

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 18-19, 2016

Reference No.: 2.8c.(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 PROJECT COMPLETION FOR LOCALLY ADMINISTERED STIP PROJECT, PER RESOLUTION G-13-07 WAIVER 16-21**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the time extension request to the period of project completion deadline for the project listed in the attached document.

ISSUE:

The Commission allocated \$862,000 for the construction of one locally administered State Transportation Improvement Program (STIP) project identified on the attachment. The responsible agency will be unable to complete the project by the July 31, 2016 deadline. The attachment describes the details of the project and the explanation for the delay. The respective agency requests an extension, and the planning agency concurs.

BACKGROUND:

Current STIP Guidelines stipulate that a local agency has up to 36 months from the time of contract award to 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 <i>Construction Only</i>	Award Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
1	City of Hercules Contra Costa County PPNO: 04-2025E Hercules Bay Trail, Bio Rad Segment project	\$862,000	07/29/2013 FP-11-79 10 Months 05/31/2017 Support
<p>The City of Hercules (City) is requesting a ten-month time extension to complete construction (CON) of Phase 1A for the Hercules Bay Trail, Bio Rad Segment project. The City has experienced an unexpected delay during the CON phase.</p> <p>The City awarded the construction contract on July 29, 2013. The City's plan includes three phases: Phase 1A, 1B and 1C. Each phase is comprised of multiple elements. Phase 1A is being constructed under two separate construction contracts: 1) The Hercules Bay Trail, Bio Rad Segment project (PPNO 04-2025E), and 2) The Hercules Intermodal Transit Center project (PPNO 04-2011F).</p> <p>While improvements constructed under this construction contract (04-2025E) are complete, the City has not yet accepted the contract because the contractor has submitted a claim. Since December 2015, the City and the contractor have been negotiating in good faith to agree on a resolution. However, it is very likely that mediation will be required to settle this claim. If this claim goes to mediation, the City estimates it could take up to eight months to settle the claim and accept the contract as complete. The City also requests an additional two months to allow for any additional unexpected issues. Therefore, the City requests a ten-month time extension for project completion to May 31, 2017.</p>			