

## MEMORANDUM

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 25, 2020

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8b.(1), Action Item

Prepared By: Bruce De Terra, Chief  
Division of Transportation Programming

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR STATE ADMINISTERED SHOPP PROJECTS, ON THE STATE HIGHWAY SYSTEM, PER SHOPP GUIDELINES WAIVER 20-10**

### **ISSUE:**

Should the California Transportation Commission (Commission) approve time extensions for the four State Highway Operation and Protection Program (SHOPP) projects for the periods indicated, as described in the attachment?

### **RECOMMENDATION:**

The California Department of Transportation (Department) recommends that the Commission approve time extensions, for the periods indicated, for the four SHOPP projects described in the attachment.

### **BACKGROUND:**

In August 2019, the Commission allocated \$17,391,000 in Construction Capital for four SHOPP projects. In accordance with the SHOPP Guidelines (Guidelines), the deadline to award contracts for projects allocated in August 2019 is February 29, 2019. The Department is requesting time extensions for the period of contract award. The attachment shows the details of each project and the delays that have resulted in these time extension requests.

Current Guidelines stipulate that the agency implementing a project request a time extension if the project will not be awarded within six months of allocation. The Commission may approve waivers to the timely use of funds deadline one-time only for up to 20 months.

Attachment

*“Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability”*

Project Number: 1  
County: San Luis Obispo  
District: 05  
PPNO: 0040C  
EA: 0G041  
Route: 101  
Program: SHOPP  
Allocation Amount: \$764,000  
Allocation Date: 8/14/2019  
Number of Months Requested: 10 months  
Extended Deadline: 12/31/2020

**Project Description:**

In San Luis Obispo County near Paso Robles from 0.1 mile south to 0.1 mile north of San Marcos Creek Bridge and from 0.1 mile south to 0.1 mile north of South San Miguel Undercrossing. Landscape mitigation project.

**Reason for Delay:**

This SHOPP Mitigation Planting project was initially scheduled to be advertised on May 15, 2019. However, the project cannot begin until the parent project has been completed. The parent project experienced a later start date due to weather and a change in the staged construction by the contractor related to traffic control; it was necessary to build one bridge at a time as opposed to both at the same time. As a result, this planting project is also delayed. The Completion Date for the Parent Project is now July 2020. And this planting project is preferred to start in the fall to utilize the best weather conditions for planting. Therefore, even if the parent project is completed early, this project needs to wait at least until early fall to begin work. A 10-month award time extension will allow the Department sufficient time to process and award the project to the lowest responsible bidder, and to manage the risk that the parent project's completion is delayed past July 2020 target date.

Therefore, the Department is requesting a 10-month time extension to award a contract by December 31, 2020.

Project Number: 2  
County: Santa Barbara  
District: 05  
PPNO: 2462  
EA: 1E010  
Route: 101  
Program: SHOPP  
Allocation Amount: \$5,153,000  
Allocation Date: 8/14/2019  
Number of Months Requested: 14 months  
Extended Deadline: 04/30/2021

**Project Description:**

Near Gaviota, at the Gaviota Safety roadside rest Area (SRRA). Upgrade wastewater system.

**Reason for Delay:**

This SHOPP Wastewater system upgrade project was advertised on September 6, 2019. Three bids were received on October 16, 2019. All of the bids were above the Engineer's Estimate, and the apparent lowest bidder was 23 percent higher than the Engineer's Estimate. The lowest bidder was deemed non-responsive for failing to submit the Disadvantage Business Enterprise Commitment and Good Faith Efforts documentations on time. Therefore, the Department considered the evaluation of the second lowest responsive bidder for the award of the contract. The second low responsive bidder was 61 percent higher than the Engineer's Estimate. Subsequently, the Department has determined that rejecting all remaining bids, re-packaging, and re-advertising the project is the best option. To bring down the cost of the bid submitted by the second bidder, the Department is looking at options to capture some savings and still achieve the same performance metrics of the project; specifically, by reducing the number of working days, reducing DBE requirements, and a possible change in the type of tunneling to cross the highway. A 14-month award time extension will allow the Department sufficient time to re-package and re-advertise, process, and award the project to the lowest responsible bidder.

Therefore, the Department is requesting a 14-month time extension to award a contract by April 30, 2021.

Project Number: 3  
County: Los Angeles  
District: 07  
PPNO: 4915  
EA: 31790  
Route: 101  
Program: SHOPP  
Allocation Amount: \$11,010,000  
Allocation Date: 8/14/2019  
Number of Months Requested: 12 months  
Extended Deadline: 02/28/2021

**Project Description:**

Near Encino, at the Encino Pedestrian Overcrossing No.53-1289. Replace pedestrian overcrossing.

**Reason for Delay:**

This SHOPP Pedestrian Overcrossing replacement project was ready to advertise and met the requirements for plans and specifications. The Commission allocated construction funding at the August 2019 meeting. However, late in Design, the community (residents, elected officials, and City of Los Angeles) requested that the Encino Pedestrian Overcrossing instead be demolished and that the Department consider options other than replacement.

The City of Los Angeles (City) has informally agreed to fund a sidewalk improvement project to provide alternative access. The Department requested the City to formally commit to funding the alternative access by June 2020. If the funding for the alternative access sidewalk improvement project is secured by June 2020, a 12-month time extension to award would be necessary to revise the Department's project delivery documents, including the environmental analysis. A project to demolish the pedestrian overcrossing, without a replacement, will be developed from the previous contract document and then be advertised. Alternative replacement access will rely on the commitment from the City.

If the alternative access funds are not secured, specifications for the original project, to demolish and replace the pedestrian overcrossing to improve vertical clearance, will be updated, and the pedestrian overcrossing replacement project will proceed as initially planned.

Therefore, the Department is requesting a 12-month time extension to award a contract by February 28, 2021.

Project Number: 4  
County: Napa  
District: 04  
PPNO: 0587M  
EA: 3G64A  
Route: 29  
Program: SHOPP  
Allocation Amount: \$464,000  
Allocation Date: 8/14/2019  
Number of Months Requested: 6 months  
Extended Deadline: 08/31/2020

**Project Description:**

In Calistoga, at Napa River Bridge No.21-0018. Environmental mitigation and plant establishment for bridge replacement project.

**Reason for Delay:**

This SHOPP Mitigation and Plant Establishment project is a follow-up project to a bridge replacement over Napa River, to address the regulatory permit requirement for on-site monitoring and mitigation. The cost and scope of the project have been determined to be appropriate for a procurement process. It has taken longer than anticipated to go through the review process between a procurement process as opposed to a project award process. Therefore, the project was not advertised until February 6, 2020. The work entails fulfilling permit requirements for riparian planting, habitat structure, and geomorphological surveys. Consequently, to plan for additional contractor outreach, a six-month award time extension is needed to allow the Department sufficient time to process and award this project.

Therefore, the Department is requesting a six-month time extension to award a contract by August 31, 2020.