

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: December 10-11, 2008

Reference No.: 2.8b.(4)  
Action Item

From: CINDY McKIM  
Chief Financial Officer

Prepared by: Earl R. Seaberg, Jr.  
Acting Division Chief  
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR LOCALLY-ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES WAIVER-08-39**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) consider an extension to the period of contract award for the time periods identified for each project on the attached document.

## **ISSUE:**

The Commission allocated \$8,082,000 for the construction of ten 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  
 Local Streets and Roads Projects

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount  <i>Construction Only</i>	Allocation Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
1	City of Ukiah Mendocino County PPNO: 01-4104T Ukiah Railroad Depot Restoration TE	\$201,000	06/26/2008 FP-07-81 6 Months 06/30/2009 Support
<p>The City of Ukiah (City) is requesting a six-month extension to the period of contract award for the construction of the Ukiah Railroad Depot Restoration TE project. The City is unable to meet the original award deadline due to construction estimates that substantially exceed available funding. The City plans to finalize bid documents and seek additional funds as needed. The City intends to request additional funding from the North Coast Railroad Authority, the Mendocino Council of Governments, and the City of Ukiah Redevelopment Agency. If sufficient funds are still not available, the City plans to revise the bid documents accordingly to construct a reduced phase of work and/or prepare bid documents with additive alternative bid items. The City anticipates bid documents to be finalized by January 2009. Once bid documents are complete, the City must obtain Americans with Disabilities Act (ADA) clearance on the project from the Department of General Services. The City anticipates obtaining ADA clearance by March 2009. The City anticipates that they will be ready to advertise the project by April 2009, open bids by May 2009, and award by June 2009. The City requests a six-month time extension to June 30, 2009.</p>			
2	City of Ukiah Mendocino County PPNO: 01-4091P Gobbi/Oak Manor/Babcock Intersection Realignment	\$722,000	06/26/2008 FP-07-81 9 Months 09/30/2009 Support
<p>The City of Ukiah (City) is requesting a nine-month extension to the period of contract award for the construction of the Gobbi/Oak Manor/Babcock Intersection Realignment project. The City is experiencing delays due to permit related issues. The City has been in close contact with the three main permitting agencies – the Regional Water Quality Control Board, the California Department of Fish and Game, and the Army Corps of Engineers. Although no specific issues have been voiced by the permitting agencies, potential issues have been identified and appropriate responses with supporting data are being developed by the City's consultant. In discussion with the City's permit consultant, the following are potential issues that may be raised by the permitting agencies: 1) Loss of creek channel due to creek coverage by the box culvert due to realignment of the intersection; 2) Potential concern about the creek hydraulics related to construction of the new box culvert; and 3) Potential concern about construction of a box culvert as opposed to a bridge structure. The City's design consultant has completed the necessary hydraulic calculations to address these concerns and supports the construction of the new box culvert.</p> <p>The City plans to submit permit applications by December 2008. From December 2008 through May 2009, the City plans to work with the permitting agencies to obtain final permits and conditions for the project, complete final revisions to the bid documents, and prepare the engineer's estimate for the project based on final bid documents and final permit conditions. Once the bid documents are complete, the City anticipates obtaining ADA clearance for the project from the Department of General Services by July 2009. Meanwhile, in order to obtain right of way certification, one utility joint pole must be relocated. The City plans to submit a request to the utility company to relocate the joint pole by January 2009 and file right of way certification with the Department by July 2009. The City plans to advertise early August 2009, open bids in late August 2009, and award the contract by September 2009. The City requests a nine-month time extension to September 30, 2009.</p>			
3	County of Lake Lake County PPNO: 01-3065 State Street Rehabilitation	\$850,000	06/26/2008 FP-07-81 6 Months 06/30/2009 Support
<p>The County of Lake (County) is requesting a six-month extension to the period of contract award for the construction of the State Street Rehabilitation project. The County is experiencing delays acquiring right of way due to a lack of survey monuments in the project area and discrepancies between deed data and existing conditions in the field. The County is in the process of acquiring portions of 21 parcels for the project. Locating and defining the boundaries of right of way plats and developing legal descriptions, has taken three months longer than originally anticipated. The County's right of way agent estimates four additional months will be needed to acquire the remaining parcels and issue a right of way certification. After receiving right of way certification, the County will be ready to advertise.</p> <p>The County plans to advertise by April 2009, open bids by May 2009, and award the contract by June 2009. The County requests a six-month time extension to June 30, 2009.</p>			

