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Repairing Moraga Road

By Sophie Braccini



Long lines of cars as the road is repaved Photo
Sophie Braccini

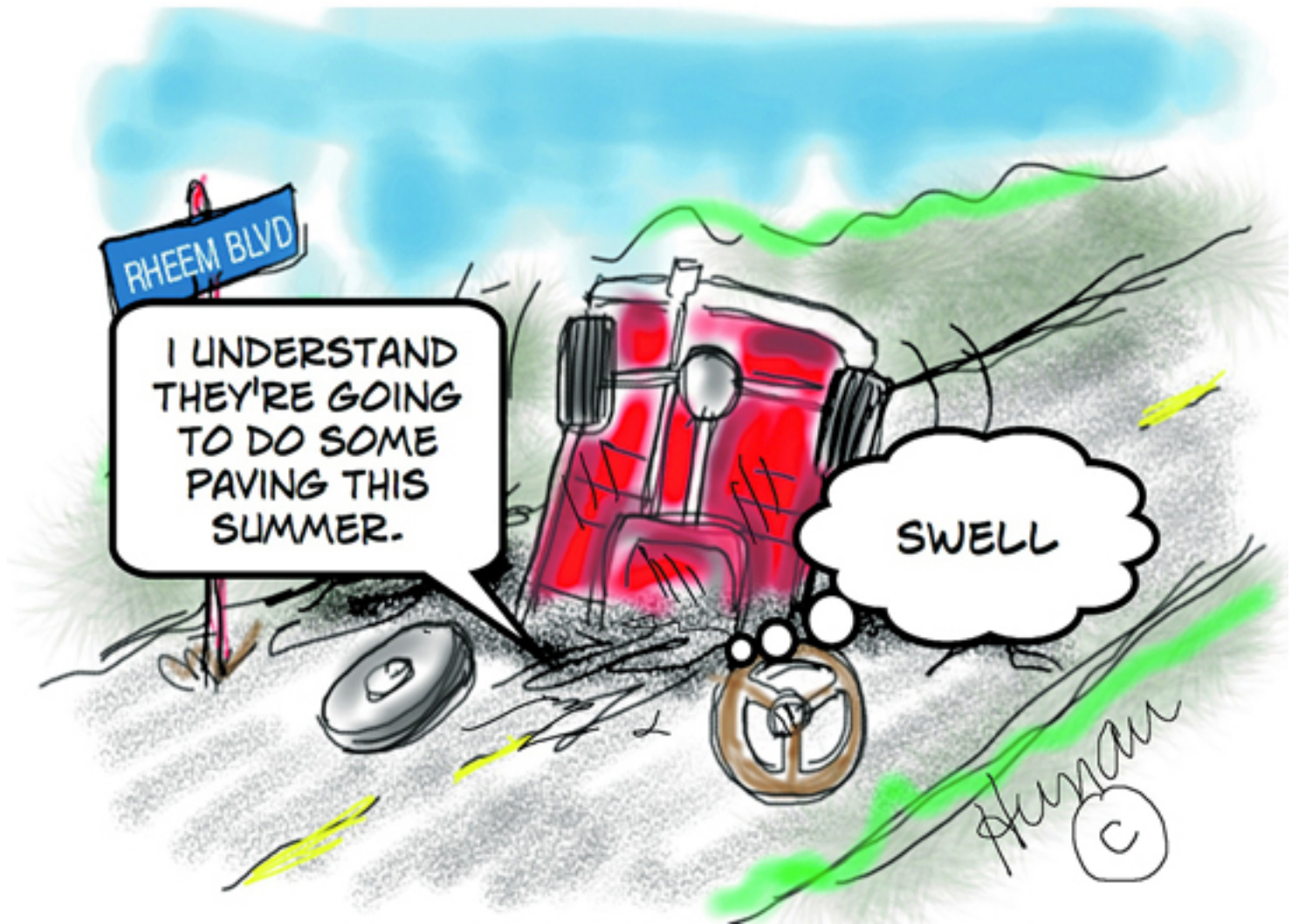
It was nearly three years ago that the East Bay Municipal Utility District excavated Moraga Road in order to set new pipes. An unpleasant repercussion of this endeavor was the failing of the rubber cape seal that was applied to the roadway between Draeger and Ascot, a problem that went unresolved for a long time. Town Engineer/Public Works Director Jill Mercurio has been in extended negotiations with the contractor. With the added muscle of Town Manager Jill Keimach and Town Attorney Michelle Kenyon, an agreement was finally reached and approved by the Town Council on April 23; that immediately translated into roadwork that affected traffic the first week of May - work that did not come without cost to the Town.

The resurfacing of the road was financed by federal stimulus money in 2009. Many towns rushed to get projects done; International Surfacing Systems (ISS), the contractor that won the Moraga bid, also contracted with other Bay Area cities for the same type of rubber cape seal. Most of their resurfacing failed. "We had used that technology (rubber cape seal) very successfully on Canyon Road," said Mercurio, "but it has to be done the right way, at the right temperature. We have no reason to believe that ISS will not

do a good job this time." The long argument between the Town and ISS was due to the fact that the contractor wanted to pay only for patching the affected area, which was its contractual obligation; the Town wanted a total resurfacing of the area and the addition of a Microsurface treatment, something Mercurio described as a "slurry seal on steroids."

The cost of the repairs is being split evenly between the Town and ISS; the hit to Town coffers is \$112,000. Council Member Ken Chew questioned why the Town had to foot half the bill. "This is a failure of performance, why are they getting away with this?" asked Chew. "We would have had to go through a much lengthier process," responded Kenyon, explaining, "Staff made a decision that will not require the payment of more legal fees and results in preventing further degradation of the road." Mercurio added that she believes Moraga negotiated a better deal than other municipalities. "Rohnert Park paid the whole cost of the repairs, and in Martinez ISS patched the ruts, but the city paid for the total cost of the Microsurfacing," she said.

ISS has repaired the failed areas and applied the Microsurface to the entire project limits.



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