

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: March 12-13, 2008

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

From: CINDY McKIM  
Chief Financial Officer

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Mass Transportation

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

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Waiver-08-08 extending the period of contract award for the time periods identified for each project on the attached document.

## **ISSUE:**

The Commission allocated \$45,810,000 for the construction of two rail/transit State Transportation Improvement Program (STIP) projects identified 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 describes the details of the projects and the explanations of the delays. The respective agencies request extensions, and the planning agencies concur.

## **BACKGROUND:**

In June 2006, the Commission adopted Resolution G-06-08, which requires the agency implementing a project to request a time extension if the project will not be awarded within six months of the allocation. STIP Guidelines 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.

Attachment

**Time Extension/Waiver – Project Contract Award Deadline  
Rail/Transit Projects**

| <b>Project #</b>  | <b>Applicant<br/>County<br/>PPNO<br/>Project Description<br/>Reason for Project Delay</b>                                   | <b>Extension Amount<br/><br/><i>Construction Only</i></b> | <b>Allocation Date<br/>Resolution Number<br/>Number of Months Requested<br/>Extended Deadline<br/>CT Recommendation</b> |
|---|---|---|---|
| 1   | SF Bay Area Rapid Transit District<br>San Francisco County<br>PPNO: 04-1014<br>BART Transbay Tube Seismic Retrofit          | \$38,000,000  | 09/05/2007<br>MFP-07-03<br>4 months<br>07/31/2008<br>Support  |
| <p>The San Francisco Bay Area Rapid Transit District (BART) is requesting a four-month extension to the period of contract award for the BART Transbay Tube Seismic Retrofit project. The schedule of contract award has slipped two months due to unanticipated delays created by the design consultant's inadequate production capacity and by scheduling complexities introduced by the procurement procedures for dealing with Security Sensitive Information (SSI) contained within the contract documents.</p> <p>BART is requesting a four-month time extension to July 31, 2008, to allow additional time for issue of the Contract's Notice of Award and for full execution of Contract.</p>   |   |   |   |
| 2   | Alameda-Contra Costa Transit District<br>Alameda County<br>PPNO: 04-2009X<br>AC Transit Zero Emissions Bus<br>Demonstration | \$7,810,000   | 09/20/2007<br>MFP-07-06<br>12 months<br>03/31/2009<br>Support   |
| <p>The Alameda-Contra Costa Transit District (AC Transit) is requesting a 12-month extension to the period of contract award for the AC Transit Zero Emissions Bus Demonstration project. Contract award to procure the eight buses has been delayed due to technical concerns pertaining to the fuel cell manufacturer. More specifically, AC Transit has expressed concerns that entering into an agreement that does not push the hydrogen-electric technology to a new standard will not meet the California Air Resource Board's mandate. In addition, finalizing the design of the fuel cell will allow the bus manufacturer to integrate the fuel cell with its hybrid drive. This new generation of fuel cell promises a longer life and greater reliability.</p> <p>AC Transit is requesting a 12-month extension to March 31, 2009, should complications arise during the negotiations.</p> |   |   |   |