

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: October 12-13, 2022

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8b.(3), Action Item

Prepared By: Dee Lam, Chief
Division of Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR
LOCALLY-ADMINISTERED ACTIVE TRANSPORTATION PROJECTS,
PER ATP GUIDELINES
WAIVER 22-158**

ISSUE:

Should the California Transportation Commission (Commission) extend the period of contract awards for six locally-administered Active Transportation Program (ATP) projects, for the time period shown in the attachment?

RECOMMENDATION:

The California Department of Transportation (Department) recommends the Commission extend the period of contract award for six locally-administered ATP projects, for the time period shown in the attachment.

BACKGROUND:

The Commission allocated \$15,441,000 for six locally-administered ATP projects, identified in the attachment. The responsible agencies have been unable to award the contracts within six months of allocations. The attachment describes the details of the project and the explanation for the delay. The respective agencies request an extension, and the planning agencies concur.

Current ATP Guidelines stipulate that the agencies 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 12 months.

Attachment

*"Provide a safe and reliable transportation network that
serves all people and respects the environment."*

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

Project Number: 1
Applicant: City of San Jose
County: Santa Clara
District: 4
PPNO: 2150D
Allocation Amount: \$4,046,000
Phase: Construction
Allocation Date: 05/19/2022
Allocation Resolution Number: FATP-2122-23
Number of Months Requested: 6 Months
Extended Deadline: 05/31/2023
Department Recommendation: Support

Coyote Creek Trail - Mabury to Empire

The City of San Jose (City) requests a 6-month time extension to the period of contract award for the Construction (CON) phase of the Coyote Creek Trail - Mabury to Empire project. The City has experienced unexpected delays in the coordination of planned construction activities at a shared location with a project by another agency.

The City proposes to construct a pedestrian and bicycle pathway, a steel pedestrian bridge, and trail appurtenances. Another construction project by Santa Clara Valley Water District (SCVWD) is planned and scheduled for the same project location as the steel pedestrian bridge. The City and SCVWD have been coordinating the planned construction activities for this shared project location for several years. However, the City received final design plans from SCVWD in July 2022, which included the construction of a major flood wall at the same location as the planned staging and construction access areas for the steel pedestrian bridge. The location of the flood wall was not provided to the City during prior coordination meetings and was unforeseen by the City. After receiving the design plans from SCVWD, the City started coordinating with their project team, and both agencies agreed that the best solution is to construct both projects simultaneously. Currently, the City and SCVWD are working on final coordination and details. The City intends to advertise the contract by December 2022, and award the project by May 2023.

Therefore, the City requests a 6-month time extension to award the CON phase from November 30, 2022, to May 31, 2023.

Project Number: 2
Applicant: City of Vallejo
County: Solano
District: 4
PPNO: 2317
Allocation Amount: \$4,216,000
Phase: Construction
Allocation Date: 03/17/2022
Allocation Resolution Number: FATP-2122-18
Number of Months Requested: 12 Months
Extended Deadline: 09/30/2023
Department Recommendation: Support

Bay Trail and Vine Trail Gap Closure

The City of Vallejo (City) requests a 12-month time extension to the period of contract award for the CON phase of the Bay Trail and Vine Trail Gap Closure project. The City has experienced unexpected delays in obtaining encroachment and railroad access permits.

The City proposes to construct Class I and Class II multi-use paths on the Bay Trail and Vine Trail networks in Vallejo, from the Vallejo Ferry Terminal to the City of American Canyon. The project is located within the State and the Union Pacific Railroad (UPRR) right of way. Before the CON allocation, the City submitted applications and supporting documents to the Department for an encroachment permit and to the California Public Utilities Commission (CPUC) for a General Order 88-B (GO 88-B) authorization. A GO 88-B authorization is required for railroad crossing modifications. The Department approved the encroachment permit in August 2022, and the GO 88-B authorization is pending. The CPUC has not provided the City with an approximate approval date for the GO 88-B authorization. However, the City anticipates that the GO 88-B authorization should be finalized by February 2023. Once the City receives the approved permits, it will advertise the contract and award the project by September 2023.

