

State of California
Business, Transportation and Housing Agency
Department of Transportation

PROJECT BUSINESS MATTERS
Request for Waiver – Contract Award
Action Item

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Agenda Item: 2.8e.(2)

Original Signed By

W. J. EVANS, Deputy Director
Finance
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TIME EXTENSION REQUEST – CTC RESOLUTION G-99-25
GUIDELINES FOR ALLOCATING, MONITORING AND AUDITING OF
FUNDS FOR LOCAL ASSISTANCE PROJECTS

TRANSIT CAPITAL IMPROVEMENT PROGRAM
PROPOSITION 108 AND PROPOSITION 116 BOND PROGRAMS
INTERREGIONAL IMPROVEMENT PROGRAM
WAIVER-00-64

ISSUE

Resolution G-99-25, *Guidelines for Allocating, Monitoring and Auditing of Funds for Local Assistance Projects*, adopted by the California Transportation Commission (Commission) on August 18, 1999, stipulates recipients have up to 12 months after allocation of funds to award a contract. The Commission applied these requirements to projects funded by the Proposition 116 Program.

The Department of Transportation (Department) is requesting a 20-month time extension for contract award, from December 8, 2000 through August 8, 2001, for funds allocated for the Oakland Maintenance Facility. Contract award has been delayed due to hazardous waste issues. Under Commission policy, properties must either be determined to be clean of hazardous wastes, or an agreement must be in place requiring the responsible parties to clean all hazardous wastes by certain date. To date, Amtrak and Union Pacific Railroad have signed an agreement to perform the voluntary clean up, a site investigation has been completed, and a draft risk assessment document has been completed and transmitted to the Department of Toxic Substance Control (DTSC). Amtrak and the Union Pacific Railroad are working with the DTSC to develop a mutually acceptable remediation plan. The extension is needed to ensure funds remain available to award a contract for the construction of the Oakland Maintenance Facility.

RECOMMENDATION

The Department recommends the Commission approve this time extension request from December 8, 2000 through August 8, 2002.

SUMMARY

The Commission approved \$7,814,195 (\$3,044,195 under Resolution MBFP-92-03 and \$4,770,000 under MBFP-97-01) from the Transit Capital Improvement (TCI) and Proposition 108 Bond fund Programs in 1993 and 1997, respectively. The Commission also approved an allocation of \$22,327,000 under Resolution MBFP-99-01 in Proposition 116 Bond funds and Interregional Improvement Program funds in December 1999. The Department is working with Amtrak to develop contract language that meets the Commission requirements and should be complete when Amtrak receives approval of their hazardous waste remedial action work plan.