

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Public Works AKM

BOARD AGENDA # \*C-4

Urgent  Routine

AGENDA DATE June 3, 2008

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Authorize the Director of Public Works to Sign the Project Charter for State Route 219 Phase II Improvements for Plans, Specification and Estimate and Right of Way Phases of the Project with the California Department of Transportation and Stanislaus Council of Governments

STAFF RECOMMENDATIONS:

Authorize the Director of Public Works to sign the Project Charter for State Route 219 Phase II Improvements for Plans, Specification and Estimate and Right of Way Phases of the Project with the Department of Transportation and Stanislaus Council of Governments.

FISCAL IMPACT:

The State Route 219 Phase II Improvements are funded with a combination of funds. The \$50,500,000 project is funded by \$18,813,000 in Proposition 1B, \$29,447,000 in Regional State Transportation Improvement funds, and \$2,240,000 in Local funds.

BOARD ACTION AS FOLLOWS:

No. 2008-403

On motion of Supervisor Monteith, Seconded by Supervisor O'Brien  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Monteith, DeMartini and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: Grover

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Authorize the Director of Public Works to Sign a Project Charter for State Route 219 Phase II Improvements for Plans, Specification and Estimate (PS&E) and Right of Way Phases of Project with the Department of Transportation (Caltrans) and Stanislaus Council of Governments (StanCOG)

#### DISCUSSION:

The Project Charter for the State Route 219 (SR 219) Phase II Improvements memorializes the intent of the California Department of Transportation (Caltrans), the Stanislaus Council of Governments (StanCOG) and Stanislaus County to work cooperatively together for the successful delivery of this project. The charter defines the project, success criteria, roles and responsibilities, baseline schedules and contains a conflict resolution plan.

The State Route 219 Phase II Improvements will construct an additional lane in each direction, upgrading the 2-lane conventional highway to a 4-lane facility within an ultimate six-lane expressway right of way. The purpose of the project is to relieve existing traffic congestion on SR 219 between Dale Road and SR 108 (McHenry Avenue). The project will increase capacity, accommodate future planned growth, improve safety at intersections and upgrade the roadway to current Caltrans standards.

The current delivery schedule is to complete design by April 1, 2009; right of way by June 1, 2009; begin construction by December 1, 2009 and end construction by December 1, 2011.

#### POLICY ISSUES:

The Board should consider if the recommended actions are consistent with its priorities of providing a safe community, a healthy community and a well-planned infrastructure system.

#### STAFFING IMPACT:

There is no staffing impact associated with this item.

LB/RM:la/lc

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2008 JUN 30 AM 10 39

## PROJECT CHARTER

### STATE ROUTE 219 WIDENING PHASE II

10-STA-219-PM 2.1/5.2

EA 10-0A872

Prepared: October 1, 2007

#### CHARTER PURPOSE

This charter documents the agreement between Caltrans District 10 Project Management – (Caltrans), the Stanislaus County Council of Governments (StanCOG), and Stanislaus County (County) for the PS&E and Right of Way phase for State Route (SR) 219 Corridor Widening project regarding the roles and responsibilities of each team member and partner. Team sponsors/partners include Caltrans, Stanislaus County and StanCOG. StanCOG and Caltrans share the funding responsibility. Caltrans will prepare and submit all elements of this phase, Plans, Specifications, and Estimates (PS&E). Right of Way acquisitions activities will be shared with the County hearing and adopting any needed Resolutions of Necessity. The charter will be amended for each future project development phase.

