

Memorandum

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To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: October 8, 2014

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 LOCALLY-ADMINISTERED STIP PROJECTS, PER RESOLUTION G-06-08 WAIVER 14-40**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the request by Tuolumne County (County) to extend the period of contract award for the Jamestown Main Street to Railtown Sidewalks Project, (PPNO 10-0020C) for three months, from September 30, 2014 to December 31, 2014.

ISSUE:

On March 20, 2014, the Commission approved Resolution FP-13-45, allocating \$911,000 for construction of the Jamestown Main Street to Railtown Sidewalks Project. The County is unable to award the contract prior to the award deadline of September 30, 2014, since the low bidder did not meet the Disadvantaged Business Enterprise (DBE) requirement.

BACKGROUND:

The County advertised the project on July 14, 2014, and opened bids on August 14, 2014. The low bidder was below the engineer's estimate, but the contractor did not meet the DBE requirements. In addition, the low bidder was unable to provide documentation showing that the "Good Faith Effort" had been made in order to comply with the contract requirements. As a result, the County disqualified the low bidder. The next three low bids were over the engineer's estimate. The County does not have additional funds available to award the contract to the second lowest bidder, and has terminated negotiations with all bidders and plans to re-advertise.

The County anticipates re-advertising the project in September 2014 and awarding the construction contract in mid December 2014. Therefore, the County is requesting a three-month time extension to December 31, 2014.

Current STIP Guidelines, Resolution G-13-07, adopted August 6, 2013, 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 20 months in accordance with Government Code Section 14529.8.