase in October 2017.
- Current activities include preparation of draft Cultural studies under Section 106 of the National Historic Preservation Act, investigating phasing options such as only constructing two lanes to Interstate 5, and adding the road to the National Highway System.

#### B2 – Grant Line Road in Sacramento County/City of Elk Grove

Length: 1 mile

Consultant Team: TRC Engineers, Inc.

Current Phase: Preliminary Engineering and Environmental Documentation

- The B2 Project started in earnest in June 2016 with the consultant team beginning information gathering and outreach to adjacent property owners in order to begin the work. To date, the consultant team has convened numerous one-on-one meetings with property owners and the Farm Bureau.
- A Preliminary Environmental Screening (PES) form has also been submitted to Caltrans, beginning the process for Caltrans involvement as the NEPA Lead Agency. It is expected that this project will qualify as a Categorical Exclusion under NEPA, which means that it is a category of action which does not have a significant effect on the environment. A field review meeting with the JPA, Caltrans, and TRC's consultant team will take place on August 23<sup>rd</sup>.
- The consultant team has performed traffic counts and is close to finalizing the assumptions that will be used for the traffic evaluation report.
- The consultant team has completed topographic surveys, initiated consultation with Native American tribes per new CEQA requirements, and has begun mapping existing utilities along the corridor.
- Upcoming activities include subsurface geotechnical explorations, hydraulic mapping of the drainage tributaries, and preparing a Record of Survey to delineate existing right of way along the corridor.
- Staff is in the process of reviewing information previously collected from the agricultural interests on the south side of the segment to recommend access alternatives for consideration in the environmental documents.
- Staff is also currently working with the City of Elk Grove to develop and release a Request for Proposals (RFP) for the improvements between Waterman Road and Mosher Road. This section of improvements will be delivered with Measure A funds reimbursed by the Connector JPA per the Memorandum of Understanding the JPA Board approved in December 2015. Staff anticipates that the City will begin final design work on this segment in early 2017.

### **C – Sheldon-Wilton Segment**

Length: 2.7 miles

Consultant Team: Willdan Group, Inc.

Current Phase: Planning

- This study is being led by the City of Elk Grove and is intended to determine the potential impacts of the widening of Grant Line Road in the Sheldon area (from Bond Road to Calvine Road). The City's consultant is preparing preliminary intersection modifications, trail locations, and driveway configurations to identify right of way needs for property owners along the corridor.
- Numerous public outreach meetings were held during the spring of 2016 and the City's consultant is preparing intersection alternatives for JPA review.
- It is anticipated that public meetings to present the access alternatives will begin in the winter of 2016.

### **D2 – Grant Line Road in Sacramento County/City of Rancho Cordova**

Length: 7.2 miles

Consultant Team: CH2M Hill, Inc.

Current Phase: Preliminary Engineering and Environmental Documentation

- As noted in the presentation at the June Board meeting, this project has made great progress this summer with numerous property owner and stakeholder meetings, data collection, and surveying. Archaeological surveys, topographic surveys, wetland/waters surveys and subsurface geotechnical work have been completed.
- In the month of August, the team has completed and submitted a draft Record of Survey to the County of Sacramento, draft wetland delineation mapping, a draft Initial Site Assessment, draft Cultural Resources Reports, and a draft Traffic Report to Caltrans, the City of Rancho Cordova, and Sacramento County for review.
- Current activities include preparation of the draft Community Impacts Assessment, Section 4(f), Visual Impacts Assessment, Natural Environment Studies, and preliminary Noise and Air Quality Studies.
- The team is also preparing a draft phase 1 alignment and coordinating with SMUD on the layout of the adjacent utility corridor. Discussions on the phase 1 alignment are anticipated to occur in September.

**D3/E1 – White Rock Road in Sacramento County/City of Folsom/EI Dorado County**

Length: 5.3 miles

Consultant Team: Dokken Engineering (Pending)

Current Phase: Final Design

- On the Board agenda today is a staff report requesting authorization to negotiate a scope of services with Dokken Engineering to begin Final Design work.
- Staff anticipates that prioritizing Right of Way requirements and coordinating with the California Public Utilities Commission on the rail crossing will be the first items of work once an agreement is approved.
  - The right of way requirements on the D3 Segment range from straight-forward full acquisitions, to complicated partial acquisitions. Staff will coordinate with the consultant team to determine which acquisitions can begin immediately after receipt of a Notice to Proceed.
  - Staff will coordinate with the consultant team to prepare a CPUC application for a new at-grade crossing to replace the existing White Rock Road crossing. It is anticipated that this process will require approximately 12 months of coordination between the JPA, the County, the City of Folsom, and the Sacramento-Placerville Transportation Corridor JPA to come to a resolution, which is why beginning the process early is critical to the project schedule.
- Staff anticipates it will bring a Memorandum of Understanding (MOU) with the County of El Dorado to the JPA Board for funding the E1 Segment work. Previously the El Dorado County Board of Supervisors has indicated a willingness to fund final design work for the E1 Segment and development of the MOU is underway by County staff.