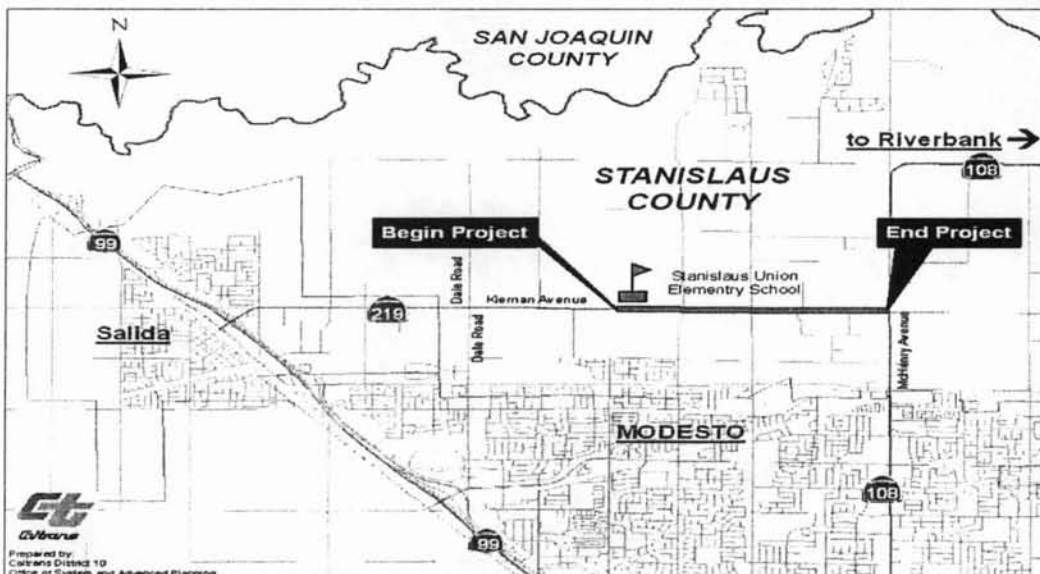
#### PROJECT DESCRIPTION

The SR 219 Widening will construct an additional lane in each direction, upgrading SR 219 from a 2-lane conventional highway to a 4-lane conventional highway, within the ultimate 6-lane expressway right of way.

The project scope includes the following activities:

- Plans, Specifications, and Estimates
- Physical and legal right of way
- Right of Way Certification (#3) April 1, 2009; RTL date June 28, 2007.

#### PROJECT LOCATION



## **PURPOSE AND NEED**

The purpose of Phase II of the SR 219 Widening project is to relieve existing traffic congestion on State Route 219 between Dale Road and SR 108 (McHenry Avenue) in Stanislaus County. The project is needed to provide increased capacity on SR 219, accommodate future planned growth, improve safety at intersections, and include a median and clear recovery zone to upgrade the roadway to current standards. The purpose of the PS&E and Right of Way phase is to prepare Contract documents to bid the construction work and to secure all right of way needs for the project. The future anticipated project phase will be construction.

## **PROJECT BACKGROUND**

Caltrans has identified the need to relieve traffic congestion on SR 219 between SR 99 and SR 108. The SR 219 widening project (originally included both Phases I & II) will not only accommodate planned growth but also will preserve an east-west corridor to SR 99.

An environmental document was completed in May 2004. Subsequently, due to funding constraints the project was split into two sections, Phase I and Phase II. Additionally, the segment between Quinturn Lane and Morrow Road, including the Dale Road Intersection, at PM 1.85, became the subject of a separate oversight project. Phase I completed milestone Ready – to – List on June 28, 2007.

PS&E and Right of Way work for Phase II started on July 2, 2007. Proposition 1B CMIA funds have been programmed for the Construction component. The cost, scope, and schedule are dictated by the Fact and Funding Agreement signed by Caltrans, StanCOG, and the California Transportation Commission.

## **DELIVERY SUCCESS CRITERIA**

The project phase success criterion is an approved PS&E package and Right of Way Certification meeting the following criteria:

- Schedule – PS&E and Right of Way Certification will be complete resulting in a Ready - to – List Milestone pursuant to the Fact and Funding Agreement.
- Quality – the PS&E documents will comply with Caltrans' Guidelines.
- Customer Satisfaction – PS&E will have the support of the sponsors and partners.

The objective of this phase is to complete the PS&E and Right of Way in the scheduled time, within the agreed upon scope, and the current budget.

