

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 16-17, 2004

Reference No.: 2.8d.(1)  
Action Item

From: ROBERT L. GARCIA  
Chief Financial Officer

Prepared by: Terry Abbott  
Division Chief  
Local Assistance

Ref: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT  
EXPENDITURE PER RESOLUTION G-03-19, FOR LOCAL STREETS AND ROADS  
PROJECTS  
WAIVER-03-62**

## **ISSUE:**

The California Transportation Commission (Commission) allocated funds totaling \$22,991,000 in Fiscal Year (FY) 2001-2002 and FY 2000-2001 for 13 local projects. 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 (one project is requesting a POST FACT extension) 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
			Extended Deadline
PPNO	Project Description	PS&E	CT Recommendation
Reason for Project Delay:		R/W	
		CON	
	TOTAL		
1	Del Norte County Del Norte	\$0 \$80 \$0	12 months 06/30/2005
	PPNO: 1018P Elk Valley Road Reconstruction	\$0 \$80	Support – meets STIP Guidelines
<p>These funds were shifted from PS&amp;E to Construction. The PS&amp;E funds have an expenditure deadline of June 2004, but it is anticipated that construction will not start prior to that date (contract award deadline is June 26, 2004) and should be complete by June 2005. Therefore, the County is requesting a 12-month extension of the PS&amp;E expenditure deadline. [Note: the City has a concurrent request for contract award extension – see item 2.8b.(1)]</p>			
2	Town of Paradise Butte	\$60 \$0 \$0	12 months 06/30/2005
	PPNO: 2L116 Bille Road Widening/Overlay	\$0 \$60	Support – meets STIP Guidelines
<p>Due to difficulty in negotiating an acceptable fixed price contract for the entire environmental review process, the contract was split into two phases. The first phase involves the feasibility study and preliminary engineering, and the second phase will be the actual environmental review. By phasing this project, the “window of opportunity” has been missed to perform the necessary field botanical studies to properly determine what (if any) endangered species may exist along the proposed route. Therefore, the Town requests a 12-month extension of the expenditure deadline.</p>			
3	Town of Paradise Butte	\$80 \$0 \$0	12 months 06/30/2005
	PPNO: 2L117 Buschmann Roadway Extension	\$0 \$80	Support – meets STIP Guidelines
<p>Due to difficulty in negotiating an acceptable fixed price contract for the entire environmental review process, the contract was split into two phases. The first phase involves the feasibility study and preliminary engineering, and the second phase will be the actual environmental review. By phasing this project, the “window of opportunity” has been missed to perform the necessary field botanical studies to properly determine what (if any) endangered species may exist along the proposed route. Therefore, the Town requests a 12-month extension of the expenditure deadline.</p>			