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

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount  <i>Construction Only</i>	Allocation Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
4	City of Portola Plumas County PPNO: 02-3209A Portola Pedestrian Improvements TE	\$501,000	06/26/2008 FP-07-81 5 Months 05/31/2009 Support
<p>The City of Portola (City) is requesting a five-month extension to the period of contract award for the construction of the Portola Pedestrian Improvements TE project. A revalidation of the NEPA preliminary environmental study Categorical Exclusion was required due to minor changes in the project (i.e. trenching for two culverts), which resulted in some delay. But, primarily, this request is being made in order to allow for additional time to receive Department of General Services (DGS) approval for ADA access issues relating to the curb ramps and sidewalks proposed in this project. The City recently submitted plans for a similar project to DGS in July 2008 for construction of 12 ADA curb ramps in conjunction with paving that touches this project. That process involved two iterations with DGS and primarily dealt with labeling issues. It took 47 days to get DGS approval on the 12 ADA ramps with no sidewalks. The City anticipates that it will take up to 90 days to receive DGS approval for the Portola Pedestrian Improvements TE project, which includes ten ADA ramps and 1,700 feet of sidewalk.</p> <p>The City plans to update the existing contract documents by early December 2008. The City anticipates the DGS application submittal, review, and approval process to take approximately 90 additional days and be completed by March 2009. The City plans to advertise in March 2009, open bids in April 2009, and award the contract by May 2009. The City requests a five-month time extension to May 31, 2009.</p>			
5	Sacramento Regional Transit Sacramento County PPNO: 03-3199A 13 <sup>th</sup> & 16 <sup>th</sup> Streets Light Rail Station TE	\$740,000	06/26/2008 FP-07-81 3 Months 03/31/2009 Support
<p>The Sacramento Regional Transit (SACRT) is requesting a three-month extension to the period of contract award for the construction phase of the 13<sup>th</sup> &amp; 16<sup>th</sup> Streets Light Rail Station TE project. The SACRT experienced delays obtaining right of way certification and federal authorization to proceed. The project required acquisition of two easements. The SACRT executed purchase and sales agreements with the owners of both properties affected by the easements on April 16, 2008, and opened escrow for both acquisitions. Due to difficulty getting subordination documents signed by the lien holders for one of the two properties, the SACRT was not able to close escrow on the final easement acquisition until October 14, 2008. The SACRT completed the final right of way certification on October 27, 2008. After right of way certification was approved, the SACRT submitted a Request for Authorization to Proceed (E-76) to the Department on October 30, 2008.</p> <p>The SACRT anticipates receiving E-76 authorization from the FHWA by December 2008. The SACRT plans to advertise by the end of December 2008, open bids by January 2009, and award the contract by February 2009. However, if there are any irregularities in the bids submitted, the SACRT plans to re-advertise by the end of January 2009, open bids by February 2009, and award by March 2009. The SACRT requests a three-month time extension to March 31, 2009.</p>			
6	County of Sonoma Sonoma County PPNO: 04-5156B Santa Rosa Creek Trail TE	\$550,000	06/26/2008 FP-07-81 12 Months 12/31/2009 Support
<p>The County of Sonoma (County) is requesting a 12-month extension to the period of contract award for the construction of the Santa Rosa Creek Trail TE project. The County is experiencing delays due to opposition by a local group called Save Santa Rosa Creek Trail (SSRCT). In August 2008, the County received emails and letters opposing the paving of the trail. The County has also received emails from the public in support of the project. The County has environmental clearance, right of way certification, and construction plans; and is ready to advertise the project. The SSRCT group is challenging the County's public process and environmental documents. The County anticipates a one-year delay to address the complaints of the SSRCT and avoid possible litigation.</p> <p>By November 2008, the County plans to prepare a request for proposal to hire an independent consultant who will evaluate the existing environmental documents and perform additional studies, if necessary. By December 2008, the County anticipates hiring the consultant with a goal to finish the evaluation by February 2009.</p> <p>The schedule for the time extension is based on two different scenarios. If there is no litigation, the County plans to advertise by March 2009 and award by April 2009. If there is litigation, the County anticipates the litigation to be resolved by September 2009. The County will then advertise the project by October 2009, open bids by November 2009, and award the contract by December 2009. The County requests a 12-month time extension to December 31, 2009.</p>			

