

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 16-17, 2004

Reference No.: 2.8b.(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 CONTRACT AWARD PER RESOLUTION
G-03-19, FOR LOCAL STIP PROJECTS
WAIVER-03-55**

ISSUE:

The California Transportation Commission (Commission) allocated construction funds totaling \$5,726,000 for three projects as shown on the attachment. The responsible agencies have been unable to award the contracts and do not anticipate awarding the contracts by the deadline. The attachment shows the details of the projects and the delays that have resulted in the extension requests. The responsible agencies request extensions, and the 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 allocated for the construction phase of local grant projects 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 a waiver to the contract award deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

Time Extension/Waiver – Contract Award
 Local Streets and Roads Projects
 Program Year 2003/2004

Project #	Applicant County	Extension Amount By Component (\$ in thousands)	Number of Months Requested
	PPNO Project Description	E&P PS&E R/W CON Total	Extended Deadline CT Recommendation
	Reason for Project Delay:		
1	County of Del Norte Del Norte	\$0 \$0	3 months 09/26/2004
	PPNO: 1018P Elk Valley Road Reconstruction	\$0 \$4,938 \$4,938	Support – meets STIP guidelines
	<p>The project schedule was originally estimated in 1999 and there were unforeseeable delays in the environmental process. County staff has diligently pursued timely performance but could not move forward with right of way or construction until the Preliminary Environmental Study had been approved. Once this was done, right of way action was taken. All necessary parcels have been obtained with two taking longer than anticipated. One involved several owners (one from out of state) and locating them and reaching agreement took more time than anticipated. Right of way has just been certified. These delays have moved the construction date forward several months. The County has received clearance to advertise and award the contract. However, with a deadline of June 26, it is unlikely that the County can award in time. Therefore, the County is requesting an extension of the award deadline. The request of 3 months will allow the County to award the project and be ready to start construction, with a cushion in case bids are not acceptable. [Note: the County has a concurrent request for expenditure extension – see item 2.8d.(1)]</p>		
2	Metropolitan Transportation Authority (MTA) Los Angeles	\$0 \$0 \$0	12 months 06/26/2005
	PPNO: 3089 Four-Quadrant Gates, Blue Line	\$689 \$689	Support – meets STIP guidelines
	<p>This project has been delayed due to ongoing cost negotiations with the Union Pacific Railroad (UPRR). Approximately half of the work necessary to implement this project must be completed by UPRR staff, as a set of UPRR tracks are located on UPRR right of way adjacent to the Metro Blue Line tracks in the project area; and UPRR's labor contracts preclude the contracting out of the work. The UPRR cost estimate for a typical intersection is approximately twice the MTA cost estimate for the Blue Line side of the intersection. MTA required an additional eight months to negotiate and execute a more commensurate work order with UPRR, followed by four months to advertise and award its own construction contract for the MTA portion of the work, and the subsequent testing. Therefore, MTA requests a 12-month extension of the contract award deadline.</p> <p>Depending on the outcome of the negotiations with UPRR, the number of intersections constructed may be less than originally planned. Under UPRR's current cost estimate, it is anticipated that it will be possible to construct four-quadrant gates at two intersections rather than three. If negotiations do not produce a significant reduction in UPRR's cost, MTA requests the Commission's approval to construct four-quadrant gates at the two intersections with the more urgent safety concerns: Alondra and Compton Boulevards.</p>		

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PPNO	Project Description	E&P PS&E R/W CON Total	CT Recommendation
Reason for Project Delay:			
3	City of Oxnard Ventura	\$0 \$0	9 months 03/26/2005
	PPNO: 2955 Pleasant Valley Road Widening	\$0 \$99 \$99	Support – meets STIP guidelines
<p>This project requires new right of way for the street widening, raised medians, bicycle lanes and sidewalk. Right of way acquisition cannot proceed without environmental certification. Certification of the Mitigated Negative Declaration (MND 03-09) was anticipated in June 2003. The environmental document identified the need to remove 8 eucalyptus trees to accomplish the widening. The proposed removals created concern by local residents. The City's arborist reviewed the project and determined that an additional 33 trees might be impacted. A consulting arborist concurred that a total of 41 trees would need to be removed for safety reasons. Several of these trees were on the Historical Register. In September 2003 staff requested a "Certificate of Appropriateness" from the County of Ventura Cultural Heritage Board to allow the removals. The Board denied the request and asked that staff provide additional mitigation and work with local residents. The environmental document was revised to include the 41 trees and re-circulated for comments to October 2003. On December 5, 2003 the City Council adopted MND 03-09 for the project. Staff then went back to the Cultural Heritage Board to again request approval to remove the trees from the Historical Register. On February 9, 2004 the Board approved and issued a Certificate of Appropriateness. Staff immediately proceeded with right of way activities and is currently presenting offers. The project delay is approximately 9 months due to the tree removal issue. Therefore, the City is requesting a 9-month extension of the contract award deadline.</p>			