

Memorandum

TAB 119

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 11-12, 2011

Reference No.: 2.5e.(2)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming



Subject: ALLOCATION FOR SUPPLEMENTAL FUNDS FOR PREVIOUSLY VOTED PROJECT
RESOLUTION FA-10-14

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission allocate an additional \$220,000 for one State Highway Operation and Protection Program project identified below.

ISSUE:

Additional funds are needed for one previously voted project in order to close out the contract.

RESOLUTION:

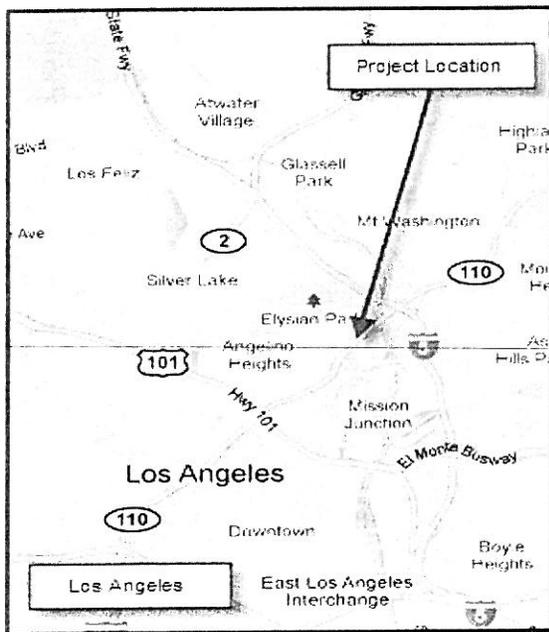
Resolved, that \$220,000 be allocated from the Budget Act of 2009, Budget Act Item 2660-302-0890 to provide additional funds for the project identified below.

<u>Project</u>	<u>Dist-Co-Rte</u>	<u>Original allocated Amount</u>	<u>Original Award Amount</u>	<u>Current Allocation</u>	<u>Allocation Adjustment</u>	<u>Revised Allocation</u>	<u>% Increase Above Current Allocation</u>
1	07-LA-110	\$2,470,000	\$3,183,000	\$3,183,000	\$220,000	\$3,403,000	6.9%

Project # Allocation Amount Recipient County Dist-Co-Rte Postmile	Location Project Description Reason for Supplemental Funds	PPNO Program Funding Year Item # Fund Type	State Federal Current Amount by Fund Type	State Federal Additional Amount by Fund Type	State Federal Revised Amount by Fund Type
2.5e.(2) Supplemental Funds for Previously Voted Projects					Resolution FA-10-14
1 \$220,000 Department of Transportation Los Angeles 07S-LA-110 24.5/25.5	In Los Angeles, south of Hill Street to northbound Route 5 connector. Outcome/Output: Restripe connector, install in- pavement flashers, and construction overhead guide signs to reduce the number and severity of collisions. Supplement funds are needed to close out the contract. Total Revised Amount: \$3,403,000	07-3397 SHOPP 2004-05 302-0890 FTF SHOPP 2005-06 302-0890 FTF SHOPP 2009-10 302-0890 FTF	\$2,470,000 \$713,000	\$220,000	\$2,470,000 \$713,000 \$220,000

RECOMMENDATION:

The Department recommends that this request for \$220,000 be approved to allow the Department to close out the contract.



PROJECT DESCRIPTION:

The project is located on Route 110 in Los Angeles County in the city of Los Angeles. This project re-striped the 110/5 connector entry, installed in-pavement flashers, changeable overhead guide signs and placed crash cushions in the gore areas.

FUNDING STATUS:

This SHOPP project was voted in August 2005 for \$2,470,000 and awarded for \$3,183,000 in November 2005. The project is now completed, but there are insufficient funds to pay for the settlement of claims. An additional \$220,000 in supplemental funds is needed to close out the contract and results in an overall increase of 6.9 percent over the current allocation.

REASONS FOR COST INCREASE:

The project consisted of installing a second "part time" optional lane by re-striping the connector entry and installing in-pavement flashers. Changeable overhead LED guide signs were also installed to alert drivers of the additional lane.