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

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount  <i>Construction Only</i>	Allocation Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
7	City of Arvin Kern County PPNO: 06-E025 Sycamore Road Bicycle Improvements TE	\$174,000	06/26/2008 FP-07-81 4 Months 04/30/2009 Support
<p>The City of Arvin (City) is requesting a four-month extension to the period of contract award for the construction of the Sycamore Road Bicycle Improvements TE project. The City hired a new firm to be the City Engineer effective August 26, 2008. The City decided to change the previous engineering firm due to customer service concerns. Environmental documents have already been completed, right of way certification has been approved, and plans, specifications, and estimates for the project have been prepared. The new firm has identified this project as one that may need additional time to review the existing plans. The City requests four additional months to allow the new firm enough time to review the plans for acceptance, make any necessary modifications, and prepare the contract documents.</p> <p>The City plans to advertise by the end of February 2009, open bids by March 2009, and award the contract by April 2009. The City requests a four-month time extension to April 30, 2009.</p>			
8	City of Long Beach Los Angeles County PPNO: 07-3408 Pacific Electric Right of Way Bikeway and Pedestrian Improvement, TE	\$1,110,000	06/26/2008 FP-07-81 6 Months 06/30/2009 Support
<p>The City of Long Beach is requesting a six-month extension to the period of contract award for the construction of the Pacific Electric Right of Way Bikeway and Pedestrian Improvement TE project. The City of Long Beach is experiencing delays due to coordinating the design and construction of the project with an adjacent project in the City of Signal Hill. The project is located on property along the border between the cities of Long Beach and Signal Hill. Historically, when the property was used as railroad right of way, many streets in Long Beach and Signal Hill terminated at the property. Most of the streets in Long Beach that terminate at the new project site will have new bike and pedestrian connections to the project. The City of Signal Hill is considering whether or not they want the same pedestrian and bikeway access to the project from their city streets.</p> <p>All design data to date has been reviewed and submitted to the City of Signal Hill. Signal Hill is currently reviewing the plans for comment. Once the design of this section is completed, the plans must be submitted internally to City Planning and Building for comments, which will be incorporated into the plans, and the design will be finalized. The project can then be advertised and awarded.</p> <p>The City plans to complete the internal review of the plans, specifications, and estimates (PS&amp;E) by December 2008, have final PS&amp;E by January 2009, complete the signature process and bid package by February 2009, advertise by March 2009, open bids by April 2009, hold a council meeting to approve a contract award by May 2009, and award the contract by June 2009. The City requests a six-month time extension to June 30, 2009.</p>			
9	City of Lathrop San Joaquin County PPNO: 10-3K44 Louise Avenue Rehabilitation	\$2,034,000	06/26/2008 FP-07-81 7 Months 07/31/2009 Support
<p>The City of Lathrop (City) is requesting a seven-month extension to the period of contract award for the construction of the Louise Avenue Rehabilitation project. The City is experiencing unforeseen delays collaborating with the Pacific Gas &amp; Electric Company (PG&amp;E) regarding the relocation of existing high voltage transmission line poles that are located within the proposed Louise Avenue project area. The current location of the power poles conflicts with the proposed pavement widening improvements. The City has notified PG&amp;E of the issue, and has been working diligently to coordinate the planning and design process with PG&amp;E. PG&amp;E met with the City to determine the number of poles in conflict, and has assigned project management and engineering staff to begin surveying and designing the facility relocation. There are 21 poles that need to be relocated. The City is working on reducing the number of poles that need to be relocated by adjusting the roadway design.</p> <p>Despite attempts to expedite the utility relocation process, the City and PG&amp;E estimate that the relocation work will not be completed until the end of April 2009. The City plans to advertise by May 2009, open bids by June 2009, and award the contract by July 2009. The City requests a seven-month time extension to July 31, 2009.</p>			

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

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount <i>Construction Only</i>	Allocation Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
10	City of La Mesa San Diego County PPNO: 11-7421H Allison/University Avenue Pedestrian Improvements TE	\$1,200,000	06/26/2008 FP-07-81 2 Months 02/28/2009 Support
<p>The City of La Mesa (City) is requesting a two-month extension to the period of contract award for the construction of the Allison/University Avenue Pedestrian Improvements TE project. The City's original construction schedule included two separate projects on University Avenue – the TE project and a locally funded Police Station project. The TE project was originally scheduled to be completed before work would begin on the Police Station project.</p> <p>The City requested an allocation for the TE project at the January 2008 Commission meeting, but the allocation was deferred, due to the lack of available TE reserve funds. When funds were not available for the TE project, the City began revising the plans, specifications, and estimates (PS&amp;E) for both projects, incorporated the demolition, removal, and grading work from the TE project into the Police Station project, and proceeded with the Police Station project on schedule.</p> <p>In June 2008, the Department brought the TE project back to the Commission for vote, and the allocation was approved. In October 2008, the revised PS&amp;E package was finalized for the TE project and the City submitted a Request for Authorization to Proceed (E-76).</p> <p>The City anticipates receiving E-76 authorization from the FHWA by December 2008. The City plans to advertise by the end of December 2008, open bids by January 2009, and award the contract by February 2009. The City requests a two-month time extension to February 28, 2009.</p>			