

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 27, 2006

Reference No.: 2.8a.  
Action Item

From: CINDY McKIM  
Chief Financial Officer

Prepared by: Terry Abbott  
Division Chief  
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION PER RESOLUTION G-03-19, STATE TRANSPORTATION IMPROVEMENT PROGRAM GUIDELINES WAIVER-06-31**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Waiver-06-31, extending the period of project allocation for the projects listed on the attached document for the time periods shown.

## **ISSUE:**

At the June 8, 2006 Commission meeting, six projects under Tab 97 (Agenda item 2.8a.(3)) were tabled until such time as the requesting agency could re-evaluate the reason for delay and the time period requested for extension. Since then, the requesting agencies for four of the six projects have withdrawn their time extension requests. The attachment shows the details of the remaining two projects and the explanations for the delays. The project sponsors have requested an extension, and the planning agencies concur.

## **BACKGROUND:**

Resolution G-03-19, State Transportation Improvement Program (STIP) Guidelines, adopted by the Commission on December 11, 2003, stipulates that the Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

**Time Extension/Waiver – Project Allocation Deadline  
Local Streets and Roads Projects**

| <b>Project #</b>  | <b>Applicant<br/>County</b>   | <b>Extension Amount<br/>By Component (\$ in thousands)</b> | <b>Number of Months Requested by Agency</b> |
|---|---|--|---|
|   | <b>PPNO</b>   | <b>E&amp;P (Environmental &amp; Permits)</b>               | <b>Extended Deadline</b>                    |
|   | <b>Project Description</b>  | <b>PS&amp;E (Plans, Specifications and Estimates)</b>      | <b>Department Recommendation</b>            |
|   | <b>Reason for Project Delay:</b>  | <b>R/W (Right of Way)</b>                                  |   |
|   |   | <b>CON (Construction)</b>                                  |   |
|   |   | <b>TOTAL</b>   |   |
| 1   | City of Vacaville<br>Solano   | \$0<br>\$25<br>\$0   | 20 months<br><br>2/29/08                    |
|   | PPNO: 4-5152D<br>Vacaville Regional<br>Transportation Center<br>Enhancement Landscaping | \$150<br>\$175   | Support                                     |
| <p>The City has experienced an unusual amount of staffing changes in the Engineering Section over the past six months and is still currently understaffed. Engineering staff was also diverted for a time immediately following the New Year's Eve substantial flooding that the City experienced in working through the Federal Emergency Management Agency (FEMA) process. The NEPA process is also taking much longer than usual with the City's other federally funded Capital Improvement Projects that have caused significant delays in the delivery of those projects. The City anticipates obtaining NEPA clearance in February 2007 and Right of Way Certification in June 2007. The City is scheduled to advertise the project in June 2007. To allow sufficient time for the NEPA process and Right of Way Certification for the project, the City is requesting a 20 month extension.</p> <p align="center"><b>THE REQUESTING AGENCY HAS WITHDRAWN THIS REQUEST</b></p>  |   |  |   |
| 2   | City of Vacaville<br>Solano   | \$0<br>\$25<br>\$0   | 20 months<br><br>2/29/08                    |
|   | PPNO: 4-5152E<br>Jepson Parkway Gateway   | \$150<br>\$175   | Support                                     |
| <p>The City has experienced an unusual amount of staffing changes in the Engineering Section over the past six months and is still currently understaffed. Engineering staff was also diverted for a time immediately following the New Year's Eve substantial flooding that the City experienced in working through the FEMA process. The NEPA process is also taking much longer than usual with the City's other federally funded Capital Improvement Projects that have caused significant delays in the delivery of those projects. The City anticipates obtaining NEPA clearance in February 2007 and Right of Way Certification in June 2007. The City is scheduled to advertise the project in June 2007. To allow sufficient time for the NEPA process and Right of Way Certification for the project, the City is requesting a 20 month extension.</p> <p align="center"><b>THE REQUESTING AGENCY HAS WITHDRAWN THIS REQUEST</b></p>  |   |  |   |
| 3   | Monterey County<br>Monterey   | \$0<br>\$85<br>\$0   | 20 months<br><br>2/29/08                    |
|   | PPNO: 5-1152<br>Bridge Replacement  | \$0<br>\$85  | Support                                     |
| <p>Due to changes in project scope, the project has experienced delays in the delivery of PA&amp;ED. As a result, the County requests a 20 month extension the PS&amp;E phase of this project. Future forecasted volumes on the Davis Road indicate the need to provide for a four lane bridge and roadway. The County has been working with the Department and the local Regional Agency to modify the scope of the project from the original proposed two lane high level bridge to a four lane high level bridge and to secure Highway Bridge Replacement and Rehabilitation (HBRR) and local funds for the additional work. These efforts are complete and the County is moving forward with the PA&amp;ED. In addition, this extension takes into account the probability of formal consultation with the Federal permitting agencies to complete the NEPA process. Formal consultation can take up to six months. The anticipated completion date for NEPA is January 2008.</p> <p align="center"><b>THE REQUESTING AGENCY HAS WITHDRAWN THIS REQUEST</b></p> |   |  |   |