Respectfully Submitted,



Tom Zlotkowski  
Executive Director



**Capital SouthEast Connector JPA Board of Directors**

**Item # 6  
Motion**

August 26, 2016

**Update on the Construction Manager/General Contractor (CM/GC) Delivery Method for the Connector**

**Issue:** To receive an update on the Construction Manager/General Contractor process as it pertains to the Capital SouthEast Connector.

**Recommendation:** Staff recommends the Board provide input and direction to staff to work on preparing an evaluation of the traditional Design-Bid-Build (DBB) method of construction versus the Construction Manager/General Contractor (CM/GC) method for JPA Board review, and direct staff to work on preparing an update to the Contracting and Purchasing Procedures Manual to incorporate information on CM/GC for adoption in November, 2016.

**Background:** Since approximately 2013, the Connector JPA has contemplated the use of alternative project delivery methods to deliver the Connector project to construction. Alternative project delivery methods offer benefits beyond traditional Design-Bid-Build such as better cost certainty, early identification of construction risks, and accelerated delivery, by fast-tracking construction startup and mobilization.

Between 2013 and today, the Governor has signed into law both AB 401 and AB 1171, which enable the Connector JPA to use project delivery methods such as Design-Build (DB) or CM/GC. During this time, the Board also received services from Granite Construction Company regarding the feasibility of using these methods to construct the Connector Project, and ultimately recommended that CM/GC be considered a preferred method for delivery.

Segment D3/E1 of the Connector completed the Preliminary Engineering and Environmental Documentation phase earlier this year and is now entering the Final Design phase. If CM/GC is to be utilized on this segment then staff will need to update the contracting and purchasing policies of the JPA.

**Discussion:** Existing law generally sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by local agencies for public works contracts. AB 1171 (Linder) signed by Governor Brown in 2015 authorized regional transportation agencies, such as the Connector JPA, to use the CM/GC project delivery method to design and construct the Connector.

AB 1171 requires that certain requirements be met in order for CM/GC to be utilized, including:

- 1) *The expressway is developed in accordance with an expenditure plan approved by voters.*

The Connector is described in the 2004 Measure A Ballot expenditure plan as "I-5 / SR 99 / US 50 Connector" and as a "new road connecting I-5/SR 99/US 50" without any certain definition of the functional classification of facility that would be constructed. It is clear, however, that this segment of the Connector is on the approved alignment that is intended to connect I-5 / SR 99 / US 50.

- 2) *There is an evaluation of the traditional Design-Bid-Build method of construction and of the CM/GC method.*

Staff believes that CM/GC delivery could reduce cost and expedite delivery if the funding becomes available as was anticipated when SACOG awarded the JPA flexible funds in December 2014. Once additional information becomes available on the status of revenue for this segment, a request for a formal decision on the delivery method will be presented to the JPA Board.

- 3) *The Connector JPA Board adopts the procurement strategy method in a public meeting.*

In association with meeting the requirements of #2 listed above, the Board will be asked to officially adopt a procurement strategy at an upcoming Board of Directors meeting.

In addition, should CM/GC be utilized, the bill requires a report be prepared to the JPA Board upon completion of a project that contains the following information:

