

## MEMORANDUM

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 24-25, 2020

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8v.(8), Action Item

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

Subject: **REQUEST TO AMEND THE PERIOD OF PROJECT DEVELOPMENT  
EXPENDITURES FOR PREVIOUSLY APPROVED TIME EXTENSIONS FOR  
ACTIVE TRANSPORTATION PROJECTS, PER THE INTERIM TIMELY USE OF  
FUNDS POLICY  
WAIVER 20-61**

### **ISSUE:**

Should the California Transportation Commission (Commission) amend the period of project development expenditures for five projects, programmed in the Active Transportation Program (ATP), for the time period identified in the attachment?

### **RECOMMENDATION:**

The California Department of Transportation recommends the Commission amend the period of project development expenditure for five projects, programmed in the ATP, for the time period identified in the attachment.

### **BACKGROUND:**

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.

The Commission allocated \$5,463,000 for five projects as identified on the attachment. The responsible agencies have been unable to complete the phases within the expenditure periods.

Current ATP Guidelines, adopted by the Commission, stipulate that funds programmed for all components of local grant projects are available for expenditure only until the end of the second fiscal year following the year of allocation. The Commission may approve a waiver to

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

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

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

Project Number: 1  
Applicant: City of Los Angeles  
County: Los Angeles  
District: 7  
PPNO: 5118  
Allocated Amount: \$205,000  
Remaining Balance: \$3,337  
Phase: Project Approval & Environmental Documents  
Allocation Date: 08/18/2016  
Allocation Resolution Number: FATP-1617-01  
Number of Months Requested: ~~12~~ **20 Months**  
Extended Deadline: ~~06/30/2020~~ **02/28/2021**  
Department Recommendation: Support

**Orange Line - Sherman Way Pedestrian Links project**

The City of Los Angeles (City) is requesting an 8-month time extension amendment to the project development expenditure period for the Project Approval and Environmental Document (PA&ED) phase for the Orange Line – Sherman Way Pedestrian Links project. The City experienced unforeseen delays during the design stage of the project.

The project proposes to provide pedestrian and bike improvements linking Metro's Orange-Line Sherman Way station with nearby destinations. The project will improve safety and include wayfinding signage, curb extensions, benches and ADA accessibility. The City has run into numerous issues that are delaying the project. There are proposed lighting improvements that must be accompanied by property tax increases for long-term maintenance, as required by local Proposition 218. Complicating the issue is the lack of community support for the proposed tax increases. In addition, it has been determined that a proposed median island is too small to allow for adequate pedestrian storage capacity and could potentially cause a pedestrian safety hazard. These issues have caused the City to revisit the conceptual design and seek changes to the original scope. A project scope change request has recently been submitted to the Department. However, the COVID-19 pandemic and mandated shelter in place directive, has caused delays that prevents the City from meeting this schedule. City and state employees are telecommuting and continue to work out the logistics to adapt. Since staff are not in the office, it is taking much longer than normal to coordinate work, respond to communications, and obtain necessary signatures and approvals. The City is seeking the extension to allow time to complete the scope changes, environmental documents, and right of way certification.

Therefore, the City is requesting to amend Waiver 19-45, originally approved in June 2019, from a 12 to **20-month** expenditure extension for PA&ED from June 30, 2019, to ~~June 30, 2020~~  
**February 28, 2021.**

Project Number: 2  
Applicant: Los Angeles County Metropolitan Transportation Authority  
County: Los Angeles  
District: 7  
PPNO: 5121  
Allocated Amount: \$2,150,000  
Remaining Balance: \$1,756,998  
Phase: Project Approval & Environmental Document  
Allocation Date: 10/20/2016  
Allocation Resolution Number: FATP-1617-03  
Number of Months Requested: ~~42~~ **18 Months**  
Extended Deadline: ~~06/30/2020~~ **12/31/2020**  
Department Recommendation: Support

### **Union Station Master Plan: Alameda Esplanade project**

The Los Angeles County Metropolitan Transportation Authority (LA Metro) is requesting a 6-month time extension amendment to the project development expenditure period of the Project Approval & Environmental Document (PA&ED) phase for the Union Station Master Plan: Alameda Esplanade project. LA Metro experienced unforeseen delays during the environmental clearance and preliminary design of the project.

