

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: April 7-8, 2004

Reference No.: 2.8d  
Action Item

From: ROBERT L. GARCIA  
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Local Assistance

Ref: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT  
EXPENDITURE PER RESOLUTION G-03-19, FOR LOCAL STREETS AND ROADS  
PROJECTS  
WAIVER-03-43**

## **ISSUE:**

The California Transportation Commission (Commission) allocated funds totaling \$5,530,000 in Fiscal Year (FY) 2001-2002 for three projects in the counties of Alameda and Merced. The responsible agencies will be unable to expend all the funds by the expenditure deadline of June 30, 2004. The attachment shows the details of the projects and the delays that have resulted in the extension requests. The responsible agencies request extensions and their respective planning agencies concur.

## **RECOMMENDATION:**

The Department of Transportation's recommendations are shown on the attachment.

## **BACKGROUND:**

Resolution G-03-19, State Transportation Improvement Program (STIP) Guidelines, adopted by the Commission on December 11, 2003, stipulates that funds programmed for project development and right of way components of local grant projects are available for expenditure only until the end of the second fiscal year after allocation. The Guidelines further stipulate that the Commission may approve waivers 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.

Attachment

Time Extension/Waiver – Project Development Expenditure Deadline  
 Local Streets and Roads Projects  
 Program Year 2003-04

Project #	Applicant County	Extension Amount By Component (\$ in thousands)	Number of Months Requested
PPNO	Project Description	E&P PS&E R/W CON TOTAL	CT Recommendation
Reason for Project Delay:			
1	County of Alameda Alameda	\$500 \$0 \$0 \$0 <b>\$500</b>	6 months  12/31/2004  Support – meets STIP Guidelines
<p>The magnitude of the project has been greater than originally anticipated. Evaluating the possible improvements along Crow Canyon Road to improve safety has taken longer than expected due to the length of the roadway (almost seven miles.) The County is accelerating its schedule wherever possible to try to meet the June 30, 2004 expenditure deadline. However, due to the complexity of the environmental process, it is anticipated that an extension of 6 months will be required. As a consequence of the field review with Department of Transportation staff, additional environmental studies have been requested that will delay the completion of the environmental phase beyond June 30, 2004. As a result, the County is requesting a 6-month extension of the expenditure deadline.</p>			
2	City of Livermore Alameda	\$4,000 \$0 \$0 \$0 <b>\$4,000</b>	20 months  2/28/2006  Support – meets STIP Guidelines
<p>The City is unable to expend the entire E&amp;P allocation by the June 30, 2004 deadline due to the following unforeseen and extraordinary reasons beyond the control of the City:</p> <ul style="list-style-type: none"> <li>• The Department of Transportation (Department) had concerns regarding timing and segmentation issues between this project and the recently completed and approved Route 84 Transfer and Relinquishment Project. A series of meetings were held over several months between the City and the Department's management, legal and environmental staff to address these concerns. This process caused the City to stop work on this project and focus efforts to complete the Route 84 Transfer and Relinquishment Project, for a net delay of 12 months.</li> <li>• The City received direction from the Federal Highway Administration (FHWA) that conflicted with previous direction from the Department regarding an acceptable purpose and need statement for the project. This caused a delay of 4 months – time spent meeting with FHWA to review and clarify their comments and direction.</li> <li>• In December 2002, the Bay Area Rapid Transit District (BART) adopted a new System Expansion Policy that changed the likely alignment of a future BART/rail extension to Livermore. This action changed the focus of the preliminary engineering and environmental review to a different location, which is less expensive and has fewer environmental impacts but precludes a future BART station at Isabel Avenue. The project was delayed 3 months to rescope the consultant's efforts to the new location.</li> <li>• Repeated staffing changes at the Department, FHWA and the US Fish and Wildlife Service caused a delay of 6 months due to the need to bring new staff up to speed on the project.</li> <li>• Adoption of the voter mandated North Livermore Urban Growth Boundary Initiative significantly changed future land use and roadway network assumptions and required reworking the traffic operations and forecasting report, resulting in a 4-month delay.</li> </ul> <p>Due to these delays, the City is requesting a 20-month extension of the expenditure deadline.</p>			

Time Extension/Waiver – Project Development Expenditure Deadline  
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 Program Year 2003-04

Project #	Applicant County	Extension Amount By Component (\$ in thousands)	Number of Months Requested
PPNO	Project Description	E&P PS&E R/W CON TOTAL	CT Recommendation
Reason for Project Delay:			
3	Merced County Association of Governments (MCAG)	\$0	12 months
	Merced, Mariposa & Mono	\$500	6/30/2005
		\$530	
		\$0	
	PPNO: 4934	<b>\$1,030</b>	Support – meets STIP Guidelines
	Yosemite Area Regional Transportation System (YARTS) Staging Areas		
<p>MCAG was delayed in getting the authorization to proceed from the Department of Transportation (Department) because Department staff were originally planning on taking the lead on this project. Difficulty in dealing with property owners of the proposed staging areas also delayed the project implementation process. Additional time is needed for negotiations with property owners. Therefore, MCAG is requesting a 12-month extension of the expenditure deadline for both PS&amp;E and Right-of-Way expenditures.</p>			