TO: Mayor and City Council

FROM: Public Works Department

SUBJECT: RESOLUTIONS: ROUTE 99 IMPROVEMENT PROJECT (STATE ROUTE 4 TO HAMMER LANE) WITH HAMMER LANE INTERCHANGE RECONSTRUCTION, PROJECT NO. 04-16

RECOMMENDATION

It is recommended that two (2) resolutions be adopted authorizing the City Manager to negotiate and execute agreements for the Route 99 Improvement Project (State Route 4 to Hammer Lane) with Hammer Lane Interchange Reconstruction: the City-San Joaquin Council of Governments (SJCOG) Measure K Construction Cooperative Agreement and the State-City-SJCOG Construction Cooperative Agreement. It is further recommended that the resolutions authorize the City Manager to record any and all appropriations and transactions necessary to complete funding of the project.

DISCUSSION

Background

Improvements will soon be constructed at Route 99 (State Route 4 to Hammer Lane) and the Hammer Lane/Route 99 Interchange. The general purposes of these widening and interchange projects are to reduce freeway flow conflicts, improve operations at designated interchanges, improve safety-related design features thereby improving freeway capacity, enhance the Hammer Lane interchange operations and safety, and to accommodate current and future demands attributable to approved future planned development.

Proposed improvements to Route 99 will generally include: widening of Route 99 from four to six traveled lanes between the State Route 4 (Crosstown Freeway) and Hammer Lane; addition of auxiliary lanes between Wilson Way and Hammer Lane; and the modification of interchanges at Fremont Street, Waterloo Road, Cherokee Road, as well as the Calaveras River overcrossing ramps. The scope of improvements to the Hammer Lane/Route 99 Interchange Project generally include: reconstruction of ramps and bridge overcrossing, installation of intersection signalization, and relocation of frontage roads.

Since the early 1990’s the project stakeholders – Caltrans, SJCOG, City and San Joaquin County (County) have been working in partnership to deliver these regionally significant projects. SJCOG took the lead in preparation of the Project Study Report (PSR) for Route 99 Widening between the State Route 4 (SR 4) and Hammer Lane. The PSR was completed and approved on April 12, 1995. Similarly, the PSR for the Hammer Lane/Route 99 interchange project was approved on October 20, 1998.
Appropriate to:
Account No. 080-9942-981.93-99 Hammer/99 Interchange Improvements--Measure K Congestion Relief Revenue

$56,712,930

3. That the City Manager is hereby authorized and directed to take the actions necessary to carry out the purpose and intent of this resolution.

PASSED, APPROVED and ADOPTED ____________________________

ATTEST:

GARY PODESTO, Mayor of the City of Stockton

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton
RESOLUTIONS: ROUTE 99 IMPROVEMENT PROJECT (STATE ROUTE 4 TO HAMMER LANE) WITH HAMMER LANE INTERCHANGE RECONSTRUCTION, PROJECT NO. 04-16

July 27, 2004

With the PSRs completed for the Hammer Lane/Route 99 interchange and the Route 99 widening projects, a Project Development Team (PDT) was formed consisting of representatives from SJCOG, City, Caltrans, and San Joaquin County (County). The County assumed the lead agency role responsible for completing the environmental and design documents. On September 26, 2001, the San Joaquin County Board of Supervisors approved the California Environmental Quality Act (CEQA) document. This marked the beginning to the right-of-way and utility coordination phase of the project.

SJCOG assumed the lead in right-of-way acquisition and utility relocation phases of the projects with Caltrans assisting in the eminent domain proceedings. A total of 43 parcels were affected of which eight required eminent domain actions leading to resolutions of necessity by the California Transportation Commission (CTC). All right-of-way or necessary rights of entries are in hand and a Right-of-Way Certification was approved by Caltrans which clears the project for construction.

