

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 22-23, 2011

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

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **POST-FACT REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR TWO SHOPP PROJECTS WAIVER-11-40**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve an extension to the period of contract award for two State Highway Operation and Protection Program (SHOPP) project described on the attachment.

ISSUE:

On September 23, 2010, and August 12, 2010, the Commission allocated \$18,590,000 to the Department for two SHOPP projects as identified on the attached list contingent upon passage of the 2010 State Budget. The Commission at the November 2010 Commission meeting approved a modification of the Timely Use of Funds Policy (Resolution G-06-68) to allow those projects allocated contingent upon passage of the 2010 State Budget to be awarded six months from the date of the enacted 2010 State Budget – October 8, 2010. In accordance with Resolution G-06-68 and the above November 2010 modification, projects allocated contingent upon passage of the 2010 State Budget must be awarded by April 30, 2011. The Department was not able to meet the deadline for these projects and is requesting a post-fact extension for the period of contract award. The attachment shows the details of these projects and the delays that have resulted in the extension request.

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.

Attachment

**2.8b.(3) Time Extension / Waiver - Contract Award
 Waiver 11-40**

Project Number	PPNO	Project Dist-EA	County-Route	Description	Fund Source	Allocated Amount (x \$1,000)	Allocation Date	Reason For Delay	Department's Request	
									Months	until end of (month-yr)
1	0618F	04-2A790	SM-101	In San Mateo County. San Mateo US-101 Ramp Metering Design Build Project.	SHOPP	\$ 9,526	10/08/11	This was the second design build project allocated to the Department. In addition, this will be the first project to select a contractor based on the Best Value selection method. The Design-Build process is a new process for the Department. The Department was required to develop new processes and new contract documents for the design-build method. There was a 5 month delay in obtaining approval of the design-build contract documents. Under the Best Value selection method, the project team had to establish best value criteria relating to cost, schedule and scope as part of the competitive process related to the Request for Proposal (RFP). While developing the Best Value selection criteria, approvals were needed from various internal and external stakeholders. The RFP was released on April 11, 2011. At that time, the Department was still unsure how much time to ask for in the extension request. The Department is requesting six months to receive proposals, evaluate and score proposals and award the contract.	6	Nov-11
2	7498	10-2A420	Cal-26	Near Valley Springs, from the San Joaquin County line to Savage Way. Rehabilitate Roadway.	SHOPP	\$ 9,064	10/08/10	The delay to award was due to right of way issues. Right of way certification has been received, advertisement was April 25, 2011, and bid opening is June 7, 2011. The Department is requesting 5 months from the April 30, 2011 deadline to award the project. The project was requested in time for the May 10-11, 2011 CTC Meeting. While developing the May CTC Agenda and book items, this project was inadvertently excluded.	5	Sep-11