

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 24-25, 2020

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8v.(7), Action Item

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

Subject: **REQUEST TO AMEND THE PERIOD OF PROJECT COMPLETION FOR PREVIOUSLY APPROVED TIME EXTENSIONS FOR ACTIVE TRANSPORTATION PROJECTS, PER THE INTERIM TIMELY USE OF FUNDS POLICY WAIVER 20-60**

ISSUE:

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

RECOMMENDATION:

The California Department of Transportation (Department) recommends the Commission amend the period of project completion for four projects, programmed in the ATP, for the time period identified in the attachment.

BACKGROUND:

The Commission allocated \$9,008,000 for the construction of four ATP projects identified in the attachment. At this time, these agencies will not be able to complete their projects by their completion deadlines 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. The respective agencies request extensions in accordance with program guidelines.

Current ATP 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 one-time only waiver to the project completion deadline, 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

**Time Extension/Waiver – Project Completion Deadline Amendment
Active Transportation Program**

Project Number: 1
Applicant: City of Los Angeles
County: Los Angeles
District: 07
PPNO: 4866
Extended Amount: \$2,751,000
Phase: Construction
Award Date: 04/28/2017
Allocation Resolution Number: FATP-1617-03
Number of Months Requested: ~~42~~ **20 Months**
Extended Deadline: ~~04/30/2024~~ **12/31/2021**
Department Recommendation: Support

Safe Routes to School Infrastructure Improvements for Hollywood High and Selma Avenue Elementary School project

The City of Los Angeles (City) requests an 8-month time extension amendment to complete the construction (CON) phase of the Safe Routes to School Infrastructure Improvements for Hollywood High and Selma Avenue Elementary School project. The City has experienced an unexpected delay in completing the project.

The City awarded the project in April 2017. The completion period for the CON phase will lapse in April 2020. However, the City has a one-year tree establishment period policy that prevents the City from issuing a statement of completion to the Contractor. The tree establishment period is the last step in the construction closeout. The completion of this project is scheduled for February 2020, leaving two months for acceptance of the contract. The City requires additional time to comply with the one-year tree establishment period, obtain the statement of completion, and finalize the project's closeout. However, due to the COVID-19 pandemic (Pandemic), the City is experiencing delays from various agencies and entities involved with the project closeout. The pandemic continues to spread across the city, and various ordinances have been put into place for the safety of the public. As a response, various agencies and private/entities have converted their operations via telecommuting and implementing social distancing as needed. This change has caused delays with correspondence. To allow enough time to obtain all the necessary documents, the City is requesting an additional 8-month extension. The additional time will provide all parties involved with enough time to obtain the final report and finalize all required documents to close out the project.

Therefore, the City is requesting to amend Waiver 20-04, originally approved in January 2020, to amend Waiver 20-04, originally approved in January 2020, from a 12 to **20-month** completion time extension to ~~April 30, 2024~~ to **December 31, 2021**.

Project Number: 2
Applicant: City of Los Angeles
County: Los Angeles
District: 07
PPNO: 4871
Extended Amount: \$1,528,000
Phase: Construction
Award Date: 04/28/2017
Allocation Resolution Number: FATP-1617-03
Number of Months Requested: ~~12~~ **20 Months**
Extended Deadline: ~~04/30/2024~~ **12/31/2021**
Department Recommendation: Support

Hollywood Western Pedestrian Improvements project

The City of Los Angeles (City) requests an 8-month time extension amendment to complete the construction (CON) phase of the Hollywood Western Pedestrian Improvements project. The City has experienced an unexpected delay in completing the project.

The City awarded the project in April 2017. The completion period for the CON phase will lapse in April 2020. However, the City has a one-year tree establishment period policy that prevents the City from issuing a statement of completion to the Contractor. The tree establishment period is the last step in the construction closeout. The completion of this project is scheduled for February 2020, leaving two months for acceptance of the contract. The City requires additional time to comply with the one-year tree establishment period, obtain the statement of completion, and finalize the project's closeout. However, due to the COVID-19 pandemic, the City experiencing delays from various agencies and entities involved with the project closeout. The pandemic continues to spread across the city and various ordinances have been put into place for the safety of the public. As a response, various agencies and private entities have converted their operations via telecommuting and implementing social distancing as needed. This change has caused delays with correspondence. To allow enough time to obtain all the necessary documents, the City is requesting an additional 8-month extension. The additional time will provide all parties involved with enough time to obtain the final report and finalize all required documents to close out the project.

