

Memorandum

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To: CHAIR AND COMMISSIONERS

CTC Meeting: August 20, 2014

Reference No.: 4.6
Action

From: ANDRE BOUTROS
Executive Director

Subject: **STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) RIGHT-OF-WAY
REPORTING POLICY
RESOLUTION G-14-18**

ISSUE:

The Commission should adopt a policy for the reporting of Department-administered STIP Right-of-Way (RW) capital and support expenditures, consistent with SB 853, signed by the Governor on June 20, 2014.

RECOMMENDATION:

Staff recommends that, effective July 1, 2014, the Commission adopt the following policy for Department-administered STIP RW capital and support expenditures:

- Right of Way Certification - The Department will report to the Commission the final estimate of RW capital and support cost expenditures at time of RW certification (usually at time of the request for construction allocation). In the case where the RW certification is 3W at the construction allocation request, the report will be deferred until the RW certification is updated, but in no case will this deferral exceed 12 months.
- Construction Contract Acceptance - The Department will report to the Commission the actual RW capital and support cost expenditures at the time of construction contract acceptance.

The Commission will update the STIP program to reflect overall RW capital and support costs that differ by more than 20 percent of the originally programmed RW amount.

BACKGROUND:

The Commission is responsible for the programming and allocation of projects programmed in the STIP.

Section 188.8 (d)(2) of the Streets and Highways Code specifies that if the final RW estimate at time of right-of-way certification is greater than 120 percent or less than 80 percent of the amount originally programmed in the STIP, the amount shall be adjusted for final expenditure estimates.

SB 853, Chapter 27, signed by the Governor on June 20, 2014 as part of the 2014-15 budget, added Section 188.8 (e) (2) to specify that project costs will not be changed to reflect differences that are within 20 percent of the amount reported at the time of allocation pursuant to paragraph (2) of subdivision (d) for actual RW costs calculated at the time of acceptance of a project construction contract.