

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 5, 2013

Reference No.: 2.8b.(6)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR LOCALLY-ADMINISTERED STIP PROJECTS, PER RESOLUTION G-06-08 WAIVER-13-10**

RECOMMENDATION:

The California Department of Transportation recommends the California Transportation Commission (Commission) extend the period of contract award for the time periods identified for each project on the attached document.

ISSUE:

The Commission allocated \$1,298,000 for the construction of three locally-administered State Transportation Improvement Program (STIP) projects identified on the attachment. The responsible agencies have been unable to award the contracts within six months of allocation. The attachment describes the details of the projects and the explanations for the delays. The respective agencies request extensions, and the planning agencies concur.

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. STIP Guidelines stipulate that the Commission may approve a waiver to the contract award deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

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

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount <i>Construction Only</i>	Allocation Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
1	City of Irvine Orange County PPNO 12-2136A Campus Drive Off-Street Bikeway Project, TE Project	\$355,000	8/22/2012 FP-12-07 3 months 5/31/2013 Support
<p>The City of Irvine (City) is requesting a three-month extension to the period of contract award for the Campus Drive Class I Off-Street Bikeway project. The City has experienced delays in awarding the contract due to compliance with the new Disadvantaged Business Enterprise (DBE) Race Conscience requirements.</p> <p>The City advertised the project in early January 2013 and the bid closed on February 5, 2013. The City originally anticipated advertising the project in December 2012 and awarding before the February 28, 2013 deadline. However, the project's timeline was interrupted by one month due to the shut down and start up procedure of the federal-aid system for the new Federal Fiscal Year in October 2012. The City also experienced an additional one-month delay in complying with the new DBE requirements; thus delaying the approval of the E-76 from November 2012 to late December 2012. The City is requesting one additional month to allow for any unforeseen issues such as bid protests. Therefore, the City is requesting a three-month extension to May 31, 2013.</p>			
2	City of Santa Ana Orange County PPNO 12-2136B Flower Street Bike Trail Gap Closure TE Project	\$500,000	08/22/2012 FP-12-07 6 months 08/31/2013 Support
<p>The City of Santa Ana (City) is requesting a six-month extension to the period of contract award for the Flower Street Bike Trail Gap Closure project. The City has experienced delays in advertising and awarding the contract due to compliance with the new Disadvantaged Business Enterprise (DBE) Race Conscience requirements.</p> <p>The City originally submitted the construction allocation and E-76 requests in February 2012. The construction allocation was originally scheduled for the May 2012 Commission meeting but was moved to the July 2012 Commission meeting due to the City's fiscal year funding capacity. The July 2012 meeting was subsequently cancelled. The allocation was eventually approved at the August 22, 2012 meeting for Federal Fiscal Year 2012-13 Transportation Enhancement funding. As a result, the Disadvantaged Business Enterprise (DBE) and the Department's Request for Action to proceed with the E-76 documents originally submitted by the City had to be revised to comply with the new federal fiscal year requirements and re-submitted. The Department approved the E-76 for submittal to Federal Highway Administration on December 17, 2012. The City is requesting three months to advertise and award the project, and an additional three months to address any unforeseen project addenda items, bid protests and/or re-bidding issues that may delay the project award. Therefore, the City is requesting a six-month extension to August 31, 2013.</p>			
3	Orange County Orange County PPNO 12-2136C San Juan Creek Bikeway Trail Undercrossing of Pacific Coast Highway TE project	\$443,000	08/22/2012 FP-12-07 4 months 06/30/2013 Support
<p>The County of Orange (County) is requesting a four-month extension to the period of contract award for the San Juan Creek Bikeway Trail Undercrossing of Pacific Coast Highway project. The County has experienced delays in awarding the contract due to bid issues.</p> <p>The County advertised the project on December 19, 2012 and was scheduled to award on February 26, 2013. However, upon an initial review, the top three bids appeared to have Disadvantaged Business Enterprise (DBE) compliance issues. One of the bidders has requested documentation of the other contractors' DBE compliance. The County anticipates a bid protest to be submitted prior to the scheduled contract award date. If this occurs, the County may need to reject all the bids and re-bid the project. The County is requesting a four-month time extension to June 30, 2013 to re-advertise and award the project.</p>			