## **PROJECT SUCCESS RESPONSIBILITY**

- 1) All PDT members shall agree upon and use generally accepted principles of project management (and task management) in order to deliver the project within the schedule and budget, and in a quality form.

- 2) Each PDT member has the responsibility for the products and processes associated with the project delivery plan.
- 3) Each PDT member will conform to professional standards and conduct.

### **DELIVERABLE MANAGEMENT**

Work on PS&E and Right of Way will begin July 2007 and will be completed by June 2009 (PS&E) and April 2009 (Right of Way Certification).

### **CONSTRAINTS, RISKS AND ASSUMPTIONS**

Constraints include:

- 1) As a CMIA project, funding, scope and cost are set by baseline agreement.
- 2) Right of Way acquisitions are on an extremely tight timeframe.

Risks:

- 1) See Risk Response Plan. New statutory requirement for acquisition of right of way became effected January 1, 2007. The affect of this legislation to the project schedule may extend the time frame by 5-8 months.
- 2) Risk Response Plan coordination generally needs 24 months to complete.

Assumptions:

- 1) A risk response plan will be maintained and monitored. See Conflict Resolution Plan.

### **PHASE DELIVERABLES & BASELINE SCHEDULE**

Project Phase: PS&E/ RW

<u>Deliverable Item</u>	<u>Responsible Agency</u>	<u>Delivery Date</u>
1. Work on PS&E and Right of Way	Caltrans	June 2009
2. Monthly PDT Meetings:		
a. Action items will be tracked		
b. Each functional unit will be represented and reporting	Caltrans	Monthly
c. A critical Path Method schedule will be maintained and monitored		
3. Communication Plan	Caltrans	
4. Risk Management Plan	Caltrans	
5. Expenditures will be monitored and reported at each PDT meeting	Caltrans	Monthly
6. Environmental Certification	Caltrans	
7. Right of Way Certification	Caltrans	

BASELINE SCHEDULE (As of the adoption date of the Project Charter):

PA&ED	PS&E	RW Cert.	RTL	START CONST.	END CONST.
05/13/2004	03/02/2009	04/01/2009	04/01/2009	12/01/2009	12/01/2011

### CONFLICT RESOLUTION PLAN

The Conflict Resolution Process for the SR 219 Widening, Phase II project is intended to provide the framework for resolving conflicts between sponsors (Caltrans) and StanCOG. The implementing agency for Right of Way is Stanislaus County.

#### Principles

Caltrans, StanCOG, and County share the following principles in the resolution of conflicts:

1. The efficient delivery of effective, appropriate projects is the primary goal of both parties under this MOU.
2. The parties will focus on their common goals rather than discuss differences.
3. Win/win solutions to disputes should be sought.
4. Differences of opinions are okay.
5. Timely, open, and honest communication is the key to avoiding and resolving conflicts.
6. Concerns should be separated from people.
7. Decisions should be made and conflicts resolved at the lowest possible level.

#### Decision Process

The "Conflict Resolution Matrix" will be followed to identify the process by which unresolved concerns may be elevated to a higher decision authority. It is the intent of both parties to resolve conflicts quickly.

**Conflict Resolution Matrix**

Level	Decision Timeframe	Local Agency	Caltrans
1	1-5 days	Project Manager	Project Manager
2	5-10 days	Executive Director StanCOG, or Stanislaus County Director of Public Works	Deputy District Director
3	10-15 days	Executive Director StanCOG, or Stanislaus County Director of Public Works	District Director

The first level of review and resolution takes place within the Project Development Team, especially those questions that do not affect the scope, cost, or schedule. The team will review the question, options for resolution, pros and cons to each option, and the advocate's reasons in support of the option. If the team and Project Managers do not have

the authority or cannot agree, then the conflict will be presented to the Deputy District Director for Program Project Management.