Therefore, the City is requesting to amend Waiver 20-04, originally approved in January 2020, from a 12 to **20-month completion time extension to ~~April 30, 2024~~**
December 31, 2021.

Project Number: 3
Applicant: City of Los Angeles
County: Los Angeles
District: 07
PPNO: 4876
Extended Amount: \$2,829,000
Phase: Construction Non-Infrastructure
Award Date: 12/30/2016
Allocation Resolution Number: FATP-1516-13
Number of Months Requested: **8 20 Months**
Extended Deadline: ~~08/31/2020~~ **08/31/2021**
Department Recommendation: Support

Safe Routes to School Education and Enforcement Programs and Pilots project

The City of Los Angeles (City) requests a 12-month time extension amendment to complete construction (CON) of the non-infrastructure Safe Route to School Education and Encouragement Programs and Pilots program. The City has experienced some unexpected challenges with completing the program as anticipated.

The City awarded the program in December 2016 and proceeded with implementing the program. The City originally anticipated completing the program within the allotted 36-months and in alignment with the school years. However, the City is requesting a completion extension to ensure that the Safe Routes to School resources and programs funded through this grant, can be delivered and implemented with continuity at schools for the full school year, as the 36-month period is scheduled to end on December 31, 2019. This will negatively affect the program if only half of the school year can be implemented, as the City fully anticipates completing the program by August 2020. However, as the COVID-19 pandemic continues to spread across the city, various ordinances have been put into place for the safety of the public. The City is experiencing delays from various agencies and entities involved with the project closeout. As a response, all school engagement activities were suspended beginning March 13, 2020 with a mandated shelter in place directive. It is unknown when this directive will expire, and the implementation of the program can resume. The additional time will provide all parties involved with enough time to obtain the final report and finalize all required documents to close out the project.

Therefore, the City is requesting to amend Waiver 19-27, originally approved in May 2019, from an 8 to **20-month** completion time extension to ~~August 31, 2020~~ **August 31, 2021**.

Project Number: 4
Applicant: City of Los Angeles
County: Los Angeles
District: 07
PPNO: 5199
Extended Amount: \$1,900,000
Phase: Construction Non-Infrastructure
Award Date: 12/30/2016
Allocation Resolution Number: FATP-1516-13
Number of Months Requested: **8 20 Months**
Extended Deadline: ~~08/31/2020~~ **08/31/2021**
Department Recommendation: Support

Top 50 Safe Routes to School Safety Assessments and Travel Plans project

The City of Los Angeles (City) requests a 12-month time extension amendment to complete the construction/non-infrastructure (CON-NI) of Top 50 Safe Routes to School Safety Assessment and Travel Plans project. The City desires to proactively manage plan development and seeks to adjust the schedule to align with a full school year.

The City received a CON-NI allocation in June 2016 and awarded a consultant contract in December 2016. The City is requesting to extend completion of the project to Summer 2020 to ensure that the Safe Routes to School (SRTS) staff can complete plan development, review and cost analysis for the remaining 11 SRTS plans. With the approval of the extension, the City can leverage the full school year to complete the project rather than have the contract end in the middle of the school year. To date, the City has completed 18 SRTS Travel Plans. However, as the COVID-19 pandemic continues to spread across the city, various ordinances have been put into place for the safety of the public. The City is experiencing delays from various agencies and entities involved with the project closeout. As a response, all school engagement activities were suspended beginning March 13, 2020 with a mandated shelter in place directive. It is unknown when this directive will expire, and the implementation of the program can resume. The additional time will provide all parties involved with enough time to obtain the final report and finalize all required documents to close out the project.

Therefore, the City is requesting to amend Waiver 19-54, originally approved in August 2019, from an 8 to **20**-month completion time extension to ~~August 31, 2020~~ **August 31, 2021**.