

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: September 19-20, 2007

Reference No.: 2.8b.(3)  
Action Item

From: CINDY McKIM  
Chief Financial Officer

Prepared by: Terry Abbott  
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Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR LOCALLY-ADMINISTERED STIP PROJECTS, PER RESOLUTION G-06-08 WAIVER-07-25**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve Waiver-07-25 extending the period of contract award for the time periods identified for each project on the attached document.

## **ISSUE:**

The Commission allocated \$4,098,000 for the construction of six State Transportation Improvement Program (STIP) projects identified on the attachment. The responsible agencies have been unable to award the contracts and do not anticipate awarding the contracts by the deadlines. The attachment describes the details of the projects and the explanations of the delays. The respective agencies request extensions, and the planning agencies concur.

## **BACKGROUND:**

In June 2006, the Commission adopted Resolution G-06-08, which requires the agency implementing a project to request a time extension if the project will not be awarded within six months of the allocation. STIP Guidelines 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 – Project Contract Award Deadline  
 Local Streets and Roads Projects

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount  <i>Construction Only</i>	Allocation Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
1	City of Fairfield Solano County PPNO: 04-5152F Fairfield Downtown Pedestrian Enhancements	\$350,000	04/26/2007 FP-06-87 4 months 2/29/2008 Support
<p>The City of Fairfield (City) is requesting a four-month extension to the period of contract award for the Fairfield Downtown Pedestrian Enhancements TE project. The cost estimate during the Plans, Specifications, and Estimates (PS&amp;E) phase revealed that certain design elements in the project had a higher cost than in the initial estimate. The City staff and their consultant evaluated various options to reduce the project cost. The design consultant researched various street light options, which were less expensive than the street lights described in the cost estimate. The design consultant revised the PS&amp;E to include the preferred street light option and reduced the number of street lights to be included in the project prior to submitting the Request for Authorization to Proceed (E-76) to FHWA for approval. The unforeseen research necessary for a lower cost street light scheme delayed the project for two months.</p> <p>The City submitted the E-76 to the Department on August 10, 2007. The City anticipates that approval of the E-76 by FHWA will take two to three weeks. Upon receiving E-76 approval from FHWA in late August or early September, the project will be ready for advertisement. The City will advertise for four weeks and review bids for four weeks.</p> <p>If the bids received are substantially higher than the estimate, the City will reject all bids received and re-advertise the project with a revised scope. The project will be re-advertised for four weeks and the City will need an additional four weeks to review bids and award a construction contract. If no bid related issues are encountered as mentioned above, the City anticipates awarding the project by December 31, 2007. However, if bid related issues are encountered, the City will need time to re-advertise and re-evaluate bids and anticipates awarding a construction contract by February 29, 2008.</p>			
2	City of Santa Barbara Santa Barbara PPNO: 05-1196 Mission Street Bikeway	\$947,000	04/26/2007 FP-06-87 5 months 03/31/2008 Support
<p>The City of Santa Barbara (City) is requesting a five-month extension to the period of contract award for the Mission Street Bikeway TE project.</p> <p>Under an Americans with Disabilities Act (ADA) Ramp contribution agreement between the City and the Department, this project includes a Department ADA ramp project to install seven ADA ramps at Mission Street and Highway 101. The unforeseen complexity of the project, such as the need to ensure the geometry of the ADA ramps will work with other elements of the project, caused significant delays during the Encroachment Permit process. In addition, as part of the Encroachment Permit process, it was discovered that several design modifications with regard to the traffic signal and landscaping segments of the project are necessary within the Department's Right of Way. The unforeseen design modifications required a revision to the Plans, Specifications, and Estimates (PS&amp;E) documents prior to submitting the Request for Authorization to Proceed (E-76) to FHWA for approval and has caused delays to the project.</p> <p>Another concern to the City is the uncertainties of the bidding process and the nearness of the project award date to the October 31, 2007 deadline. The City is striving to award before the deadline, but given the design modifications several things could delay the award, such as bid irregularities (errors or omissions in the bid, bid protests), no bids are received for the project, or the bids exceed the project budget. The E-76 was approved by FHWA on August 9, 2007. If no delays are encountered as mentioned above, the City anticipates advertising for the project on September 1, 2007, and opening bids on September 27, 2007, with an estimated award date of October 15, 2007. However, if problems are encountered, the City will need time to evaluate the situation. The City will re-advertise for one month and review bids for one month.</p>			

