

# Memorandum

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To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 17-18, 2016

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

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: Rihui Zhang, Chief  
Division of Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR ACTIVE  
TRANSPORTATION PROGRAM PROJECTS, PER ATP GUIDELINES  
WAIVER 16-34**

## **RECOMMENDATION:**

The California Department of Transportation recommends the California Transportation Commission (Commission) extend the period of contract award for the Active Transportation Program (ATP) projects listed on the attached document for the time period shown.

## **ISSUE:**

The Commission allocated \$7,084,000 for the construction of four ATP projects identified on the attachment. The responsible agencies have been unable to award the contract within six months of allocation. The attachment describes details of the projects and explanations for the delays. The respective agencies request extensions, and the planning agencies concur.

## **BACKGROUND:**

Current ATP Guidelines stipulate that the agency implementing a project, request a time extension if the project will not be awarded within six months of the allocation. The Commission may approve waivers to the timely use of funds deadline one time only for up to 12 months.

Attachment

Time Extension/Waiver – Project Contract Award Deadline  
 Active Transportation Program

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount  <i>Construction Only</i>	Allocation Date Resolution Number Initial Request Extended Deadline Department Recommendation
1	City of Pleasant Hill Contra Costa County PPNO: 04-2122D Contra Costa Boulevard Improvement Project (Beth Drive to Harriet Drive) Project	\$1,556,000	01/21/2016 FATP-1516-05 3 Months 10/31/2016 Support, 3 months
<p>The City of Pleasant Hill (City) requests a three-month extension to the period of contract award for the construction (CON) phase of the Contra Costa Boulevard Improvement Project (Beth Drive to Harriet Drive). The City experienced an unexpected delay after allocation of the CON funds, but prior to award of the contract.</p> <p>This project was delayed when the City determined the lowest bidder (Contractor) lacked documentation for their Disadvantage Business Enterprise (DBE) Good Faith Effort (GFE). The City is currently working with the Contractor to obtain documentation of the Contractor's DBE outreach efforts. Once obtained, the City will review the GFE documentation, then forward the information and their recommendation to the Department for their required review.</p> <p>If the City and Department conclude the Contractor's GFE is insufficient, they are required to allow the Contractor an opportunity for administrative reconsideration in accordance with Section 26.53 in Title 49 of the Code of Federal Regulations. Should the lowest bid be rejected, the City will have to begin this review process with the next lowest ranked bidder. The City anticipates awarding the project within three months.</p> <p>Therefore, the City requests a three-month time extension to award CON by October 31, 2016.</p>			
2	City of Goleta Santa Barbara County PPNO: 05-2611 Hollister Class 1 Bike Project	\$1,644,000	03/17/2016 FATP-1516-07 7 Months 04/30/2017 Support, 7 months
<p>The City of Goleta (City) requests a seven-month extension to the period of contract award for the construction (CON) phase of the Hollister Class 1 Bike Project. The City experienced an unexpected delay after allocation of the CON funds, but prior to award of the contract.</p> <p>This project was delayed when the City Council refused to approve the final bid documents as a result of public dissatisfaction. The public was dissatisfied with the design of the bike path crossings at minor street intersections. The City Council directed staff to re-evaluate the design, and research other alternatives. Once this is completed, the City Council indicated they would approve the project allowing for the advertisement and subsequent award of the contract.</p> <p>To avoid safety issues with the children walking to school, the project's construction will be performed during summer break. Due to the re-evaluation of the design and to coordinate with summer break, the project is expected to advertise in March 2017, and award in April 2017.</p> <p>Therefore, the City requests a seven-month time extension to award CON by April 30, 2017.</p>			

Time Extension/Waiver – Project Contract Award Deadline  
 Active Transportation Program

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount  <i>Construction Only</i>	Allocation Date Resolution Number Initial Request Extended Deadline Department Recommendation
3	City of Kerman Fresno County PPNO: 06-6766 Pedestrian Safety Improvements at Various Locations Project	\$224,000	05/19/2016 FATP-1516-09 6 Months 05/31/2017 Support, 6 months
<p>The City of Kerman (City) requests a six-month extension to the period of contract award for the construction (CON) phase of the Pedestrian Safety Improvements at Various Locations Project. The City experienced an unexpected delay after allocation of the CON funds, but prior to award of the contract.</p> <p>The project was initially delayed when the apparent low bid was nearly \$58,000 over the Engineer's Estimate. If awarded, this would increase the City's match contribution to the project by approximately \$73,000. The increase would require nearly half of the City's projected Fiscal Year 2016-17 reserve for transportation. The City plans to re-bid the project in the early spring 2017 when bidder turnout is higher, which typically translates into lower and more competitive bid submittals.</p> <p>Re-bidding the project and awarding in early spring 2017 would align construction with the summer break of the three adjacent schools. This would minimize hazards to pedestrians and vehicles, which are present in large volumes during the school year.</p> <p>Therefore, the City requests a six-month time extension to award CON by May 31, 2017.</p>			
4	City of Los Angeles Los Angeles County PPNO: 07-4917 North Atwater Non-Motorized Multimodal Bridge (La Kretz Crossing) Project	\$3,660,000	03/17/2016 FATP-1516-07 12 Months 09/30/2017 Support, 12 months
<p>The City of Los Angeles (City) requests a 12-month extension to the period of contract award for the construction (CON) phase of the North Atwater Non-Motorized Multimodal Bridge (La Kretz Crossing) Project. The City experienced an unexpected delay after allocation of the CON funds, but prior to award of the contract.</p> <p>The delay occurred when the Los Angeles Regional Water Quality Board and the California Department of Fish and Wildlife imposed additional new regulations for construction within this particularly sensitive section of the Los Angeles River channel. The City is in on-going discussions with these two agencies to try to persuade them to ease the requirements in order to avoid construction schedule delays and constructability issues. If the discussions fail, the City will have no choice but to modify the project's plans and specifications prior to bid and award, delaying the bid and award by 12 months. The new regulations include:</p> <ul style="list-style-type: none"> <li>• Diverting the entire stream flow around the work area in the stream</li> <li>• No work in the river channel unless there is a five-day clear forecast</li> <li>• Removing all equipment and materials from the channel five days in advance of any storm or rain event</li> <li>• No wet excavations</li> <li>• Installing a separate elevated, temporary crossing to keep all equipment out of stream</li> </ul> <p>Therefore, the City requests a 12-month time extension to award CON by September 30, 2017.</p>			