

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: August 27-28, 2008

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

From: CINDY McKIM
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR TCRP PROJECT,
PER RESOLUTION G-06-08,
WAIVER-08-32**

RECOMMENDATION:

The Department of Transportation (Department) is submitting this request to the California Transportation Commission (Commission) on behalf of North Coast Railroad Authority (NCRA). The Department recommends that the Commission consider Waiver-08-32, extending the period of contract award for two months to October 31, 2008, for Traffic Congestion Relief Program (TCRP) Project #32.9 – North Coast Railroad; long term stabilization.

ISSUE:

NCRA received a construction allocation of \$1,521,000, as well as a redistribution of \$2,253,000 of previously allocated funds from environmental (PA&ED) to construction, in February 2008, but is unable to award a contract by the August 31, 2008 deadline. NCRA is requesting to extend the deadline of contract award to October 31, 2008, for these respective allocation amounts.

BACKGROUND:

At the February 2008 Commission meeting, an allocation amendment redistributing \$2,253,000 from PA&ED to construction was approved under Resolution TFP-07-12, and a allocation of \$1,521,000 in new TCRP funds was made for construction under Resolution TFP-07-11, for a total allocation of \$3,774,000 to be awarded under contract by August 31, 2008.

NCRA has experienced delays in finalizing their plans to complete signal, bridge and roadway repairs due to a lawsuit initiated by the City of Novato in September 2007. The lawsuit has resulted in an injunction that prevents the NCRA from contracting for the remainder of the work to be performed, which mainly consists of railroad track repairs.

NCRA is taking action that is expected to allow contracts to be awarded prior to October 31, 2008. Therefore, NCRA is requesting a two month time extension for the \$3,774,000 originally approved under Resolutions TFP-07-11 and TFP-07-12, allowing adequate time to receive the authorization to proceed.