

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: February 19, 2009

Reference No.: 2.8b.(2)  
Action Item

From: CINDY McKIM  
Chief Financial Officer

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Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR LOCALLY-ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES WAIVER-08-05**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) extend the period of contract award for the Santa Ana Bike Trailhead Transportation Enhancement (TE) project (PPNO 12-2134Y) for ten months, to December 31, 2009.

## **ISSUE:**

On August 28, 2008, the Commission allocated \$24,000 to the City of Santa Ana (City) for the construction of a bike trail. The City anticipates that it will be unable to award the contract by the February 28, 2009 deadline and requests a ten-month extension to December 31, 2009.

## **BACKGROUND:**

The City has completed environmental documents, right of way certification, and federal authorization to proceed for the Santa Ana Bike Trailhead TE project. Currently, the City has a license agreement with Southern California Edison (SCE) for the existing bike trail. In November 2008, SCE notified the City of a requirement to provide a wider and thicker trail pavement to accommodate their equipment vehicles. Since the funding for the project was intended for bike trail purposes only, the City cannot afford to construct a thicker section of pavement to accommodate SCE's request. The City is negotiating with SCE to waive the requirement. The City anticipates that negotiations may continue through the end of February 2009.

If SCE decides to allow the existing design without additional requirements, the City will advertise the project in February 2009, open bids in March 2009, and award the contract in April 2009. If SCE decides not to allow the existing design, the City will need to secure additional funds to meet SCE's terms. The City anticipates that additional funds may become available by the end of the year and plans to advertise the project by September 2009, open bids by October 2009, and award the contract by November 2009. The City also requests one additional month to account for possible delays due to bids coming in too high or bids being protested. Therefore, the City requests a ten-month extension to December 31, 2009.

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.