The second level of review and resolution takes place at the Caltrans Deputy District Director(s) and Executive Director StanCOG, or Stanislaus County Director of Public Works. An Issue Memo should be written by the Caltrans Project Manager to detail the question, options for resolution, pros and cons to each option, and the advocate's reasons in support of the option. The memo should specifically present completed staff work performed to resolve the question. If the Deputy District Director(s) and local sponsor do not have the authority or cannot agree, then the conflict will be presented to the District Director.

The third level of review and resolution rests with the District Director and Executive Director StanCOG, or Stanislaus County Director of Public Works. They will review the Issue Memo and determine the outcome.

Some conflicts may fall within the purview of Caltrans Design, Legal, or Headquarters. In those instances, the questions, options for solutions, and pros and cons will be raised to each subsequent management level.

Caltrans expressly reserves the right to exercise its authority to direct the implementation of appropriate responses to questions affecting:

- The safety of the traveling public.
- Future Caltrans liability of the operation and maintenance of the completed facility.
- Future operations and maintenance costs of constructed project facilities.
- Future statutory obligations pertaining to the new or existing facility.

In those rare instances where Caltrans exercises this authority, the local sponsor will be informed 15 days before Caltrans issues a determination in a letter signed by the District Director.

It is anticipated that most concerns will be resolved at the levels identified in the matrix above. If an impasse is reached, the regional agency may submit a written request for further review by Caltrans to the District Director. The request must fully describe the position of the regional agency on the problem. The District Director will forward the regional agency's request to the Caltrans Program Manager for Transportation Programming and Project Management at Headquarters. In addition, the District Director (with assistance provided the Caltrans Project Manager) will provide a report describing the steps taken to attempt to resolve the problem. This report should provide a problem overview and detailed discussion of the items in dispute, with references to sections in policy manuals and memos that support the District's position, and a District recommendation on the problem.

A meeting may be convened by either the Caltrans Program Manager for Transportation Programming or the Program Manager for Project Management and include regional agency and District representatives to consider the problem. If a solution is reached that

is agreeable to both parties, the regional agency and the District will work to implement the solution. If an agreement is not reached, the concern may be addressed to the California Transportation Commission for consideration.

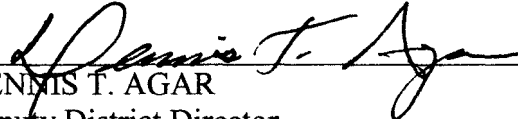
**KEY TEAM MEMBERS**

Christina Hibbard	Caltrans Project Manager
Jose Huerta	Caltrans Design
Raychel Skeen	Caltrans, Environmental Coordinator
Michael Rodrigues	Caltrans, Right of Way
Anthony Dorn	Caltrans, Right of Way
Stan Risen	Stanislaus County
Matt Machado	Stanislaus County
Vince Harris	StanCOG
Charles Turner	StanCOG
Terry Bowen	Consultant to StanCOG (Gray-Bowen)

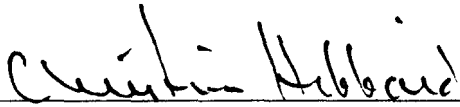
The PDT team will consist of representatives from Caltrans, Stanislaus County, and StanCOG.



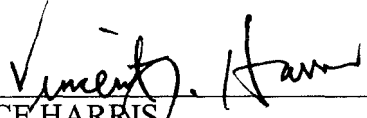
**APPROVALS:**

  
\_\_\_\_\_  
DENNIS T. AGAR  
Deputy District Director  
Program Project Management  
Caltrans – District 10


6/10/08  
Date

  
\_\_\_\_\_  
CHRISTINA HIBBARD  
Project Manager  
Program Project Management  
Caltrans – District 10

6/10/08  
Date

  
\_\_\_\_\_  
VINCE HARRIS  
Executive Director  
Stanislaus Council of Governments

6/17/08  
Date

  
\_\_\_\_\_  
MATTHEW MACHADO  
Director of Public Works  
Stanislaus County

6-5-08  
Date