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3	City of Fresno Fresno PPNO: 06-B002G Santa Fe Train Depot Restoration (Anterior)	\$531,000	03/15/2007 FP-06-78 4 months 01/31/2008 Support
<p>The City of Fresno (City) is requesting a four-month extension to the period of contract award for Santa Fe Train Depot Restoration (Anterior) TE project. The Request for Authorization to Proceed (E-76) was received by the Department on May 9, 2007, and was approved by FHWA on May 16, 2007. The City began advertising the project on August 3, 2007; bids are due on August 30, 2007. Contract award is tentatively scheduled for September 25, 2007. In the event something unexpected occurs with the received bids, the City will need two months to revise the Plans, Specifications, and Estimates (PS&amp;E) and need an additional two months to re-advertise for bids before awarding the contract. The project could be delayed a total of four months. If no bid related issues are encountered as mentioned above, the City anticipates awarding the project on September 25, 2007. However, if bid related issues are encountered, the City will need time to make adjustments to the PS&amp;E, re-advertise and re-evaluate bids and would anticipate awarding a construction contract by January 31, 2008.</p>			
4	City of Bellflower Los Angeles PPNO: 07-3145 West Branch Greenway	\$1,457,000	02/01/2007 FP-06-62 4 months 12/31/2007 Support
<p>The City of Bellflower (City) is requesting a four-month extension to the period of contract award for the West Branch Greenway TE project. This project experienced several delays associated with approval of the license agreement between the City of Bellflower and the Metropolitan Transportation Authority (MTA). The terms of the license agreement were changed to extend the agreement from 5 to 20 years in order to fulfill a FHWA requirement. A Request for Authorization to Proceed (E-76) was originally submitted on April 19, 2007; however, due to the change to the license agreement, a revised Right of Way certification had to be approved by the City of Bellflower City Council, MTA, and the Department before the E-76 could be re-submitted to FHWA. A final E-76 was submitted to the Department on July 6, 2007; the E-76 was transmitted to FHWA on July 9, 2007, and approved by FHWA on July 25, 2007. The City will advertise for five weeks and will need four weeks to review bids and two weeks to finalize documents and award the contract.</p>			
5	City of Compton Los Angeles County PPNO: 07-3148 Long Beach Blue Line Landscaping	\$240,000	02/01/2007 FP-06-62 6 months 02/28/2008 Support
<p>The City of Compton (City) is requesting a six-month extension to the period of contract award for the Long Beach Blue Line Landscaping TE project. The City experienced delays in updating the environmental documents for the project and receiving FHWA approval for the Request for Authorization to Proceed (E-76).</p> <p>The NEPA was originally approved on May 25, 2004. The E-76 was originally submitted to the Department in March 2007, but the E-76 was returned by the Department several times for corrections. Because the E-76 was not submitted to FHWA prior to May 25, 2007, the Preliminary Environmental Study (PES) needed to be updated and was re-submitted to the Department in June 2007. Due to the delay in making corrections to the E-76, the environmental documents expired.</p> <p>The City submitted a corrected E-76 to the Department on August 6, 2007. The E-76 was approved on August 17, 2007. The City will need two months to advertise the contract. When the advertisement period is complete, the City will need approximately two months to review bids and schedule the contract to be awarded by the City Council.</p>			

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6	City of Compton Los Angeles County PPNO: 07-3152 Alondra Boulevard Corridor Enhancements	\$573,000	03/15/2007 FP-06-73 3 months 12/31/2007 Support
<p>The City of Compton (City) is requesting a three-month extension to the period of contract award for the Alondra Boulevard Corridor Enhancements TE project. The City experienced delays in updating the environmental documents for the project and receiving FHWA approval for the Request for Authorization to Proceed (E-76).</p> <p>The NEPA was originally approved on March 30, 2004. The Request for Authorization to Proceed (E-76) was originally submitted to the Department in February 2007, but the E-76 was returned by the Department several times for corrections. Because the E-76 was not submitted to FHWA prior to March 30, 2007, the Preliminary Environmental Study (PES) needed to be updated and was re-submitted to the Department in May 2007. Due to the delay in making corrections to the E-76, the environmental documents expired.</p> <p>The E-76 was approved by FHWA on August 15, 2007. The City will advertise the project for four weeks and will review bids and prepare for contract award by the City Council for four weeks. Due to the E-76 approval process taking longer than originally planned, the City is concerned about the close proximity of the award deadline. The City is requesting a three-month time extension in order to not miss the contract award deadline and to anticipate any unforeseen delays which may occur during the bid review process. If bid irregularities, errors or omissions in the bid, or bid protests occur, the City will need eight weeks to re-advertise, review bids, and award the contract. The City anticipates awarding a construction contract by December 31, 2007.</p>			