LA Metro received their PA&ED allocation in October 2016. The project proposes to create a multi-modal connection between Union Station and surrounding communities. LA Metro was approached by the California High Speed Rail Authority (CHSRA) for possible accommodation of their high-speed rail at the Union Station. This modification required extensive coordination with the CHSRA to ensure that the environmental documents were aligned. The programmatic environmental review process and coordination with the CHSRA was abandoned by LA Metro to pursue a project level Environmental Impact Report (EIR) clearance. LA Metro then began coordination efforts with the Department on obtaining NEPA clearance to encompass this project in addition to adjacent ATP projects that were cleared as a group in the CEQA EIR. The project is adjacent to historic and cultural significant communities. However, the degree of cultural sensitivity was not anticipated and has become a critical item address during the NEPA process. Other projects undergoing construction in the general area have resulted in the identification of cultural and archeological resources; resulting in work stoppages. LA Metro has engaged a new environmental team with specialized experience and expertise in this area to complete the archeology related technical studies. Adding to the complexity of the project was the series of water lines with conflicts to the proposed project improvements. These water lines are some of the oldest in the City and serve a significant amount of area in the City. LA Metro is coordinating with the City Department of Water and Power as the design progresses. The procurement of the specialized environmental team, initial coordination efforts with CHSRA and the City Department of Water and Power have resulted in a one-year delay to the project. In addition, the project's utility survey is delayed due to adjustments to the work plan and activity as part of the City's COVID-19 requirements for social distancing in construction projects.

Additionally, the construction activity related to the utility survey may require adjustments to the project schedule to occur during weekends, instead of weekdays, due to the City's "Safer at Home" requirements. The project schedule change will increase the utility survey from the original plan to at least a seven-month duration.

Therefore, LA Metro is requesting to amend Waiver 19-20, originally approved in May 2019, from a 12 to **18**-month expenditure extension for PA&ED from June 30, 2019, to ~~June 30, 2020~~ **December 31, 2020**.

Project Number: 3  
Applicant: City of Santa Monica  
County: Los Angeles  
District: 7  
PPNO: 5125  
Allocated Amount: \$240,000  
Remaining Balance: \$240,000  
Phase: Plans, Specifications, & Estimates  
Allocation Date: 03/16/2017  
Allocation Resolution Number: FATP-1617-11  
Number of Months Requested: ~~42~~ **15 Months**  
Extended Deadline: ~~06/30/2020~~ **09/30/2020**  
Department Recommendation: Support

### **Expo Station 4th Street Linkages to Downtown and Civic Center project**

The City of Santa Monica (City) is requesting a 3-month time extension amendment to the project development expenditure period for the Plans, Specifications, and Estimates (PS&E) phase for the Expo Station 4th Street Linkages to Downtown and Civic Center project. The City experienced unexpected delays in project initiation.

The City received their Project Approval and Environmental Estimates (PA&ED) allocation in December 2016, and completed the environmental phase in January 2017, with a remaining balance of \$120,000. The City requested and received approval to transfer the balance to PS&E. This unanticipated transfer delayed the advertisement of the project for three months. The City advertised for design request for proposals (RFP) in June 2017. The City received one bid from a consultant with limited experience with public streetscape within the Department Right of Way (RW). Council approved staff recommendations to reject the proposal and re-advertise with the County's approval. The City re-advertised the project and after a comprehensive review awarded the project in December 2017. This action delayed a consultant selection by four months. The project kickoff was delayed further due to the City complying with the recently released guidance for Architectural and Engineering (A&E) contracts. The City prepared and submitted the package to the Department for approval on April 25, 2018 and received approval the following day. Ensuring compliance with the A&E guidance resulted in a delay of 4 months. In addition to these delays, the City experienced further delays during the design phase. The City has been working closely with Department representatives that have identified unanticipated structural and safety related considerations and requirements on the proposed structure over Interstate 10. This coordination has delayed design by four months. The City also needs time to resolve RW clearances and engage in the encroachment permitting process with the Department. However, the COVID-19 pandemic and mandated shelter in place directive, has caused delays that prevents the City from meeting this schedule. This unanticipated emergency required rescheduling of the project design contract modification approval. In addition to staff working conditions have significantly impacted the project schedule as state and city employees are telecommuting and continue to work out the logistics to adapt. City employees are telecommuting and continue to work out the logistics to adapt.

Since staff are not in the office, it is taking much longer than normal to coordinate work and receive approvals. The City is also submitting a concurrent time extension amendment request for its RW phase of project development expenditure on this month's agenda.

Therefore, the City is requesting to amend Waiver 19-56, originally approved in August 2019, from a 12 to **15-month** expenditure extension for PS&E from June 30, 2019, to ~~June 30, 2020~~  
**September 30, 2020.**

Project Number: 4  
Applicant: City of Santa Monica  
County: Los Angeles  
District: 7  
PPNO: 5125  
Allocated Amount: \$40,000  
Remaining Balance: \$9,292  
Phase: Right of Way  
Allocation Date: 03/16/2017  
Allocation Resolution Number: FATP-1617-11  
Number of Months Requested: ~~42~~ **15 Months**  
Extended Deadline: ~~06/30/2020~~ **09/30/2020**  
Department Recommendation: Support

### **Expo Station 4<sup>th</sup> Street Linkages to Downtown and Civic Center project**

The City of Santa Monica (City) is requesting a 3-month time extension amendment to the project development expenditure amendment period for the Right of Way (RW) Expo Station 4th Street Linkages to Downtown and Civic Center project. The City experienced unexpected delays in project initiation.

