

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 19-20, 2011

Reference No.: 4.15
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **Design-Build Demonstration Program – Request for project de-authorization from the 15 project demonstration program authorized under SB4-2X – RCTC SR-91 Corridor Improvement Project**

ISSUE: Should the California Transportation Commission (Commission) de-authorize the Riverside County Transportation Commission (RCTC) SR-91 Corridor Improvement Project (CIP) from the 15 project design-build method of procurement demonstration program authorized under SB 4-2X?

RECOMMENDATION: Staff recommends that the Commission de-authorize the RCTC SR-91 CIP from the 15 project design-build method of procurement demonstration program authorized under SB 4-2X.

BACKGROUND: The Design-Build Demonstration Program was established in Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of the Public Contract Code, as added by Chapter 2 of the Statutes of 2009 (Senate Bill 4, Second Extraordinary Session). The Design-Build Demonstration Program provides for the use of the design-build method of procurement by local transportation entities for up to five projects that may be for local street or road, bridge, tunnel, or public transit projects within the jurisdiction of the entity and by Caltrans for up to ten state highway, bridge, or tunnel projects, subject to authorization by the Commission. The Commission also determines whether a transportation entity may award a design-build method of procurement contract based on lowest responsible bid or best value.

At its April 2010 meeting, the Commission received and approved a RCTC request for design-build procurement authorization for the SR-91 CIP. The SR-91 CIP is a local transportation entity project slated for implementation by the local entity on the state highway system. Questions arose as to whether a local transportation entity may implement a design-build method of procurement project on the state highway system under the provisions of SB 4-2X. Clarifying legislation AB 2098 (Statutes of 2010) was passed by the Legislature and approved by the Governor allowing RCTC, if authorized by the Commission, to utilize the design-build procurement process for the SR-91 CIP on the state highway system in addition to the 15 projects authorized under SB 4-2X. To ensure consistency with AB 2098, RCTC requests that the Commission take appropriate action to conform its previous authorization in the context of AB 2098.

Attachment

- Resolution G-11-01

STATE OF CALIFORNIA

CALIFORNIA TRANSPORTATION COMMISSION

Project de-authorizations under the Design-Build Demonstration Program

Resolution G-11-01

- 1.1. WHEREAS, the Design-Build Demonstration Program was established in Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of the Public Contract Code, as added by Chapter 2 of the Statutes of 2009 (Senate Bill 4, Second Extraordinary Session), and
- 1.2. WHEREAS, subject to the limitations of Chapter 6.5, a local transportation entity, if authorized by the California Transportation Commission (Commission), may utilize the design-build method of procurement for up to five projects that may be for local street or road, bridge, tunnel, or public transit projects within the jurisdiction of the entity, and
- 1.3. WHEREAS, subject to the limitations of Chapter 6.5, the Department of Transportation (Department), if authorized by the Commission, may utilize the design-build method of procurement for up to 10 state highway, bridge, or tunnel projects, and
- 1.4. WHEREAS, the Commission at its April 2010 meeting under Resolution G-10-10 authorized the Riverside County Transportation Commission to utilize the design-build method of procurement for the SR-91 Corridor Improvement Project as a local transportation entity project slated for implementation by the local entity on the state highway system, and
- 1.5. WHEREAS, questions arose as to whether a local transportation entity may implement a design-build method of procurement project on the state highway system under the provisions of SB 4, Second Extraordinary Session (Statutes of 2009), and
- 1.6. WHEREAS, clarifying legislation AB 2098 (Statutes of 2010) was passed by the Legislature and approved by the Governor allowing the Riverside County Transportation Commission, if authorized by the Commission, to utilize the design-build procurement process for the SR-91 Corridor Improvement Project on the state highway system in addition to the 15 projects authorized under SB 4, Second Extraordinary Session, and
- 1.7. WHEREAS, to ensure consistency with AB 2098, the Riverside County Transportation Commission requests that the Commission take appropriate action to conform its previous authorization in the context of AB 2098.
- 2.1. NOW, THEREFORE, BE IT RESOLVED that the Commission hereby de-authorizes the SR-91 Corridor Improvement Project from the 15 project design-build method of procurement demonstration program authorized under SB 4, Second Extraordinary Session.