

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 14, 2009

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

From: CINDY McKIM  
Chief Financial Officer

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Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION FOR  
LOCALLY- ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES  
WAIVER-09-15**

## **RECOMMENDATION:**

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) extend the period of project allocation for the projects listed on the attached document for the time periods shown.

## **ISSUE:**

The attached document identifies three projects totaling \$2,674,000 that are programmed in the State Transportation Improvement Program for delivery in Fiscal Year 2008-09. The agencies will not be able to request an allocation of funds by the June 30, 2009 deadline. The attachment shows the details of the projects and the explanation for the delays. The project sponsors are requesting extensions, and the planning agencies concur.

## **BACKGROUND:**

Current State Transportation Improvement Program Guidelines adopted by the Commission stipulate that funds that are programmed for all components of local grant projects or for Department construction costs are available for allocation only until the end of the fiscal year identified in the STIP. The Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

## Time Extension/Waiver – Project Allocation Deadline

## Local Streets and Roads Projects

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount (\$ in thousands) E&P (Environmental & Permits) PS&E (Plans, Specifications & Estimates) ROW (Right of Way) CON (Construction) <b>TOTAL</b>	Number of Months Requested Extended Deadline CT Recommendation
1	City of Pittsburg Contra Costa County PPNO: 04-0183H Bailey Road Transit Access Improvement, TE	\$0 \$0 \$0 \$989 <b>\$989</b>	15 Months 09/30/2010 Support
<p>The City of Pittsburg (City) is requesting a 15-month extension to the period of project allocation for construction funds for the Bailey Road Transit Access Improvement TE project. This project is co-sponsored by the City and Contra Costa County (County), and it is part of a larger, \$4.3 million project funded with local funds.</p> <p>The Bailey Road Transit Improvements project has suffered impacts from the environmental approval process and potentially, the right of way acquisition phase that lies ahead. The City and County determined that the location of the project was in an area where a number of capital projects had recently been constructed, and anticipated that the number of recent studies related to the environmental impacts in the area would reduce the amount of time that would be required for environmental clearance. On October 7, 2008, the City and County participated in a field review meeting with the Department. The Department notified the City and County that 11 to 13 additional studies would be required. In December 2008, the City submitted an appeal of the Department's decision but the appeal was denied. The City anticipates completing the additional environmental studies by May 2009, obtaining NEPA approval by August 2009, and completing the CEQA process by September 2009.</p> <p>Also, due to the collapse of the residential real estate market in the project area, the County has advised the City of the possibility that property condemnation may be part of the right of way acquisition phase for this project, and that this unanticipated turn of events would likely add 10 to 12 months to the project schedule if condemnations are necessary.</p> <p>The City is requesting a 15-month extension to September 30, 2010 to accommodate actual and anticipated delays.</p>			
2	City of Hercules Contra Costa County PPNO: 04-2025D Refugio Creek Bridge	\$0 \$0 \$0 \$775 <b>\$775</b>	16 Months 10/31/2010 Support
<p>The City of Hercules (City) is requesting a 16-month extension to the period of project allocation for construction funds for the Refugio Creek Bridge project. In addition to the bridge project, there are two adjacent projects within the vicinity (the Intermodal Transit Center project and the John Muir Parkway extension). The bridge will provide the major connection for vehicles, bicycles and pedestrians between the Intermodal Transit Center and the John Muir Parkway extension. The construction of the Refugio Creek Bridge project must be coordinated with the design and project schedules for these adjacent projects.</p> <p>In October 2008, there were significant negotiations among the development partners that resulted in changes to the design of the adjacent projects, which include relocation of the Intermodal Transit Center, the addition of new parking facilities, an enhanced transit loop to serve the area, and adjustments to the bridge approaches. The design changes to the adjacent projects have delayed construction of the Refugio Creek Bridge, as the bridge approaches must be complete before construction of the bridge can start. The City estimates the overall project delay due to coordination with adjacent projects to be approximately 18 months. The City is requesting a 16-month extension to October 31, 2010.</p>			

**Time Extension/Waiver – Project Allocation Deadline  
Local Streets and Roads Projects**

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount (\$ in thousands)	Number of Months Requested
		E&P (Environmental & Permits) PS&E (Plans, Specifications & Estimates) ROW (Right of Way) CON (Construction) TOTAL	Extended Deadline CT Recommendation
3	County of Alpine Alpine County PPNO: 10-0198 Emigrant Trail / Alpine Village Rehabilitation	\$0 \$0 \$0 \$910 <b>\$910</b>	12 Months 06/30/2010 Support
<p>The County of Alpine (County) is requesting a 12-month extension to the period of project allocation for construction funds for the Emigrant Trail / Alpine Village Rehabilitation project.</p> <p>The County had difficulty acquiring local funds to pay for the PS&amp;E component of this project due to reduced revenues and a reduction of staff. In the first half of the fiscal year, the County had to implement numerous lay-offs, including eliminating the full-time positions of County Engineer and Transportation Planner. The shortage of staff led to the need to hire a consultant.</p> <p>In January 2009, the County met with Quincy Engineering to review the project and provide technical assistance. In March 2009, the County hired Quincy Engineering to assist with PS&amp;E and Construction engineering for the project. In April 2009, the local transportation commission provided additional local funds to help pay for the PS&amp;E. The County plans to complete PS&amp;E by the end of June 2009 and submit a request for allocation in July 2009.</p> <p>The County is also concerned about having enough time to award the project early enough for construction to begin before the winter season. Due to minimum air temperatures required for asphalt work the construction should take place between June and October. If construction cannot begin by September 2009, then construction will be delayed until the 2010 construction season.</p> <p>The County is requesting a 12-month extension to June 30, 2010, in case the project is delayed further.</p>			