

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: December 9-10, 2009

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

From: NORMA ORTEGA
Chief Financial Officer (Interim)

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-09-38**

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 \$3,542,000 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 for 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 Folsom Sacramento County PPNO: 03-1658L Railroad Block Plaza, TE	\$500,000	06/11/2009 FP-08-53 12 Months 12/31/2010 Support
<p>The City of Folsom (City) is requesting a 12-month extension to the period of contract award for the construction of the Railroad Block Plaza TE project. The Railroad Block Plaza TE project is a joint private-public partnership between the Folsom Redevelopment Agency and the Railroad Block Partners. The project consists of pedestrian and disabled access improvements to an existing site that is currently used for surface parking lots for local merchants. The Folsom Redevelopment Agency has construction documents for the project at nearly 100 percent complete. However, local merchants in the area have requested that the City allow the existing surface parking lots to remain an additional year before beginning construction. In an effort to accommodate the requests of local merchants in this private-public partnership, the City requests a 12-month time extension to December 31, 2010.</p>			
2	City of Selma Fresno County PPNO: 06-B002H Selma Branch Canal Bike Path, TE	\$609,000	06/11/2009 FS-08-14 7 Months 07/31/2010 Support
<p>The City of Selma (City) is requesting a seven-month extension to the period of contract award for the construction of the Selma Branch Canal Bike Path TE project. The City encountered delays due to negative feedback from adjacent property owners regarding the close proximity of the bike path with their backyards. These residents requested a realignment of the bike path to provide a buffer zone between their properties and the bike path. After two months, the City provided an alternative bike plan that was acceptable to the adjacent property owners.</p> <p>The City also encountered delays due to regulations controlling surface water pollution. The City's storm water currently discharges into an open channel canal. As part of the Selma Branch Canal Bike Path TE project, the City's existing storm water would flow into the new canal piping rather than discharge into an open channel canal. After five months of negotiations, the City agreed to advance the portion of the canal piping that would eliminate the potential storm water discharge point. The bike path cannot be constructed until the canal is piped. The City estimates that the installation of piping will be completed by the end of July 2010. The City plans to advertise the project in May 2010, open bids in June 2010, and award a contract in July 2010. The City requests a seven-month time extension to July 31, 2010.</p>			
3	City of Visalia Tulare County PPNO: 06-D013 Packwood Creek Bicycle Path, TE	\$195,000	06/11/2009 FP-08-53 6 Months 06/30/2010 Support
<p>The City of Visalia (City) is requesting a six-month extension to the period of contract award for the construction of the Packwood Creek Bicycle Path TE project. The City anticipates poor winter weather conditions that could delay construction until May of 2010. According to the City's past experience, the month of December is the least desirable time to award a construction contract, due to holidays and weather delays during the winter months. Contractors are hesitant to submit bids on projects prior to the winter season because it is difficult to estimate labor costs. The City requests additional time to award a contract in early spring to avoid the winter season. The City plans to advertise the project by February 2010, open bids by March 2010, and award by April 2010. The City requests two additional months to allow for the possibility of protests during the bidding process. The City requests a six-month time extension to June 30, 2010.</p>			

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4	City of Compton Los Angeles County PPNO: 07-3150 Willowbrook Avenue Rail Corridor, TE	\$592,000	06/11/2009 FP-08-53 6 Months 06/30/2010 Support
<p>The City of Compton (City) is requesting a six-month extension to the period of contract award for the construction of the Willowbrook Avenue Rail Corridor TE project. The City submitted a Request for Authorization to Proceed with Construction (E-76) concurrently with their request for a funding allocation. However, this authorization was delayed due to a review of the project scope of work by the Union Pacific Railroad (UPRR). The UPRR required the City to include irrigation and fencing in the areas adjacent to the UPRR right of way.</p> <p>The City anticipates four to six months of delay to coordinate the required changes from the UPRR. The City plans to complete the final construction plans by December 2009, submit the revised E-76 by January 2010, obtain authorization to advertise the project by the end of February 2010, advertise the project in March 2010, open bids by the end of March 2010, obtain City Council approval to award in April 2010, and award a contract in May 2010. The City requests an additional month to allow for the possibility of protests during the bidding process. The City requests a six-month time extension to June 30, 2010.</p>			
5	City of Temecula Riverside County PPNO: 08-1112K Winchester Road Corridor Beautification, TE	\$1,646,000	06/11/2009 FP-08-53 6 Months 06/30/2010 Recommend a 3-month extension
<p>The City of Temecula (City) is requesting a six-month extension to the period of contract award for the construction of the Winchester Road Corridor Beautification TE project. The City submitted a complete Request for Authorization to Proceed with Construction (E-76) on August 20, 2009. The FHWA approved the funds for obligation on September 15, 2009. The City experienced some unforeseen delays due to staff downsizing. On October 27, 2009, the City Council approved the bid documents and advertised the project. The City plans to open bids on November 30, 2009, and award the project on December 8, 2009. However, in the event the City receives a non-responsive bidder or protests arise associated with the bids, the City requests a six-month time extension to June 30, 2010.</p> <p>The Department recommends a three-month time extension to March 31, 2010.</p>			