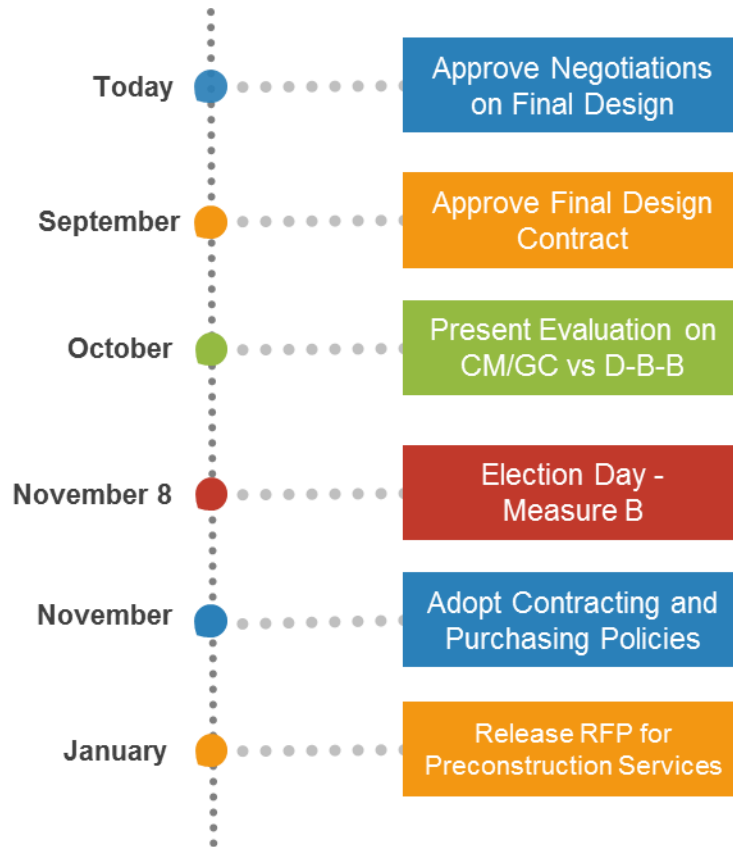
- 1) A description of the project.
- 2) The name of the entity that was awarded the project.
- 3) The estimated and actual costs of the project.
- 4) The estimated and actual schedule for project completion.
- 5) A description of any written protests concerning any aspect of the solicitation, bid, proposal, or award of the project, including, but not limited to, the resolution of the protests.
- 6) An assessment of the prequalification process and criteria required by this chapter.
- 7) A description of the method used to evaluate the bid or proposal, including the weighting of each factor and an assessment of the impact of this requirement on a project.
- 8) A description of any challenges or unexpected problems that arose during the construction of the project and a description of the solutions that were considered and ultimately implemented to address those challenges and problems.
- 9) Recommendations to improve the Construction Manager/General Contractor method authorized by this chapter.

The report would be required to be made available on the Connector JPA's website.

#### Timing of CM/GC as it relates to the Phase 1 Shovel Ready Strategy

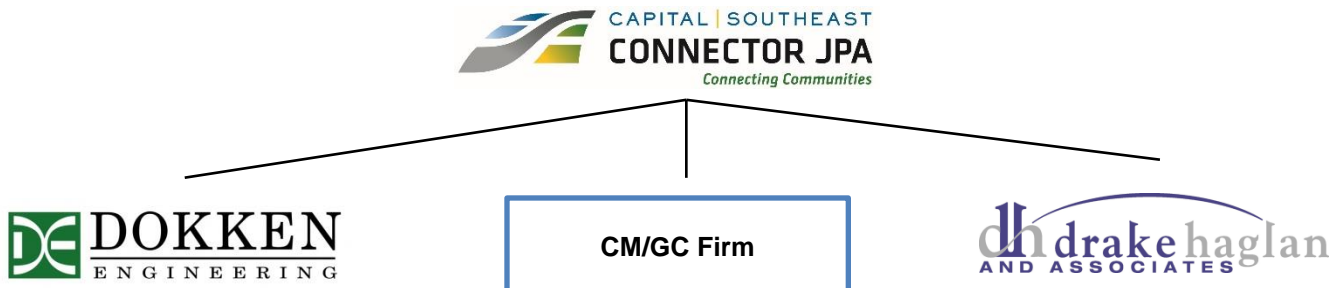
Staff is recommending the Board provide direction to begin developing the evaluation of the different procurement methods today as the timing is prudent to Segment D3/E1 Final Design. Should Measure B be approved by voters in Sacramento County this November, the Connector JPA will be in a position to utilize the 35% design that Dokken Engineering will prepare to advertise a Request for Proposals from CM/GC firms. Below is the anticipated schedule of key milestones:





How a CM/GC delivery would be structured and organized

A selected CM/GC firm would be part of the overall project team for Segment D3/E1, which currently consists of JPA staff, Drake Haglan & Associates, and Dokken Engineering (if a contract can be successfully negotiated). The CM/GC firm will not be the Designer-of-Record at any time during life of the project duration; the CM/GC firm and the Designer-of-Record will be contracted for separately by the Connector JPA. Below is the anticipated organizational chart:



The CM/GC delivery method incorporates consultation of a solicited General Contractor (GC) early in the design of the project acting in a Construction Manager (CM) capacity with the JPA's designer. Initially, the CM/GC firm will provide services typically called "Preconstruction Services" such as plan reviews for constructability, pricing, scheduling, staging, methods, efficiency, material procurement strategies, risk identification/management, and other areas related to the construction of the project. This scope of work will typically cost the owner 10% of the fee of Final Design.

At approximately 60% to 90% design completion, the owner and the CM/GC negotiate a 'Guaranteed Maximum Price' (GMP) for the construction of the project. If the GMP can be independently verified as accurate and appropriate, and the price is acceptable to both parties, they execute a contract and construction of the project can begin.