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

| Project #   | Applicant<br>County   | Extension Amount<br>By Component (\$ in thousands)<br>E&P (Environmental & Permits)<br>PS&E (Plans, Specifications and Estimates)<br>R/W (Right of Way)<br>CON (Construction)<br>TOTAL | Number of Months Requested by Agency<br><br>Extended Deadline<br><br>Department Recommendation |
|---|---|--|--|
| 4   | City of Lemoore<br>Kings<br><br>PPNO: 6-C002<br>Construct Class I and Class II<br>Bikeway | \$0<br>\$0<br>\$0<br>\$719<br>\$719  | 20 months<br><br>2/29/08<br><br>Support  |
| <p><del>During the planning stage of this project the ownership of the railroad right of way was San Joaquin Valley Railroad. Between the planning stage and the design stage, the ownership of the railroad right of way had changed from San Joaquin Valley Railroad to Union Pacific Railroad. Due to this change, decision makers have changed. San Joaquin Valley Railroad was agreeable for the City to lease a portion of the railroad right of way during the planning stage, but since the change in ownership, the decision makers for Union Pacific Railroad felt very differently from San Joaquin Valley Railroad. The City, upon approval of this extension, will be exhausting all political influences in an attempt to construct the bike path within the Union Pacific Railroad right of way. Therefore the City of Lemoore respectfully request a time extension in order to complete the acquisition of right of way. The full 20 months are required to acquire right of way from the railroad company.</del></p> <p style="text-align: center;"><b>THE REQUESTING AGENCY HAS WITHDRAWN THIS REQUEST</b></p> |   |  |  |
| 5   | City of Bakersfield<br>Kern<br><br>PPNO: 6-8705<br>Westside Parkway                       | \$0<br>\$0<br>\$0<br>\$20,000<br>\$20,000  | 19 months<br><br>1/31/08<br><br>Support  |
| <p><b>Unforeseen and/or extraordinary circumstance that caused delay:</b><br/>In April 2004, the City of Bakersfield (City) submitted a Tier 2 environmental document to FHWA. In May 2004, FHWA determined that a tiered environmental document was not the appropriate type of document for this project. During the next 10 months, the City rewrote the environmental document and supporting studies as a “stand alone.” In March 2005, the City submitted the revised document to FHWA. In June 2005, FHWA concluded that a Tier 2 document was appropriate after all, rather than a “stand alone” document. The City then revised the original Tier 2 document. In November 2005, the City submitted the revised Tier 2 document to FHWA. In March 2006, the draft Tier 2 environmental document was finally approved by FHWA in March of 2006; however, the document rewrites have caused a 19-month delay in the PA&amp;ED process, which has correspondingly delayed the construction.</p>  |   |  |  |
| 6   | Los Angeles County<br>Los Angeles<br><br>PPNO: 7-3401<br>Revitalization Project           | \$0<br>\$0<br>\$0<br>\$938<br>\$938  | 18 months<br><br>12/31/07<br><br>Department Recommends 14 months, to 08/31/07.                 |
| <p><b>Unforeseen and/or extraordinary circumstance that caused delay:</b><br/>From January 2005 to October 2005, the County of Los Angeles (County) held a number of community meetings to solicit input from property owners on the type of streetscape improvements to be included in this Transportation Enhancement Activities project. In November 2005, the County presented a final conceptual design plan to the community for final review and approval. Based on previous meetings, the County expected to receive minor comments and to be able to finalize the plans by March 2006. However, the property owners requested that the County include enhanced transit amenities in the scope of work, which would require the County to revise the design plans. The County anticipates completing the revised plans by August 2007. The County is requesting an 18-month time extension to the Construction phase of this project to allow for the completion of the revised design plans.</p>   |   |  |  |