

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 10-11, 2009

Reference No.: 2.8b.(3)
Action Item

From: CINDY McKIM
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR LOCALLY-ADMINISTERED STIP PROJECTS, PER RESOLUTION G-06-08 WAIVER-09-22**

RECOMMENDATION:

The California 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.

ISSUE:

The Commission allocated \$65,515,000 for the construction of the five locally-administered 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 Construction Only	Allocation Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
1	County of Lassen Lassen County PPNO: 02-2432 Lambert Lane Bridge (Bridge #: 7C-51) Replacement	\$140,000	12/11/2008 FP-08-23 6 Months 12/31/2009 Support
	<p>The County of Lassen (County) is requesting a six-month extension to the period of contract award for the construction of the Lambert Lane Bridge project. The delivery of this project has been delayed because of the additional time needed for the Lassen Municipal Utility District (LMUD) to complete electrical utility relocation, which is required in order for the County to obtain a right of way certification. This STIP funding is to be used as the required match for the Highway Bridge Replacement and Rehabilitation (HBRR) project for construction. The LMUD was not able to relocate their electrical lines according to the original schedule. The LMUD informed the County that they plan to complete the relocation by July 2009, which amounts to a seven-month delay. The County anticipates right of way certification by August 2009. The County plans to advertise the project by September 2009, open bids by October 2009, and award the project by November or December 2009. The County requests a six-month time extension to December 31, 2009.</p>		
2	County of Lassen Lassen County PPNO: 02-2433 Lambert Lane Bridge (Bridge #: 7C-66) Replacement	\$140,000	12/11/2008 FP-08-23 6 Months 12/31/2009 Support
	<p>The County of Lassen (County) is requesting a six-month extension to the period of contract award for the construction of the Lambert Lane Bridge project. The delivery of this project has been delayed because of the additional time needed for the Lassen Municipal Utility District (LMUD) to complete electrical utility relocation, which is required in order for the County to obtain a right of way certification. This STIP funding is to be used as the required match for the Highway Bridge Replacement and Rehabilitation (HBRR) project for construction. The LMUD was not able to relocate their electrical lines according to the original schedule. The LMUD informed the County that they plan to complete the relocation by July 2009, which amounts to a seven-month delay. The County anticipates right of way certification by August 2009. The County plans to advertise the project by September 2009, open bids by October 2009, and award the project by November or December 2009. The County requests a six-month time extension to December 31, 2009.</p>		
3	County of San Francisco San Francisco County PPNO: 04-9098A Leland Avenue Streetscape Improvements, TE	\$1,735,000	12/11/2008 FP-08-23 4 Months 10/31/2009 Support
	<p>The County of San Francisco (County) is requesting a four-month extension to the period of contract award for the construction of the Leland Avenue Streetscape Improvements TE project. Processing of the Request for Authorization to Proceed (E-76) was delayed by approximately four months due to coordination of the necessary documents for work completed under a force account. The County submitted an E-76 to the Department on December 5, 2008. On February 4, 2009, the Department informed the County that a Public Interest Finding (PIF) was needed to justify the benefit of using the County's own forces to construct the project. The County submitted the PIF to the Department on February 10, 2009. The Department submitted the E-76 to the FHWA on March 11, 2009. The County received notice of federal obligation on March 23, 2009. The project was advertised on April 7, 2009, and bids will be opened by the end of May 2009. The County plans to award the contract by June 2009. However, the County anticipates possible bid protests that may delay the award. The County requests a four-month time extension to October 31, 2009, to allow sufficient time to award if problems arise during the bid process.</p>		

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4	County of San Francisco San Francisco County PPNO: 04-9098B Valencia Streetscape Improvements, TE	\$1,500,000	12/11/2008 FP-08-23 4 Months 10/31/2009 Support
<p>The County of San Francisco (County) is requesting a four-month extension to the period of contract award for the construction of the Valencia Streetscape Improvements TE project. Processing of the Request for Authorization to Proceed (E-76) was delayed by approximately four months due to coordination of the necessary documents for work completed under a force account. The County submitted an E-76 to the Department on November 26, 2008. On February 4, 2009, the Department informed the County that a Public Interest Finding (PIF) was needed to justify the benefit of using the County's own forces to construct the project. The County submitted the PIF to the Department on February 10, 2009. The Department submitted the E-76 to the FHWA on March 11, 2009. The County received notice of federal obligation on March 23, 2009. The project was advertised on April 7, 2009, and bids will be opened by the end of May 2009. The County plans to award the contract by June 2009. However, the County anticipates possible bid protests that may delay the award. The County requests a four-month time extension to October 31, 2009, to allow sufficient time to award if problems arise during the bid process.</p>			
5	City of Bakersfield Kern County PPNO: 06-8705E Westside Parkway, Segment 2	\$62,000,000	08/28/2008 FP-08-08 3 Months 09/30/2009 Support
<p>The City of Bakersfield (City) is requesting a three-month extension to the period of contract award for the construction of the Westside Parkway project. The Commission approved an allocation of Proposition 1B STIP funds to the City for construction of two segments of the Westside Parkway project. The first segment of the project was given an award deadline of six months to February 28, 2009. The second segment of the project was given an award deadline of ten months to June 30, 2009. The first segment was awarded on November 19, 2008. However, on December 17, 2008, the State of California Pooled Money Investment Account (PMIA) Board decided to defer expenditures from this account until bonds could be sold. As recommended by the Department, the City placed the bidding of the second segment on hold until Proposition 1B funds were released. Correspondence was received on April 13, 2009, releasing these funds. The City must also conform to the new race conscious Disadvantaged Business Enterprise (DBE) requirements from the FHWA. Due to the delay of Proposition 1B funds and the federal mandate to implement the new DBE program requirements, the City requests a time extension to award the second segment of the project.</p> <p>The City plans to advertise the project by June 2009, open bids by July 2009, and award the contract by August or September 2009. The City requests a 3-month time extension to September 30, 2009.</p>			