

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 10-11, 2011

Reference No.: 2.8c.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

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Local Assistance

Subject: **POST FACT REQUEST TO EXTEND THE PERIOD OF PROJECT COMPLETION FOR
LOCALLY-ADMINISTERED STIP PROJECTS, PER RESOLUTION G-06-08
WAIVER-11-54**

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) consider the post fact request to extend the period of project completion for the time periods identified for each project on the attached document, per Resolution G-06-08.

ISSUE:

The attached list identifies two projects totaling \$1,983,000. The Commission allocated the funds in Fiscal Year 2006-07 for construction and contracts have been awarded. The local agencies will not be able to complete the contract prior to the project completion deadlines. 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 stipulate that a local agency has up to 36 months from the time of contract award to complete (accept) the contract. The local agency has 180 days after the contract acceptance to prepare and submit the final invoices and reports to the Department. The Guidelines further stipulate that the Commission may approve a waiver to the project completion deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

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

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount (\$ in thousands)	Allocation Date Resolution Number Award Date Number of Months Requested Extended Deadline CT Recommendation
1	City of Los Angeles Los Angeles County PPNO: 07-3157 Alvarado Transit Corridor Improvement, TE	\$932,000	02/01/2007 FP-06-62 08/16/2007 13 Months 09/30/2011 Support
<p>The City of Los Angeles (City) is requesting a 13-month post fact extension to the period of project completion for the Alvarado Transit Corridor Improvement TE project. The City experienced unforeseen delays in completion of construction due to a dispute with a contractor over the fabrication of electrolier (lighting) assemblies for the project. The dispute was finally resolved in May 2011 causing a 15-month delay. In addition, the City has been undergoing a significant staff reduction, which has caused a major reorganization and a shifting of responsibilities among staff, which resulted in a failure to submit a time extension request for the project completion on time.</p> <p>The dispute with contractor began in February 2010 during the last phase of construction, when the City design reviewer rejected a portion of the electrolier assemblies (arm, luminaries and pole base covers). After fabrication design changes and subsequent testing, the contractor installed the electrolier assemblies. However, the City inspectors rejected the installation of pole base covers because it did not meet specifications. The contractor attempted to fix the problem by grinding the base cover and bring it into compliance, but in doing so the metal was ground below the allowable tolerance level and the entire installation had to be rejected. From late 2010 to early 2011, the City and the contractor worked to negotiate a contract change order. The City has already selected a new supplier for the base covers, and is in the process of ordering new base covers for installation. The City anticipates installing new base covers and fill trenches for power supplies and completing the project by September 30, 2011.</p>			
2	City of Los Angeles Los Angeles County PPNO: 07-3177 North Hollywood Streetscape Improvements, TE	\$1,051,000	06/07/2007 FP-06-104 12/31/2007 9 Months 09/30/2011 Support
<p>The City of Los Angeles (City) is requesting a nine-month post fact extension to the period of project completion for the North Hollywood Streetscape Improvements TE project. The City experienced unforeseen delays to completion of construction due to design changes after the contract was awarded. The subsequent permit re-application and contract change orders delayed the project schedule by 11 months. In addition, the City has been undergoing a significant staff reduction, which has caused a major reorganization and a shifting of responsibilities among staff, which resulted in a failure to submit a time extension request for the project completion on time.</p> <p>During construction, the project community stakeholders revised the location of the art component. The revised location of the art component delayed securing the necessary permits from the private property owners responsible for its maintenance by three months. Additionally, the City revised the design standard for sidewalks based on a new interpretation of the Americans with Disabilities Act, which also required contract change orders and an additional four-month delay.</p> <p>Furthermore, the consulting architect supplied civil and landscape drawings for the traffic median component of the project that had conflicting designs. Although the design conflicts were discovered during the City's plan check process, the consultant neither acknowledged the errors nor attempted to correct the deficiencies prior to construction. The City construction inspector realized the necessary changes were not made, which resulted in partial demolition and reconstruction of the median and a four-month delay.</p> <p>The City and the contractor anticipate completing the median re-construction and submitting the final invoice to the Department by September 30, 2011.</p>			