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Project #	Applicant County	Extension Amount By Component (\$ in thousands)			Number of Months Requested  Extended Deadline
		E&P	PS&E	R/W	
PPNO Project Description		CON	TOTAL		
Reason for Project Delay:					
4	City of Placerville	\$1,075			20 months
	El Dorado	\$0			
		\$0			02/28/2006
	PPNO: 3L00 Western Placerville Interchange (WPI)	\$0 <b>\$1,075</b>			Support – meets STIP Guidelines
<p>The project delay is attributed to the following:</p> <ol style="list-style-type: none"> <li>(1) Cooperative Agreement between State and City was not in effect until September 20, 2002 (the allocation was in November 2001). This delayed the consultant contract, which was completed in January 2003. The delay in completing the cooperative agreement is attributed to a key vacancy (Public Works Director) in the City, organizational changes in the California Department of Transportation, and clarifications of hazardous material removal articles within the draft cooperative agreement.</li> <li>(2) US 50 Weber Creek and Western Placerville Interchange “Independent Utility”: The Weber Creek Bridge’s improvement needs overlapped two projects: this City of Placerville Western Placerville Interchange Project (WPI) with two interchanges; and El Dorado County Missouri Flat Interchange Project (MFI) – a project with one interchange listed as a top priority by Sacramento Area Council of Governments. In October 2001, the City and the County entered into agreement and executed a letter of understanding for sharing of the Weber Creek Bridge work necessary for the three consecutive interchanges included in the two projects. The agreement was made to eliminate redundant efforts related to expensive and time consuming environmental clearance work within Weber Creek. It was agreed that the County would do all environmental clearance work and the Weber Creek Bridge design and construction with the MFI. Following the agreement between the City and County, the MFI scope was modified to include the widening of both directions of the Weber Creek Bridge. Although the Weber Creek Bridge was removed from the WPI scope, the MFI had to proceed and be completed a minimum of two years ahead of the WPI. In order to be deemed an “independent utility” as required for environmental clearance, the WPI cannot cause other improvements to be made such as the widening of Weber Creek Bridge. With the MFI being modified to require the widening of both directions of the Weber Creek Bridge, the construction funding in place, and the progress made by the MFI team, the WPI team is able to rely on “existing” improvements such as a widened Weber Creek Bridge. Therefore, the WPI project must wait while the MFI project is completed.</li> </ol> <p>Due to these delays, the City is requesting a 20-month extension of the expenditure deadline</p>					
5	Placer County	\$0			18 months
	Placer	\$248			
		\$565			12/31/2005
	PPNO: 1L09 ITS Stevens Creek West	\$0 <b>\$813</b>			Support – meets STIP Guidelines
<p>The project has been delayed due to difficulty in obtaining right of way on Edgewood Road from the California Department of Transportation (Department) and a need to reevaluate the right of way requirements on Quartz Drive due to greater than anticipated environmental impacts. Edgewood Road will cross a portion of the Department’s Auburn maintenance station and will require the relocation of the entrance to the maintenance station as well as the construction of a new road within the yard to reestablish vehicle circulation. Working with the various Department offices that use the yard or have jurisdiction over the yard has taken longer than originally anticipated. The Quartz Drive connector, as currently designed, will impact a large amount of riparian habitat. Due to the presence of the Foothill Yellow Legged Frog, a species of special concern, a requirement to mitigate all riparian impacts was placed on the project. There is not sufficient area to mitigate this impact on site and no mitigation credits for riparian restoration are available in the Auburn area. To mitigate this issue, a revised alignment that will reduce the riparian impacts will be investigated. These issues will cause a delay of approximately 18 months in the delivery of PS&amp;E and obtaining right of way certification. Additionally, the allocation of construction funds will be delayed to Fiscal Year 2005-06. Therefore, the County is requesting an 18-month extension of the expenditure deadline.</p>					