During the construction phase, the CM/GC performs the same functions as a typical General Contractor would provide under the traditional DBB delivery method. The Connector JPA would negotiate a Task Order with Drake Haglan & Associates under the Program Management contract to provide construction administration and inspection as the Owner's Representative during construction.

### The Importance of Measure B

As shown in the schedule of key shovel ready milestones, the timing of an approved Measure B plays a critical role in the development of a CM/GC procurement for the Connector. If Measure B is approved by Sacramento County voters, it would allow the Connector JPA to go to construction on time for the Folsom, Elk Grove, and possibly the Rancho Cordova segments, all of which are being pursued in earnest to meet the JPA's approved "Shovel Ready" schedule.

If Measure B is not approved, it is likely that construction will be delayed until sufficient revenues can be secured. It is unknown at this time if CM/GC would remain a viable procurement method or if, instead, the Connector Segments are only made "Shovel Ready" through the traditional DBB process. That evaluation will occur with the input of the final design engineer for each segment once the segment funding picture is more clear.

Staff will be providing additional information on the Segment D3/E1 CM/GC outlook, as well as expected Connector revenue options, to the Board at future meetings over the upcoming months.

Respectfully Submitted,



Tom Zlotkowski  
Executive Director



**Capital SouthEast Connector JPA Board of Directors**

**Item # 7  
Motion**

August 26, 2016

**Authorize the Executive Director to Negotiate a Scope of Services with Dokken Engineering for Segment D3/E1 Final Design (White Rock Road from Prairie City Road to Latrobe Road)**

**Issue:** To present the Board with a recommended consultant for Segment D3/E1 Final Design Services following the issuance of the Request for Proposals (RFP), and to request authorization to negotiate for such services.

**Recommendation:** Staff recommends that the Board authorize the Executive Director to negotiate with Dokken Engineering to provide final design services for Segments D3/E1, and to bring back proposed terms for approval by your Board at the September Board meeting.

**Background:** At your May 2016 meeting, the Board approved the release of an RFP for Segment D3/E1 (White Rock Road from Prairie City Road to Latrobe Road) Final Design Services. On July 8, 2016, the JPA released an RFP to an extensive list of consultants with experience in locally funded transportation projects. An advertisement for the solicitation was also placed in the Sacramento Bee as prescribed by JPA policy. In addition, the RFP notice was posted on the JPA website.

On July 29, 2016, the JPA received one proposal for the services requested from Dokken Engineering, Inc., which is also the same firm that completed the Preliminary Engineering and Environmental Documentation for Segment D3/E1. An evaluation of the proposal was undertaken to confirm that the proposer was responsive to the requirements in the RFP, demonstrated experience and knowledge in the fields of engineering design (specifically of expressway and thoroughfare roadways) and environmental permitting, and had the requisite experience with alternative delivery procurements.

**Discussion:** In December 2014 the Board was provided an update to the Plan of Finance expenditures which reflected staff's recommendation that the Connector Project be delivered using an alternative delivery procurement method (in this case CM/GC) and that the JPA would be responsible for completion of a number of development components such as right-of-way acquisition, utility relocation, and project level environmental review. For the D3/E1 segment, total project costs were estimated to be \$54.1M. Funding for this contract has been accounted for in the current JPA Budget and Measure A allocation expenditure plan, and is in compliance with any requirements and/or restrictions set forth within those sources.

While only one proposal was received, staff believes that Dokken Engineering is highly qualified to perform the services requested and, based on the responses received in response to staff's inquiries, there is no basis to believe that re-advertising the RFP would result in the submission of additional proposals.

After a thorough review of the proposal, and the reasons provided by firms that opted not to submit proposals, the Executive Director has determined that competition was adequate. This conclusion was based on the following considerations:

- Staff reviewed the proposal to confirm that the specifications and terms were not unduly restrictive, and that changes could not be made that would encourage the submission of more proposals.
- Staff contacted various engineering firms on the RFP mailing list that chose not to submit proposals. They indicated that they were not currently in position to compete for the requested services for reasons beyond the JPA's control, confirming that their decisions not to propose were unrelated to the terms of the solicitation.
- The RFP process conformed to the JPA's adopted contracting and purchasing procedure.

Since only one proposal was received, no interview with the proposer was deemed necessary. However, staff has requested that staff from the member jurisdictions review Dokken's proposal and provide input to assist in the negotiation of the proposed services to be provided.

If authorized to negotiate a contract with Dokken, staff anticipates that it will bring proposed terms and conditions on a scope of services to the Board at its September meeting and staff will request authorization to enter into an agreement for the outlined services at that time.

Respectfully Submitted,



Tom Zlotkowski  
Executive Director