

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 24-25, 2020

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8v.(6), Action Item

Prepared By: Dee Lam, Chief (Acting)
Division of Local Assistance

Subject: **REQUEST TO AMEND THE PERIOD OF CONTRACT AWARD FOR PREVIOUSLY APPROVED TIME EXTENSIONS FOR ACTIVE TRANSPORTATION PROJECTS, PER THE INTERIM TIMELY USE OF FUNDS POLICY WAIVER 20-59**

ISSUE:

Should the California Transportation Commission (Commission) amend the period of contract award for four projects, programmed in the Active Transportation Program (ATP), for the time period identified in the attachment?

RECOMMENDATION:

The California Department of Transportation (Department) recommends the Commission amend the period of contract award for four projects, programmed in the Active Transportation Program (ATP), for the time period identified in the attachment.

BACKGROUND:

The Commission allocated \$8,036,000 for the four construction projects identified on the attachment. At this time, these agencies will not be able to request an allocation for funds by the June 30, 2020 deadline due to the impacts of the COVID-19 pandemic. The attachment shows the details of the projects and the explanations for the delays. The project sponsors are requesting extensions, and the regional planning agencies concur.

Current ATP Guidelines 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 12 months. However, under the adopted Interim Timely Use of Funds policy, an extension can be requested for up to 20-months for each delivery milestone, where permissible by statute, to address impacts to project delivery as a result of the COVID-19 pandemic.

Attachments

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

**Time Extension/Waiver – Contract Award Deadline Amendment
Active Transportation Program**

Project Number: 1
Applicant: City of South San Francisco
County: San Francisco
District: 4
PPNO: 2140Y
Extended Amount: \$713,000
Phase: Construction
Allocation Date: 01/31/2019
Allocation Resolution Number: FATP-1819-07
Number of Months Requested: ~~12~~ **20 Months**
Extended Deadline: ~~07/31/2020~~ **03/31/2021**
Department Recommendation: Support

Linden and Spruce Avenues Traffic Calming Improvements project

The City of South San Francisco (City) requests an 8-month time extension amendment to the period of contract award for the construction (CON) phase of the Linden and Spruce Avenues Traffic Calming Improvements project. The City has experienced unexpected delays in awarding the project.

The City received their CON allocation in January 2019. The City re-evaluated the engineer's estimate and discovered that the cost exceeds original projections. The total project cost is now higher than the amount programmed by the Commission in December 2016. The City re-examined the City's annual budget for Fiscal Year 2019-20 and identified additional local funds to cover the unanticipated cost increase. As a result, the City advertised and intended to open bids at the end of March 2020, two months later than expected. On March 16, 2020, San Mateo County issued a shelter in place order due to COVID-19 and subsequently a statewide order was also issued. As a result, the City is operating with limited operations. The bid opening date has been moved to the end of May 2020. The City has lost four months that were available to evaluate bids and address any abnormalities. The City is requesting the additional time to address bid issues, lack of interest from contractors, and bid protests that could require the City to re-advertise to project.

Therefore, the City requests to amend Waiver 19-52, originally approved in August 2019, from a 12 to **20**-month time extension to award the CON phase by ~~July 31, 2020~~ **March 31, 2021**.

Project Number: 2
Applicant: City of Bishop
County: Inyo
District: 9
PPNO: 0671
Extended Amount: \$943,000
Phase: Construction
Allocation Date: 06/27/2019
Allocation Resolution Number: FATP-1819-14
Number of Months Requested: ~~6~~ **14 Months**
Extended Deadline: ~~06/30/2020~~ **02/28/2021**
Department Recommendation: Support

Spruce Yaney Hanby Sidewalks project

The City of Bishop (City) requests an 8-month time extension amendment to the period of contract award for the construction (CON) phase of the Spruce Yaney Hanby Sidewalks project. The City has experienced unexpected delays in advertising the project.