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 Program Year 2003-04

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<b>Reason for Project Delay:</b>			
10	County of Los Angeles Los Angeles	\$0 \$277 \$0 \$0 <b>\$277</b>	12 months 06/30/2005 Support – meets STIP Guidelines
<p>The Letter of Agreement for this project was executed on March 14, 2002, between Public Works and the Los Angeles County Metropolitan Transportation Authority (MTA). Authorization for design was received March 13, 2003. Per federal guidelines, a consultant was selected to design the project and the consultant services agreement was signed on August 20, 2003. The time to complete this milestone necessitates this time extension request. The County has already begun the reimbursable design work for this project, invoiced and received reimbursements of allocated design funds. The time to coordinate the engineering funding and authorization for design with the State Department of Transportation, as well as executing the consultant services agreement, has taken longer than anticipated. The construction phase of this project was recently advanced with Proposition C local funds at the MTA regular Board meeting on February 26, 2004. This time extension request of 12 months coincides with the project's anticipated construction phase to be funded by these local funds.</p>			
11	County of Los Angeles Los Angeles	\$100 (POST FACT) \$286 \$0 \$0 <b>\$386</b>	20 months 02/28/2005 E&P 02/28/2006 PS&E Neutral
<p>Avenue S is jurisdictionally shared by the County of Los Angeles and the City of Palmdale. The County and City have been working closely to coordinate jurisdictional responsibilities for the project and to identify a preliminary project scope. It was not until the City recently completed their plans and specifications for the widening of Avenue S from State Route 14 to Sierra Highway that the County could establish a preliminary concept for the grade separation, which is immediately west of Sierra Highway. The County is now prepared to begin environmental documentation and subsequent design of this project, with projected completion of environmental expected by February 2005, and final completed by February 2006. Therefore, the County requests 20-month extensions for expenditures of E&amp;P (POST FACT) and PS&amp;E.</p>			
12	City of Glendale Los Angeles	\$0 \$1,927 \$10,428 \$0 <b>\$12,355</b>	15 months – PS&E 20 months – R/W 09/30/2005 02/28/2006 Support – meets STIP Guidelines
<p>The I-5/Western Avenue Interchange modification is a cooperative project between the City of Glendale and the State Department of Transportation (Department) and as such it requires extensive coordination in the preparation of the PS&amp;E package and the right of way acquisition activities. The Project Study Report (PSR) called for construction of Winchester Avenue, a local street, on the opposite side of the freeway off-ramp and Flower Street. Subsequent to the Department's approval of the PSR and the Project Report (PR) for this project, Section 504.8 of the Department's Highway Design Manual (HDM) was revised. This revision introduced a Mandatory Standard for access controls opposite freeway off-ramps. The City and the Department were under the impression that the revised standard would not apply to projects that received approvals prior to the revision, and therefore the project could advance as originally planned. Following allocation, the City submitted a request for obligation of allocated funds and authorization to proceed with PS&amp;E and right of way acquisition. The Department notified the City that it could not authorize the City to proceed until the access control issue was resolved and the Mandatory Design Standards were incorporated into the project. This was due to concerns expressed by the Federal Highway Administration (FHWA) regarding access control across the freeway off-ramp at Flower Street. In addition, the City was advised by the Department that the PS&amp;E activities should not start until the access control issue was resolved in accordance with a revised PR.</p>			
<p>The right of way needs of the project also hinged upon the design of the project based on a revised PR, and required</p>			

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<b>Reason for Project Delay:</b>			
12 cont.	<p>cooperation with the Department to define responsibilities of each agency. A revised Cooperative Agreement became necessary. FHWA has also been a party in the review of the revised PR and verification of the project right of way needs. The City and the Department have worked diligently to address the above changes in the design guidelines and are now at a point where the project can move forward towards successful delivery. The City, in cooperation with the Department, has conducted an extensive computerized transportation modeling analysis that demonstrates that the project can be initially designed with the required access control opposite the proposed freeway off-ramp with provisions to include access in future years.</p> <p>Due to these delays, the City is requesting a 15-month extension of the PS&amp;E expenditure deadline and a 20-month extension of the right of way expenditure deadline.</p>		
13	City of Vernon Los Angeles  PPNO: 4300 I-710/Atlantic/Bandin Improvements	\$0 \$0 \$7,163 \$0 \$7,163	20 months  02/28/2006  Support – meets STIP Guidelines
<p>This project is split into two phases: Phase I will acquire the right of way for both phases and construct 26<sup>th</sup> Street to provide connection to the Phase II on-ramp to the Northbound I-710. Phase II is PPNO 07-2019 and is a State Department of Transportation (Department) project that will construct on and off-ramps on I-710. The City of Vernon submitted a request for allocation of construction funds for Phase I, but the funds have not been allocated due to state budget problems. Phase II of this project is delayed due to the same budget problems. This delay will result in increased construction costs. Procedures allow right of way funds to be transferred to construction, and it is anticipated that it will be necessary to do so. Also, the right of way purchase for Phase II has not been completed because the acquisition included the functional replacement of the City of Vernon Fire State No. 4, which the Federal Highway Administration and the Department have not committed to funding. Once construction funds are allocated, right of way funds will be available to be transferred to fund the probable construction shortfall for Phase I and to acquire the right of way needed for construction of Phase II. Extension of the right of way funds is necessary in order to complete these activities in the future. Therefore, the City is requesting a 20-month extension in the right of way expenditure deadline.</p>			