In an attempt to advance construction of these much needed projects, SJCOG, with the support of other project stakeholders, proposed to exercise the mandates of Assembly Bill 3090 (AB3090) and Proposition 35. The AB3090 policy was approved by the State in 2003 and encouraged local agencies to use their own funds to advance the delivery of a State Transportation Improvement Program (STIP) project when State funds were not available. Proposition 35 (also known as the Fair Competition and Taxpayer Savings Initiative) enables the State of California and all other government entities to contract with qualified private entities for architectural and engineering services needed on public works projects. Furthermore, Proposition 35 also allows other government agencies to advertise, award, and administer projects within the State highway jurisdiction. The request for authority to exercise AB3090 provisions was approved by the CTC at their May 13th meeting. This approval allows SJCOG to advance Measure K dollars to construct both projects now with reimbursement coming from the State in the future for the highway widening segment. Due to concerns expressed by City, SJCOG and County staff regarding Caltrans' acting as lead agency for construction of other regional projects, it was agreed that the City would assume the lead agency role in administering construction of both the Route 99 Improvement Project and the Hammer Lane Interchange Reconstruction Project as provided by Proposition 35. On May 25, 2004, the City Council approved the execution of a Construction Management Cooperative Agreement with SJCOG for reimbursement provisions of the City's construction administration costs, including the construction management and inspection contract with Parsons Brinckerhoff Construction Services, Inc (PBCS).

Present Situation

Cooperative agreements are normally prepared prior to construction between jurisdictional, participating, or permitting agencies. Caltrans, County and SJCOG are three such agencies from which cooperative agreements are required. These agreements normally outline the roles and responsibilities and fair share contributions, if any, for the projects.
Resolution No. ____________

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE MEASURE K CONSTRUCTION COOPERATIVE AGREEMENT BETWEEN THE CITY OF STOCKTON AND THE SAN JOAQUIN COUNCIL OF GOVERNMENTS (SJCOG) FOR THE ROUTE 99 IMPROVEMENT PROJECT (STATE ROUTE 4 TO HAMMER LANE) WITH HAMMER LANE INTERCHANGE RECONSTRUCTION, PROJECT NO. 04-16 AND AUTHORIZING THE CITY MANAGER TO TAKE THE NECESSARY ACTIONS TO CARRY OUT THE PURPOSE AND INTENT OF THE RESOLUTION

WHEREAS, improvements will soon be constructed at Route 99 (State Route 4 to Hammer Lane) and at the Hammer Lane/Route 99 Interchange; and

WHEREAS, in an effort to facilitate the earliest possible delivery of the widening and interchange projects it is necessary to authorize the City Manager to negotiate and execute a Measure K Construction Cooperative Agreement with the San Joaquin Council of Governments (SJCOG); now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That the City Manager is hereby authorized and directed, on behalf of the City of Stockton, to negotiate and execute the Measure K Construction Cooperative Agreement between the City of Stockton and San Joaquin Council of Governments (SJCOG) for the Route 99 Improvement Project (State Route 4 to Hammer Lane) With Hammer Lane Interchange Reconstruction, Project No. 04-16.

2. That the City Manager is hereby authorized and directed to take the following action to establish funding for the cooperative agreement with SJCOG:

   Establish Revenue Account:
   Account No. 080-9942-337.30-01
   Hammer/99 Interchange Improvements--Measure K Congestion Relief Revenue

   Amount
   $56,712,930
The Route 99 Improvements and Hammer Lane Interchange Reconstruction are two of the many projects in the San Joaquin County area that are funded by Measure K, the ½ % sales tax increase passed by the voters in 1990. When Measure K funds are used a cooperative agreement is required.

The first resolution will authorize the City Manager to negotiate and execute the Measure K Construction Cooperative Agreement with SJCOG. The agreement outlines submittal, reimbursement, and other general funding provisions for using Measure K funds. SJCOG will reimburse 92.73% of the total actual costs incurred by the City estimated at $56,712,930. The City contributes a not to exceed amount of $4,037,000 from the Public Facilities Fees (PFF) Program. There is also $404,700 of Federal Surface Transportation Program (STP) funds allocated for the Hammer Lane Interchange project.

The second resolution will authorize the City Manager to negotiate and execute the construction cooperative agreement with SJCOG and Caltrans. This construction cooperative agreement generally states that:

- City, SJCOG and Caltrans will work cooperatively during construction
- City will advertise, award and administer the construction of both projects
- City will provide a Resident Engineer (PBCS) during construction
- Caltrans will provide quality assurance services during construction
- Caltrans will issue no-fee encroachment permits to the City and the City's contractor
- Indemnity, bonding and insurance requirements shall be in general accordance with City and Caltrans standards
- SJCOG is the funding authority for the construction projects
- SJCOG, per the AB3090 provisions, is responsible for the project completion

No financial action is required for this agreement and associated resolution.

