

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: March 11-12, 2009

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

From: CINDY McKIM
Chief Financial Officer

Prepared by: Denix Anbiah
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR LOCALLY-ADMINISTERED LOCAL BRIDGE SEISMIC RETROFIT ACCOUNT (LBSRA) PROJECTS, PER LBSRA GUIDELINES**
WAIVER-09-07

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) extend the period of contract award for the time periods identified for each project on the attached document. The guidelines for this program were adopted by the Commission on May 29, 2008.

ISSUE:

The Department has sub-allocated \$4,591,151 to three agencies for the construction of six LBSRA 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 Department concurs.

BACKGROUND:

In May 2008, the Commission adopted the LBSRA Guidelines which requires the agency implementing a project to request a time extension if the project will not be awarded within six months of the sub-allocation date. The LBSRA Guidelines stipulate that the Commission may approve a waiver to the contract award deadline.

Attachment

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

Project #	Applicant County Project Description Reason for Project Delay	Extension Amount <i>Construction Only</i>	Allocation Date Number of Months Requested Extended Deadline CT Recommendation
1	City of Los Angeles Los Angeles Winnetka Avenue	\$45,306	September 15, 2008 5 Months August 31, 2009 Support
<p>The City of Los Angeles (City) is requesting a 5-month extension to the period of contract award for the construction phase of the Winnetka Avenue seismic retrofit project.</p> <p>The City originally intended to award three local projects concurrently-Winnetka Avenue, Vanowen Street (below), and Tampa Avenue. However, due to recent community concerns for traffic overload due to simultaneous lane closures at all three bridges, City staff was directed by the City Council to stagger these projects to lessen the traffic overload on the bridges. Tampa Avenue, the third project, received a contract award extension until August 31, 2009, in December 2008.</p> <p>One of the obstacles to staggering the projects is that the Los Angeles County Flood Control District (LACFCD) is not allowing construction work in the Los Angeles River Channel in the rainy season (October 15 to April 15). LACFCD does not allow shoring work or scaffolding on the bed of the channel because of the risk of washout, prevention of bed channel erosion, and prevention of injuries due to weather or flood channel run-off. For those reasons, the City was originally requesting a 13-month extension for this project. However, after discussions between City and Department staff, the request was revised due to the impact of the availability of federal Highway Bridge Program (HBP) funds. The City has indicated that it is willing to begin the advertising process for the Winnetka Avenue project upon approval of the CTC, with a target award date by August 31, 2009.</p> <p>Another obstacle for this project now, however, is the inability for local agencies to award Proposition 1B bond funded projects. As stated in Director Kempton's February 19, 2009 letter, it is recommended that local agencies not enter into any new contract or make any commitments that require Proposition 1B funds for the project. Should Proposition 1B bond funds continue to be unavailable at the time the City is ready to award, the City will return to the Commission to seek addition time to award the project pending availability of funds.</p> <p>In addition, the City is concerned with the deferral of other bond sales. The State Resources Agency is currently freezing disbursement of Proposition 50 grant funds, which fund the river parkway component of each project (which is an independent component but to be combined with this project for purposes of construction). The City is requesting more time in hopes the economic stimulus will be in place to address the financial hardship.</p>			
2	City of Los Angeles Los Angeles Vanowen Street	\$208,750	September 15, 2008 5 months August 31, 2009 Support
<p>The City of Los Angeles (City) is requesting a 5-month extension to the period of contract award for the construction phase of the Vanowen Avenue and Los Angeles River seismic retrofit project.</p> <p>The City originally intended to award three local projects concurrently-Winnetka Avenue (above), Vanowen Street, and Tampa Avenue. However, due to recent community concerns for traffic overload due to simultaneous lane closures at all three bridges, City staff was directed by the City Council to stagger these projects to lessen the traffic overload on the bridges. Tampa Avenue, the third project, received a contract award extension until August 31, 2009, in December 2008.</p> <p>One of the obstacles to staggering the projects is that the Los Angeles County Flood Control District (LACFCD) is not allowing construction work in the Los Angeles River Channel in the rainy season (October 15 to April 15). LACFCD does not allow shoring work or scaffolding on the bed of the channel because of the risk of washout, prevention of bed channel erosion, and prevention of injuries due to weather or flood channel run-off. For those reasons, the City was originally requesting a 13-month extension for this project. However, after discussions between City and Department staff, the request was revised due to the impact of the availability of federal Highway Bridge Program (HBP) funds. The City has indicated that it is willing to begin the advertising process for the Vanowen Avenue project upon approval of the CTC, with a target award date by August 31, 2009.</p> <p>Another obstacle for this project now, however, is the inability for local agencies to award Proposition 1B bond funded projects. As stated in Director Kempton's February 19, 2009 letter, it is recommended that local agencies not enter into any new contract or make any commitments that require Proposition 1B funds for the project. Should Proposition 1B bond funds continue to be unavailable at the time the City is ready to award, the City will return to the Commission to seek addition time to award the project pending availability of funds.</p> <p>In addition, the City is concerned with the deferral of other bond sales. The State Resources Agency is currently freezing disbursement of Proposition 50 grant funds, which fund the river parkway component of each project (which is an independent component but to be combined with this project for purposes of construction). The City is requesting more time in hopes the economic stimulus will be in place to address the financial hardship.</p>			