The City received their Project Approval and Environmental Estimates (PA&ED) allocation in December 2016, and completed the environmental phase in January 2017, with a remaining balance of \$120,000. The City requested and received approval to transfer the balance to Plans, Specifications & Estimates (PS&E). This unanticipated transfer delayed the advertisement of the project for three months. The City advertised for design request for proposals (RFP) in June 2017. The City received one bid from a consultant with limited experience with public streetscape within California Department of Transportation (Department) Right-of-Way (RW). Council approved staff recommendations to reject the proposal and re-advertise with the County's approval. The City re-advertised the project and after a comprehensive review awarded the project in December 2017. This action delayed a consultant selection by four months. The project kickoff was delayed further due to the City complying with the recently released guidance for Architectural and Engineering (A&E) contracts. The City prepared and submitted the package to the Department for approval on April 25, 2018 and received approval the following day. Ensuring compliance with the A&E guidance resulted in a delay of 4 months. In addition to these delays, the City experienced further delays during the design phase. The City has been working closely with Department representatives that have identified unanticipated structural and safety related considerations and requirements on the proposed structure over Interstate 10. This coordination has delayed design by four months. The City also needs time to resolve RW clearances and engage in the encroachment permitting process with the Department. However, the COVID-19 pandemic and mandated shelter in place directive, has caused delays that prevents the City from meeting this schedule. This unanticipated emergency required rescheduling of the project design contract modification approval.



In addition to staff working conditions have significantly impacted the project schedule as state and city employees are telecommuting and continue to work out the logistics to adapt. City employees are telecommuting and continue to work out the logistics to adapt. Since staff are not in the office, it is taking much longer than normal to coordinate work and receive approvals. The City is also submitting a concurrent time extension amendment request for its PS&E phase of project development expenditure on this month's agenda.

Therefore, the City is requesting to amend Waiver 19-56, originally approved in August 2019, from a 12 to **15**-month expenditure extension for RW from June 30, 2019, to ~~June 30, 2020~~  
**September 30, 2020.**

Project Number: 5  
Applicant: Coachella Valley Association of Governments  
County: Los Angeles  
District: 8  
PPNO: 1019  
Allocated Amount: \$2,828,000  
Remaining Balance: \$2,112,676  
Phase: Right of Way  
Allocation Date: 06/29/2017  
Allocation Resolution Number: FATP-1617-20  
Number of Months Requested: ~~12~~ **16 Months**  
Extended Deadline: ~~06/30/2020~~ **10/31/2020**  
Department Recommendation: Support

### **CV LINK project**

The Coachella Valley Association of Governments (CVAG) is requesting a 4-month time extension amendment to the project development expenditure period of the Right of Way (RW) phase for the CV link project. CVAG experienced unforeseen delays in completing RW.

CVAG received their RW allocation in June 2017. The project requires parcel acquisition from the Riverside County Flood Control & Water Conservation District, Coachella Valley Water District, and Tribal land. The Tribal land is held by individual owners and requires lengthy negotiations involving the Tribe and Bureau of Indian Affairs (BIA). The project limits extend over 50-miles and RW certification is required prior to construction. The project has been segmented into seven segments. The RW is complete and certified for the first segment, and a bid package will be released as soon as the Department approves the E-76. This is consistent with the approved project schedule. However, the RW funds that expire at the end of June 2020 are being used to secure RW for the remainder of the project (all project segments). The COVID-19 pandemic has created an extraordinary circumstance beyond the CVAG's control. CVAG has remained open by having its staff work from home but many of the agencies that are involved in finalizing the RW process have experienced staffing adjustments that have caused unexpected and unavoidable delays. Securing property from allottee ownership has been a complex process and has resulted in legal action. While the CVAG was making considerable progress, the COVID-19 pandemic has considerably delayed the RW process, the BIA has had schedule changes, and the response from property owners is taking much longer than normal. Additionally, a number of legal proceedings that the CVAG had anticipated occurring in this fiscal year have been rescheduled to the next fiscal year.

Therefore, CVAG is requesting to amend Waiver 19-13, originally approved in March 2019, from a 12 to **16-month** expenditure extension from June 30, 2019, to ~~June 30, 2020~~ **October 31, 2020**.