

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 7-8, 2010

Reference No.: 2.8d.(1) - **REVISED**
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: William D. Bronte, Chief
Division of Rail

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT EXPENDITURE FOR ONE STIP INTERCITY RAIL PROJECT, PER STIP GUIDELINES WAIVER-10-13**

CTC ACTION TAKEN: The California Transportation Commission approved the extension request for PS&E for the Sorrento to Miramar Double Track Project for 15 months only, to September 30, 2011.

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Waiver-10-13, extending the period of project development expenditure by 20 months, to February 28, 2012, for one State Transportation Improvement Program (STIP) rail project to construct the Sorrento to Miramar Double Track Project (PPNO 9069A, EA R500TA) located along the LOSSAN corridor in the city of San Diego.

ISSUE:

On September 5, 2007, the Commission approved Resolution MFP-07-04, allocating \$3,900,000 for the design (PS&E) phase. This contract was executed in December 2007 and expires on June 30, 2010. The San Diego Association of Governments (SANDAG) will not be able to complete the PS&E phase by June 30, 2010 and is requesting a 20-month time extension to February 28, 2012.

The Sorrento to Miramar Double Track Project is a large and complex project that includes bridge replacement and rail realignment to improve safety and train speed and decrease maintenance costs in a challenging environment. SANDAG and the North County Transit District (NCTD) divided the project into two phases because of the challenges and the desire to expedite the replacement of an 80 year old wood trestle bridge.

Phase 1 replaces a single track bridge with a new double track bridge. Phase 1 is on schedule and will be ready for construction in conformance with the baseline agreement for the Trade Corridor Improvement Funds. Phase 2 would provide a double track segment which is on a steep grade and has the sharpest curves. There have been two freight train derailments on these sharp curves in the last 10 years. Phase 2 will realign the track and improve overall safety and minimize the chance of future derailments. This phase of the project is for the engineering and design work only.

The principal reason that the time extension is necessary is that Phase 2 has been delayed. During the permitting process of Phase 2, the U.S. Fish and Wildlife and U.S. Army Corp of Engineers advised that permits will not be issued for the Phase 2 work until additional alignment studies are completed. These studies are underway and will result in the need for a Supplemental Environmental Impact Report (SEIR). Upon completion of the SEIR, final design will be done. It is anticipated that the SEIR will take 12 months to complete.

The final design and permitting effort will take an additional eight months after certification of the SEIR bringing the total additional time needed to 20 months. Final design may involve a revised alignment and have significant structures which requires the additional time. In order to expedite the delivery of Phase 2, SANDAG and NCTD have worked on alignment changes that will reduce the amount of new right of way needed to be acquired.

BACKGROUND:

Current STIP Guidelines stipulate that funds allocated for local project development or right of way costs must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated. The Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.