The City and SJCOG are committed to the earliest possible delivery of the widening and interchange projects. Using STP and AB3090 replacement funds for construction requires a federal construction authorization (E-76) from Caltrans Local Assistance Office prior to advertising for bids. The E-76 entails execution of cooperative agreements between participating agencies, right-of-way certification, and Plans, Specifications and Estimates (PS&E) certification. The latter two have been provided to the Local Assistance Office. The abovementioned cooperative agreements are still in the negotiations stage. City and SJCOG have issues with the terms and provisions of the agreement with Caltrans. Since time is of the essence in the delivery of the projects, City and SJCOG staff decided to move forward and recommend execution of the agreements while continuing to negotiate language. SJCOG Board is scheduled to vote on execution of these agreements on July 22nd. In this way, the agreements will be executed immediately after the issues are settled. Any savings in time will greatly help in the early delivery of the projects.
RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE
THE CONSTRUCTION COOPERATIVE AGREEMENT WITH SJCOG AND THE STATE OF
CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE ROUTE 99
IMPROVEMENT PROJECT (STATE ROUTE 4 TO HAMMER LANE) WITH HAMMER LANE
INTERCHANGE RECONSTRUCTION, PROJECT NO. 04-16 AND AUTHORIZING THE
CITY MANAGER TO TAKE THE NECESSARY ACTIONS TO CARRY OUT THE PURPOSE
AND INTENT OF THE RESOLUTION

WHEREAS, improvements will soon be constructed at Route 99 (State Route 4 to
Hammer Lane) and the Hammer Lane/Route 99 Interchange; and

WHEREAS, in an effort to facilitate the earliest possible delivery of the widening and
interchange projects it is necessary to authorize the City Manager to negotiate and execute a
Cooperative Agreement with the State of California and the San Joaquin Council of
Governments (SJCOG); now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STOCKTON, AS
FOLLOWS:

1. That the City Manager is hereby authorized and directed, on behalf of the City
of Stockton, to negotiate and execute a Construction Cooperative Agreement between the
City of Stockton, the San Joaquin Council of Governments (SJCOG), and the State of
California Department of Transportation (Caltrans), for the Route 99 Improvement Project
(State Route 4 to Hammer Lane) With Hammer Lane Interchange Reconstruction, Project
No. 04-16.

2. That the City Manager is hereby authorized to negotiate and is directed to take
the actions necessary to carry out the purpose and intent of this resolution.

PASSED, APPROVED and ADOPTED ____________________________.

ATTEST: ____________________________

KATHERINE GONG MEISSNER
City Clerk of the City of Stockton

GARY PODESTO, Mayor
of the City of Stockton

DATE: JUL 21 2004
RESOLUTIONS: ROUTE 99 IMPROVEMENT PROJECT (STATE ROUTE 4 TO HAMMER LANE) WITH HAMMER LANE INTERCHANGE RECONSTRUCTION, PROJECT NO. 04-16

Given Caltrans’ review and execution process, the projects may be advertised for construction by September 2004 at the earliest. After bids are opened, the Council will be asked to consider the following agreements and/or actions: construction contract award, utility relocation agreements, and freeway maintenance agreements with County and Caltrans. Construction contract award is anticipated to occur in November 2004 with start of construction following immediately as soon as contract documents are approved and accepted. The construction period will be approximately two years.

FINANCIAL SUMMARY

The City Manager is requested to take the following action in order to establish funding for the cooperative agreement with SJCOG, estimated at $56,712,930.

Establish Revenue Account:

<table>
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<tr>
<th>Account No.</th>
<th>Hammer/99 Interchange Improvements—Measure K Congestion Relief Revenue</th>
<th>$56,712,930</th>
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<td>080-9942-337.30-01</td>
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PREPARED BY: Gemma Biscocho

Respectfully submitted,

ERIC ALVAREZ, P.E.
SENIOR CIVIL ENGINEER

APPROVED BY CITY MANAGER

Attachment

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Hammer Lane/SR 99 Interchange Project

State Route 99
(From Hammer Lane to Cross-town freeway)