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3	County of Los Angeles Los Angeles Anaheim Street	\$290,000	September 10, 2008 3 months June 10, 2009 Support
<p>The County of Los Angeles (County) is requesting a three-month extension to the period of contract award for the construction phase of the Anaheim Street over the Long Beach Freeway seismic retrofit.</p> <p>This project was originally scheduled to be advertised for construction on December 2, 2008. However, the Port of Long Beach informed the County that they will be doing some repair work on the bridge and it is not practical to have both contractors working simultaneously. The Port of Long Beach anticipates completion of repairs by July 2009 and therefore, a three-month extension is requested.</p> <p>This project is expected to be ready to advertise in March/April 2009 and be awarded prior to June 10, 2009.</p>			
4	County of Los Angeles Los Angeles County Queensway Southbound	\$262,495	September 8, 2008 3 months June 8, 2009 Support
<p>The County of Los Angeles (County) is requesting a three-month extension to the period of contract award for the construction phase of the Queensway South Bound seismic retrofit project.</p> <p>The lowest bid came in over the engineer's estimate and is higher than the total construction cost allocated on September 8, 2008. Approval to program additional federal and bond funds, which is allowed under the approved guidelines, is needed before the County can award the contract. Typically, approval for additional funds takes approximately one month and therefore, the County is requesting a three-month extension.</p> <p>This project is expected to be ready to advertise February/March 2009 and be awarded prior to June 2009.</p>			
5	County of Los Angeles Los Angeles County Azusa Avenue	\$14,911	September 22, 2008 3 months June 22, 2009 Support
<p>The County of Los Angeles (County) is requesting a three-month extension to the period of contract award for the construction phase of the Azusa Avenue seismic retrofit project.</p> <p>Due to a misunderstanding by the County in the interpretation for the requirements for certifying right of way projects involving railroad companies, this project got slightly behind schedule. The requirement requires that the County produce the permit instead of the contractor. The County has now received the right of way certification. Additionally, during the preparation of the advertising package, the County found some of the quantities of materials were different than the engineer's estimate and needed to be corrected prior to advertisement of this project.</p> <p>This project is expected to be ready to advertise February/March 2009 and be awarded prior to June 2009.</p>			
6	County of Riverside Riverside County Van Buren Boulevard	\$3,769,689	September 22, 2008 6 months September 22, 2009 Support
<p>The County of Riverside (County) is requesting a six-month extension to the period of contract award for the construction phase of the Van Buren Boulevard Bridge seismic retrofit project.</p> <p>Although unforeseen, this project required preparation and approval of a revegetation plan prior to starting the bridge construction. Although the revegetation plan overlapped with the bridge construction documents, it trailed in the completion schedule, causing a delay. This project is on the Riverside County Board of Supervisor's February 24, 2009 agenda for approval to advertise for construction. The plans are being reviewed by the regulatory agencies, and the County is confident that approval of the plans will be secured within the next two months.</p> <p>This project is expected to be ready to advertise March/April 2009 and be awarded prior to September 22, 2009.</p>			