

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: March 15-16, 2006

Reference No.: 2.8b(4)  
Action Item

From: CINDY McKIM  
Chief Financial Officer

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Ref: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR NINE SHOPP  
PROJECTS AND THREE STIP PROJECTS, PER FY 2005-06 STIP/SHOPP  
ALLOCATION PLAN  
WAIVER-06-10**

## **ISSUE:**

On August 18, 2005, the California Transportation Commission (Commission) allocated a total of \$19,319,000 for nine SHOPP projects and \$139,593,000 for three STIP projects, as shown on the attached list. In accordance with the Commission's FY 2005-06 STIP/SHOPP Allocation Plan and Criteria, the deadline to award the contracts is February 28, 2006. Each of these projects needs an award extension, as authorized under the allocation plan. The attachment also shows the details of the projects and the delays that have resulted in the extension request.

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the Commission approve the time extensions, as indicated 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 Department construction 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.

At its July 2005 meeting, the Commission adopted the FY 2005-06 STIP/SHOPP Allocation Plan and Criteria, which limited FY 2005-06 allocations to projects ready to proceed to construction within six months. The FY 2005-06 STIP/SHOPP Allocation Plan and Criteria also requires the receiving agencies to request a time extension if the project will not be awarded within the six months.

**2.8b(4) Time Extension / Waiver - Contract Award**

Project Number	District	County	Route	PPNO/EA	PROJECT LOCATION DESCRIPTION	Fund Source	Allocated Amount (x \$1,000)	REASON FOR DELAY	Department's Request	
									Months	until end of (month-yr)
1	4	ALA	580	0119C/151051	In the cities of Dublin and Pleasanton. Install ramp metering system at 14 on-ramps and connectors, widening ramp for HOV bypass and install CCTV cameras for traffic management.	SHOPP	\$ 2,727	In August 2005, funds were allocated for this project in Alameda County. The project was advertised on October 11, 2005. There was one bid at 30% above the Engineer's Estimate. The District recommended to reject the bid and is proceeding to revise and repackage the project. The Department is requesting a six month extension in order to re-advertise and award the project.	6	August-06
2	4	ALA	580	A0102A/150921	On Route 580 and 205 in the city of Livermore. Install changeable message signs and CCTV for Bay Area traffic operations systems at three locations.	SHOPP	\$ 948	In August 2005, funds were allocated for this project in Alameda County. The project was advertised on October 3, 2005, bids were opened on November 15, 2005. There were six bids, and the lowest bid was 41% over the Engineer's Estimate. The bids were competitive for today's market trend, and therefore, the District recommended to award. The Department is requesting a four month award extension in order to obtain additional funds and award.	4	June-06
3	4	MRN	101	0342L, 0343C, 0346F/2261V1	On Route 101 in Marin County. Widen for HOV lanes rehabilitate pavement upgrade median barrier and drainage facilities.	STIP	\$ 31,172	In August 2005, funds were allocated for these projects in Marin County. The bids were opened Dec. 13, 2005. The low bidder was disqualified and the second bidder has been identified as the apparent low bidder. There is a temporary legal stay on the award pending a hearing March 13, 2006 to address the claim by the initial low bidder. The Commission approved supplemental funds for the award of this project at their February meeting. The Department is requesting a six month extension in order to address legal issues and award.	6	August-06
4	4	MAR	37	0332B/150671	In Marin County near Novato and Vallejo at various locations install traffic operation systems.	SHOPP	\$ 1,542	In August 2005, funds were allocated for this project in Marin County. The bids were opened October 26, 2005. There were three bids however, the low bidder did not meet DBE contract requirement and was found not to have met the good faith effort for disadvantaged business. The second low bidder did not submit documents and was nonresponsive. The Department is currently requesting supplemental funds to award to the third bidder. The Department is requesting a three month award extension in order to obtain additional funding or repackage and award.	3	May-06
5	4	SM	92	0744D/294621	In San Bruno on Routes 82 and 380. Restore highway planting and irrigation equipment, gore paving, install fencing, access gates and other safety and maintenance improvements.	SHOPP	\$ 2,015	In August 2005, funds were allocated for this project in San Mateo County. The project was advertised on October 17, 2005 and bids were opened on November 16, 2005. There were three bids, the low bid was 24% above the Engineer's Estimate. The bids were reviewed and determined that a re-design and re-packaging was needed due to the lag that occurred between PS&E and advertisement. During the delay in allocation, the field conditions had changed requiring changes in the project and contract documents. The Department is requesting a six month extension in order to re-package and re-advertise the project PS&E.	6	August-06
6	4	SCL	101	0457D/151291	In Santa Clara County on Route 101. Upgrade 13 existing ramp metered locations along the northbound and southbound directions, and widen, install and implement 3 new on-ramp locations for HOV lanes.	SHOPP	\$ 1,650	In August 2005, funds were allocated for this project in Santa Clara County. The project was advertised on September 12, 2005 bids opened October 12, 2005. There were two bids; the low bid was 45% over the Engineer's Estimate. The Department is requesting a six month award extension in order to obtain supplemental funds and award.	6	August-06

