

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: September 19-20, 2007

Reference No.: 2.8b.(1)  
Action Item

From: CINDY McKIM  
Chief Financial Officer

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Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR STIP  
PROJECTS, PER RESOLUTION G-06-08  
WAIVER-07-23**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Waiver-07-23, extending the period of contract award by six months, to March 31, 2008, for the Route 215 Freeway Widening for HOV Lane (segment 3) project in San Bernardino, south of Orange Show Road to south of Rialto Avenue. (PPNO 0247L, EA 007171).

## **ISSUE:**

On March 15, 2007, the Commission allocated \$42,493,000 for a Route 215 freeway widening project (construct a new HOV lane and modify interchanges) programmed in the State Transportation Improvement Program (STIP). In accordance with Resolution G-06-08, the deadline to award contracts for projects allocated on March 15, 2007, is September 15, 2007. The Department will not be able to meet the deadline for this project and is requesting a time extension for the period of contract award.

The original delay to the schedule was due to obtaining the FHWA Authorization to Proceed to Construction (form E-76), which was obtained in June 2007. The Department was then able to advertise on July 9, 2007, with an acceptable level of risk relating to outstanding right of way issues. Unfortunately, right of way acquisition has not yet been finalized, so the contract cannot yet be awarded. As a result of Senate Bill 1210 requirements, a court hearing is scheduled in September 2007 to clear the three remaining parcels. Depending on the outcome of this initial hearing, additional court hearings might be required. The Department is requesting a six-month time extension to allow time to award the project. Bid opening is currently scheduled for September 20, 2007, and award date is scheduled for October 10, 2007.

## **BACKGROUND:**

In June 2006, the Commission adopted Resolution G-06-08, making the six-month period to award a permanent requirement under the STIP Guidelines.