The City received their CON allocation in June 2019. The project entails constructing sidewalks, curbs, gutters, striping for a Class II bicycle lane near or within the project limits, and landscaping. The City currently has two other large projects in construction. The City is requesting additional time to streamline all three projects to avoid scheduling and resourcing conflicts between them. In addition, due to the geographic location, the weather is worsening, and it will impact the bidding environment. The City anticipated advertising in the Spring of 2020, for more competitive bids. However, due to the COVID-19 pandemic and the mandated shelter in place directive, the City's design consultant has been closed. The City is uncertain when it will be able to finalize plans and specifications to be advertised for bid.

Therefore, the City requests to amend Waiver 19-66, originally approved in December 2019, from a 6 to **14**-month time extension to award the CON phase by ~~June 30, 2020~~ **February 28, 2021**.

Project Number: 3
Applicant: City of Stockton
County: San Joaquin County
District: 10
PPNO: 3170
Extended Amount: \$2,564,000
Phase: Construction
Allocation Date: 06/27/2019
Allocation Resolution Number: FATP-1819-14
Number of Months Requested: **6 12 Months**
Extended Deadline: ~~06/30/2020~~ **12/31/2020**
Department Recommendation: Support

Miner Avenue Complete Streets Improvements project

The City of Stockton (City) requests a 6-month time extension amendment to the period of contract award for the construction (CON) phase of the Miner Avenue Complete Streets Improvements project. The City has experienced unexpected delays in securing Federal funds for the CON phase of the project.

The City received their ATP CON allocation in June 2019. The CON phase is also being funded with Federal funds. These Federal funds need Obligation Authority (OA) in order to be authorized by the Federal Highway Administration (FHWA). However, a delay occurred because the OA for local projects was depleted by June 2019. In September 2019, California received additional OA at which time this project was able to be authorized by FHWA. With all funding now secured, the City needs additional time to advertise, review bids, and award the contract. However, due to the COVID-19 pandemic and the mandated shelter in place directives, the City is unable to award the project. The City Council has implemented additional accounting verification to assess potential COVID-19 impacts and instituted COVID-19 work stipulations. The City is requesting additional time to provide enough time to finalize funding, complete internal City approvals, schedule award of the project by the City Council, and complete final contract execution.

Therefore, the City requests to amend Waiver 19-66, originally approved in December 2019, from a 6 to **12-month** time extension to award the CON phase by ~~June 30, 2020~~ **December 31, 2020**.

Project Number: 4
Applicant: City of Stockton
County: San Joaquin County
District: 10
PPNO: 3265
Extended Amount: \$3,816,000
Phase: Construction
Allocation Date: 06/27/2019
Allocation Resolution Number: FATP-1819-14
Number of Months Requested: **6-12 Months**
Extended Deadline: ~~06/30/2020~~ **12/31/2020**
Department Recommendation: Support

Miner Avenue Complete Streets project

The City of Stockton (City) requests a **6**-month time extension to the period of contract award for the construction (CON) phase of Miner Avenue Complete Streets project. The City has experienced unexpected delays in securing Federal funds for the CON phase of the project.

The City received their ATP CON allocation in June 2019. The CON phase is also being funded with Federal funds. These federal funds need Obligation Authority (OA) in order to be authorized by the Federal Highway Administration (FHWA). However, a delay occurred because the OA for local projects was depleted by June 2019. In September 2019, California received additional OA at which time this project was able to be authorized by FHWA. With all funding now secured, the City needs additional time to advertise, review bids, and award the contract. However, due to the COVID-19 pandemic and the mandated shelter in place directive, the City is unable to award the project. The City Council has implemented additional accounting verification to assess potential COVID-19 impacts and instituted COVID-19 work stipulations. The City is requesting additional time to provide enough time to finalize funding, complete internal City approvals, schedule award of the project by the City Council, and complete final contract execution.

Therefore, the City requests to amend Waiver 19-66, originally approved in December 2019, from a 6 to **12**-month time extension to award the CON phase by ~~June 30, 2020~~ **December 31, 2020**.