**2.8b(4) Time Extension / Waiver - Contract Award**

Project Number	District	County	Route	PPNO/EA	PROJECT LOCATION DESCRIPTION	Fund Source	Allocated Amount (x \$1,000)	REASON FOR DELAY	Department's Request	
									Months	until end of (month-yr)
7	6	KER	99	3510/451601	In Kern County in Bakersfield near Route 99/204 separation. Highway planting and irrigation	SHOPP	\$ 2,736	In August 2005 funds were allocated for this project in Kern County. The project was advertised on October 3, 2005 and the bids were opened on November 2, 2005. There was one bidder and the low bid was 131.13% above the Engineer's Estimate. On November 9, 2005, the District recommended that this contract not be awarded due to the lack of competitive bids. The Department is requesting an award extension of six months in order to revise the project and repackage the PS&E.	6	August-06
8	6	TUL	99	6476/432001	In Tulare County near Kingsburg. Rehabilitate Roadside Rest Area, ADA compliance, sanitary sewer and utility upgrade, construct maintenance crew/CHP facility.	SHOPP	\$ 2,215	In August 2005, funds were allocated for this project in Tulare County. The project was advertised on September 12, 2005. There were two bids; the low bidder, at 16% over the Engineer's Estimate was granted relief of his bid; the second bid was 55% over the Engineer's Estimate. Supplemental funds were denied and the project is being down-scoped to stay within the allocation. The Department is requesting a ten month extension to package and re-advertise the project.	10	December-06
9	7	VEN	23	1167D/115451	In Ventura County in Thousand Oaks. Roadway widening, construct sound walls, ramp improvements and install TOS elements.	STIP	\$ 48,299	In August 2005, funds were allocated for this project in Ventura County. Immediately after the allocation, the cost increase needed to be amended into the FTIP in order to authorize the DEMO funds. The FTIP amendment was finalized Nov. 11, 2005, and FHWA approval it Nov. 25, 2005. The DEMO funds were authorized Dec. 5, 2005 and the project was advertised Dec. 19, 2005. Bids were opened Feb. 23, 2006. The Department is requesting a three month extension in order to award the project.	3	May-06
10	8	SBD	247	0254A/482301	In San Bernardino County in Lucerne Valley and Barstow. Pavement Rehabilitation.	SHOPP	\$ 4,156	In August 2005, funds were allocated for this project in San Bernardino County. PS&E was originally completed in April 2002. When contract documents were reviewed, it was determined additional plan updating was required. PS&E was revised in December 2005, advertised Jan. 2, 2006 and bids were opened Feb. 9, 2006. The Department is requesting a three month award extension in order to award the project.	3	May-06
11	11	SD	5	0881/264701	In San Diego County on routes 5 and 8, at various location. Remove existing metal beam guardrail and Install concrete barrier and crash cushions.	SHOPP	\$ 1,330	In August 2005, funds were allocated for this project in San Diego County. The project was advertised September 19, 2005; bids were opened October 20, 2005. There were two bidders. The apparent low bidder is in the process of a good faith hearing for Disadvantage Business goals. The Department is requesting a six month extension in order to allow the bidder to meet good faith and in the event he doesn't, the Department will repackage and readvertise the project.	6	August-06
12	12	ORA	5	0978T/101671	In Orange County in Buena Park. Reconstruct and widen for HOV lanes and ramps.	STIP	\$ 60,122	In August 2005, funds were allocated for this project in Orange County. The project was advertised on September 19, 2005. The project was risk- listed with the Union Pacific Railroad Construction and Maintenance Agreement execution being an outstanding item. The agreement was executed January 17, 2006, which caused a delay in bids being opened, in order to get FHWA approval. Bids were opened February 9, 2006. The Department is requesting a four month extension in order to obtain additional funds and to award the contract.	4	June-06