The Contractor successfully installed the in-pavement flashers (Internally Illuminated Pavement Marker - IIPM) and tested the system for this contract in August 2006. Immediately after the installation, the contract was suspended to address issues raised by a local historical group regarding aesthetics and unsightliness of the overhead signs. The project was suspended for three years after which the project was revised and one of the four signs was eliminated from the project. The three years of the suspension had a direct impact on the progress of work. Additionally, no arrangements were made to maintain the newly constructed IIPM devices. The illuminated pavement markers were left in working order but were subjected to freeway traffic and were not maintained in accordance with the manufacturer's recommendation. After a resolution was worked out with the local historical group, it was discovered the original vendor of IIPM was no longer in business. In August of 2009, the Contractor replaced the non-functioning markers at a cost of \$220,000

The Contractor believed they should be compensated for replacing the damaged markers. They stated that the delay in contract time was due to design issues and the illuminated markers were subject to traffic damage and road flare damage for almost three years without any on-going maintenance by the Department.

FUNDING OPTIONS:

OPTION A: Approve this request for supplemental funds, as presented above, for \$220,000 to close out the contract.

OPTION B: Deny this request and allow the contractor to pursue legal action.

RECOMMENDED OPTION:

The Department recommends that this request of \$220,000, as presented in Option A above, be approved to allow the Department to close out the project.

Memorandum

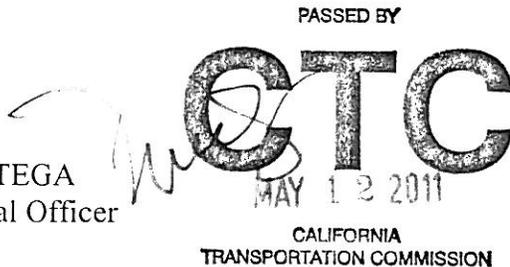
TAB 120

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 11-12, 2011

Reference No.: 2.1c.(10c)
REPLACEMENT ITEM
Action Item

From: NORMA ORTEGA
Chief Financial Officer



Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **PROPOSITION 1B LETTER OF NO PREJUDICE**
RESOLUTION LONP1B-A-1011-16

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve a Letter of No Prejudice (LONP), authorized under Assembly Bill (AB) 672, for the Route 57 Widening between Katella Avenue and the Lincoln Avenue project (PPNO 3829) in Orange County.

ISSUE:

The Route 57 Widening between Katella Avenue and Lincoln Avenue project proposes to add one northbound through lane for mixed-flow traffic, resulting in five northbound mixed-flow lanes and one high-occupancy vehicle lane.

The project is programmed in the Corridor Mobility Improvement Account (CMIA) with \$29,400,000 for Construction Capital and \$5,292,000 for Construction Support. Due to limited Proposition 1B Bond sales, the Orange County Transportation Authority (OCTA) is requesting AB 672 authority to substitute CMIA funds with \$29,400,000 in Measure M2 local sales tax funds in order to keep the project construction on schedule. The OCTA Board of Directors approved the funding commitment on March 14, 2011.

The Department has placed a request on this month's agenda to allocate \$29,400,000 for Construction Capital and \$5,292,000 for Construction Support. It is proposed that the Commission allocate \$5,292,000 in bond proceeds to the Department for Construction Support activities. This would allow the Department to move forward with construction implementation immediately. The Construction capital allocation request would be placed on the Delivered But Not Allocated List for consideration when additional Proposition 1B Bond funds become available.

BACKGROUND

Government Code Section 14556.33 allows an applicant agency that is either a regional or local entity to seek approval of a LONP. If approved by the Commission, the LONP allows the applicant agency to expend its own funds for any component of the transportation project, and seek allocation and reimbursement from the Corridor Mobility Improvement Account in the future. OCTA, as the applicant agency for this project, is requesting an LONP so that the Department can implement the

construction phase of the project on schedule. When and if Proposition 1B funds become available and are allocated to the Department by the Commission, the Department will reimburse OCTA.

RESOLUTION LONP1B-A-1011-16

Resolved, with all conditions stipulated still in effect, the California Transportation Commission hereby approves a Letter of No Prejudice (LONP) for \$29,400,000 for the Route 57 Widening between Katella Avenue and Lincoln Avenue project (PPNO 3829) programmed in, or otherwise funded from, the Proposition 1B Corridor Mobility Improvement Account (CMIA); and

Be it Further Resolved, that the Orange County of Transportation Authority (OCTA) agrees to commit a total of \$29,400,000 of Construction Capital funding, in lieu of CMIA funds, over the course of project construction; and

Be it Further Resolved, that OCTA understands the risks involved with committing local funds in lieu of CMIA, as reimbursement is dependent on future availability of CMIA funding; and

Be it Further Resolved, that the Department agrees to reimburse OCTA if and when additional Proposition 1B funds become available and are allocated to the Department by the Commission.