

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 12-13, 2004

Reference No.: 2.8b
Action Item

From: ROBERT L. GARCIA
Chief Financial Officer

Prepared by: Jim Nicholas
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Transportation Programming

Ref: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR STIP PROJECTS,
PER RESOLUTION G-03-19
WAIVER-03-47**

ISSUE:

The California Transportation Commission (Commission) allocated construction funds totaling \$60,551,000 for seven projects on Route 210 in San Bernardino County, as shown on the attached list. San Bernardino Associated Governments (SANBAG) has been unable to award the contracts and does not anticipate awarding the contracts by the deadline.

RECOMMENDATION:

The Department of Transportation (Department) recommends the Commission approve a 12-month time extension of the period of contract award for the projects listed in the attachment.

BACKGROUND:

Resolution G-03-19, STIP Guidelines, adopted by the Commission on December 11, 2003, stipulates that funds allocated for Caltrans construction are available for contract award for a period of 12 months from the date of allocation. The guidelines further stipulate that the Commission may approve waivers to the contract award deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

In June 2003, funds were allocated for seven projects to complete construction of the Route 210 Corridor through Rialto and San Bernardino. SANBAG combined the seven projects into two separate projects for construction administration purposes. Following allocation of funds, delays in the schedules for the two combined projects occurred because of the following complicated and interrelated issues:

- The Federal Highway Administration (FHWA) expressed concerns over the inclusion of the Pepper Avenue Interchange ramps and requested that the Interchange ramps be removed from the project. SANBAG and the Department had included the Pepper Interchange ramps in design and technical studies based on the premise that the City of Rialto was going to build the Pepper Avenue extension. However, FHWA was concerned about a lack of progress on the environmental clearance for the City of Rialto's portion of the work. In September 2003, SANBAG and the Department complied with FHWA's request and removed the Interchange ramps from the project. These design changes, along with other project design changes required a new Environmental Reevaluation (ER) and a revised Biological Opinion (BO). It is anticipated that the ER will be approved in August 2004.
- The habitat in and around the Lytle Creek area was designated a critical habitat for the endangered San Bernardino Kangaroo Rat by the United States Fish and Wildlife Service (USFWS), causing initiation of Endangered Species Act Section 7 consultation. In July 2003, USFWS conducted a site visit, which led to additional modifications to the project plans. SANBAG and the Department worked closely with FHWA, providing information to allow "formal" consultation to begin. A revised BO is expected from USFWS in mid-July 2004, with the final product becoming an appendix document to the ER currently under review by FHWA.

To effectively manage these issues the projects required additional time to revise pertinent documents and consult with the appropriate agencies. With an approved BO in mid-July and subsequent approval of the ER, it is anticipated that the projects will be ready for advertisement in September 2004. However, to allow for additional unforeseeable problems obtaining approvals of the BO and ER, as well as any bid and award issues that may arise, SANBAG is requesting a 12-month extension of the contract award deadline.

Attachment

2.8b Time Extension / Waiver - Contract Award

Project	Element	District	County	Route	PPNO	EA	PROJECT LOCATION DESCRIPTION	Programmed		Department's Request	
								Fund Source	Amount (x \$1,000)	Months	until end of (month-yr)
1	LCO	8	SBd	210	0195D	443811	Rte 210 Freeway in Rialto, 0.2 km east of Linden Avenue to 0.2 km west of Willow Avenue (Segment 9) – Construct 6 lane freeway, 2 HOV lanes, and 2 bridges.	RIP	\$ 10,500	12	Jun-05
2	LCO	8	SBd	210	0196B	443911	Rte 210 Freeway in Rialto and San Bernardino from 0.2 km west of Willow Avenue to 0.2 km west of Macy Street (Segment 10) – Construct 6 lane freeway, 2 HOV lanes, and 2 bridges	RIP	\$ 21,464	12	Jun-05
3	LCO	8	SBd	210	0196F	443931	Rte 210 Freeway in Rialto and San Bernardino from 0.2 km west of Willow Avenue to 0.2 km west of Macy Street (Segment 10) – Construct Lytle Creek bridge and levees.	RIP	\$ 5,500	12	Jun-05
4	LCO	8	SBd	210	0194C	444011	Rte 210 Freeway in San Bernardino from 0.1 km west of Macy Street to H Street (Segment 11) – Construct 6 lane freeway and 2 HOV lanes.	RIP	\$ 10,107	12	Jun-05
5	LCO	8	SBd	210	0194L	444021	Rte 210 Freeway in San Bernardino from 0.1 km west of Macy Street to H Street (Segment 11) – Construct bridges.	RIP	\$ 6,750	12	Jun-05
6	LCO	8	SBd	210	0194M	444031	Rte 210 Freeway in San Bernardino from 0.1 km west of Macy Street to H Street (Segment 11) – Earthwork, drainage, soundwalls	IIP	\$ 2,889	12	Jun-05
7	LCO	8	SBd	210	0194N	444041	Rte 210 Freeway in San Bernardino from 0.1 km west of Macy Street to H Street (Segment 11) – Bridge widening.	RIP	\$ 3,341	12	Jun-05

Element:

"LCO" denotes Local Capital Outlay

Fund Source:

"IIP" denotes Interregional Improvement Program funds.

"RIP" denotes Regional Improvement Program funds.