

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: March 15-16, 2006

Reference No.: 2.8b.(2)
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: Terry Abbott
Division Chief
Local Assistance

Ref: **REQUEST TO EXTEND THE PERIOD OF PROJECT CONTRACT AWARD FOR
LOCALLY-ADMINISTERED STIP PROJECTS, PER FISCAL YEAR 2005-06
ALLOCATION PLAN CRITERIA
WAIVER-06-08**

ISSUE:

On September 29, 2005, the California Transportation Commission (Commission) allocated \$3,063,000 for the construction of three projects, as shown on the attachment. The responsible agencies have been unable to award the contracts and do not anticipate awarding the contracts by the deadlines. The attachment shows the details of the projects and the explanation of the delays. The respective agencies request extensions, and the planning agencies concur.

RECOMMENDATION:

The Department of Transportation's recommendations are shown on the attachment.

BACKGROUND:

Resolution G-03-19, State Transportation Improvement Program (STIP) Guidelines, adopted by the Commission on December 11, 2003, stipulates that funds allocated for the construction phase of local grant projects are available for contract award for a period of 12 months from the date of allocation. The Guidelines further stipulate that the Commission may approve a waiver to the contract award deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

At its July 2005, the Commission adopted the FY 2005-06 STIP/SHOPP Allocation Plan and Criteria, which limited FY 2005-06 allocations to projects ready to proceed to construction within six months. The FY 2005-06 STIP/SHOPP Allocation Plan and Criteria also requires the receiving agencies to request a time extension if the project will not be awarded within the six months.

Attachment

Time Extension/Waiver – Project Contract Award Deadline
 Local Streets and Roads Projects

Project #	Applicant County	Extension Amount By Component (\$ in thousands) E&P (Environmental & Permits) PS&E (Plans, Specifications and Estimates) R/W (Right of Way) CON (Construction) TOTAL	Allocation Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
	Reason for Project Delay:		
1	City of Yreka Siskiyou	\$0 \$0 \$0 \$256,000 \$256,000	09/29/2005 FP-05-30 6 months 09/29/2006 Support
	<p>PPNO: 2-2398B Downtown Bike/Pedestrian Path</p> <p>On January 25, 2006, the City learned that new procedures adopted by the Department in October 2005, require the project plans and specifications to be reviewed and approved by the California Division of the State Architect (DSA) for compliance with the Americans with Disabilities Act and California Accessibility Standards. The City submitted the project plans and specifications to the DSA on January 27, 2006, and anticipates DSA's approval within four to six months from the date of submission.</p> <p>The City will begin advertising for bids upon approval of the project plans and specifications by the DSA. If the DSA approves the plans in July 2006, the City will advertise the project in August 2006 and award the contract by September 2006. The City is requesting a six-month time extension to award this project.</p>		
2	Town of Paradise Butte	\$0 \$0 \$0 \$607,000 \$607,000	09/29/2005 FP-05-28 6 months 09/29/2006 Support
	<p>PPNO: 3-1L24 Clark/Skyway Signal Project</p> <p>The original PS&E work for this project was completed in December 2002; however, due to State budget constraints, the funds were not available for allocation at the time. The Town of Paradise requested an allocation of funds in 2003 and 2004 but the request was placed on the Pending List. In September 2005, the Town of Paradise received an allocation for this project. Since December 2002, site conditions and property owners have changed and right of entry agreements have expired. This requires that the PS&E be revised to meet the current conditions.</p> <p>The Town of Paradise is requesting a six-month extension to allow enough time for the PS&E to be revised to meet current conditions and to obtain new right of entry agreements with the new property owners.</p>		

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	PPNO	E&P (Environmental & Permits)	Number of Months Requested
	Project Description	PS&E (Plans, Specifications and Estimates)	Extended Deadline
		R/W (Right of Way)	CT Recommendation
		CON (Construction)	
		TOTAL	
	Reason for Project Delay:		
3	City of Placentia Orange PPNO: 12-9656 Bradford Avenue Rail Crossing Closure and Pedestrian Bridge Project	\$0 \$0 \$0 \$2,200,000 \$2,200,000	09/29/05 FP-05-28 6 months 09/29/2006 Support
<p>This project was originally funded with local and State funds, and therefore was not subject to the requirements of federally funded projects. Due to cost increases, additional funds were added to the project. The additional funds included \$1,082,000 of federal Regional Surface Transportation Program (RSTP) funds that required the project to comply with federal funding requirements that were not previously accounted for in the project schedule.</p> <p>In November 2005, the program manager responsible for this project was no longer under contract with the City and a new program management firm was hired. This delayed the processing of programmatic requirements for the federal funding portion of the project.</p> <p>The RSTP funds required implementation of a Disadvantage Business Enterprise (DBE) program that was not anticipated in May 2005, when the annual DBE was due. The DBE program provides for assurance of equity in the competitive bidding process. In order to award a contract for this project, the City will require authorization from FHWA to use federal funds. This authorization cannot be granted until the DBE program is completed. The City has started the DBE process, which includes a 45-day public comment period, and expects to complete it by March 31, 2006. In addition to the DBE requirements, the City was required to obtain NEPA approval. This approval process is currently underway. The City anticipates NEPA approval by April 30, 2006.</p> <p>The City has prepared the PS&E package for the project and is ready to advertise for construction. The construction advertisement and award will require approximately two months. Processing the required documentation and Council actions for approval to award the contract will require a minimum of three months.</p> <p>Extending the award date to September 29, 2006, will allow ample time to advertise for construction after meeting all the federal requirements.</p>			