Therefore, the City requests a 12-month time extension to award the CON phase from September 30, 2022, to September 30, 2023.

Project Number: 3
Applicant: City of Paramount
County: Los Angeles
District: 7
PPNO: 5333
Allocation Amount: \$3,078,000
Phase: Construction
Allocation Date: 05/19/2022
Allocation Resolution Number: FATP-2122-23
Number of Months Requested: 12 Months
Extended Deadline: 11/30/2023
Department Recommendation: Support

West Santa Ana Branch Bikeway Phase 2

The City of Paramount (City) requests a 12-month time extension to the period of contract award for the CON phase of the West Santa Ana Branch Bikeway Phase 2 project. The City has experienced unexpected delays in obtaining right of way easements.

The City proposes to construct a Class I bikeway, install bikeway lighting, a traffic signal, a pedestrian signal, high visibility crosswalks, Americans with Disability Act (ADA) curb ramps, street furniture, and fencing. The project requires the use of the Los Angeles Department of Water and Power (LADWP) and Chevron properties. The City started coordinating with the agencies early in the planning phase to obtain the required right of way easements. However, the City experienced delays in obtaining right of way easements from the LADWP and Chevron. The City received a formal letter from the LADWP in October 2021, indicating that the proposed bikeway trail could use the LADWP's right of way. After the City received the letter from the LADWP, the City met with Chevron, and both agencies agreed on the terms regarding the use of Chevron's property. Since the limits of way were determined, the City completed the final construction plans and submitted them to the LADWP and Chevron for review and concurrence in February 2022. The City was informed by both the LADWP and Chevron that the review process could take up to a year to complete, and, right of way agreements would be finalized after the review process. The City needs both agreements to certify the right of way and advertise the contract. Currently, the City is coordinating the project layout with the LADWP and Chevron and anticipates receiving both agreements by March 2023, advertising the contract by June 2023, and awarding the project by November 2023. The City will explore the use of Certification 3W if the agreements are not executed by March 2023.

Therefore, the City requests a 12-month time extension to award the CON phase from November 30, 2022, to November 30, 2023.

Project Number: 4
Applicant: City of Rosemead
County: Los Angeles
District: 7
PPNO: 5424
Allocation Amount: \$1,100,000
Phase: Construction
Allocation Date: 03/17/2022
Allocation Resolution Number: FATP-2122-18
Number of Months Requested: 7 Months
Extended Deadline: 4/30/2023
Department Recommendation: Support

Safe Routes to School Sidewalk Gap Closure on Delta Avenue

The City of Rosemead (City) requests a 7-month time extension to the period of contract award for the CON phase of the Safe Routes to School Sidewalk Gap Closure on the Delta Avenue project. The City has experienced unexpected delays in awarding the project.

The City proposes to construct sidewalks, curb and gutters, and ADA ramps along both sides of Delta Avenue between Mission Drive and Wells Street. The City advertised the construction contract in July 2022 and anticipated awarding the contract by the deadline. The City was made aware of potential errors on the construction bid documents by potential bidders. After reviewing the construction bid documents, the City determined that important information was missing on the contract plans and revisions were necessary to avoid additional construction costs and project delays. The missing information included the proposed elevations for grading at select locations, profile details, construction notes, and related quantities. For this reason, the City removed all advertisements and postponed the bid opening. The City plans to re-advertise the construction contract after the design engineer addresses the discrepancies and revises the construction bid documents. Thus, the City anticipates re-advertising the construction contract by November 2022, and awarding the contract by March 2023.

Therefore, the City requests a 7-month time extension to award the CON phase from September 30, 2022, to April 30, 2023.

Project Number: 5
Applicant: The Town of Yucca Valley
County: San Bernardino
District: 8
PPNO: 1224
Allocation Amount: \$724,000
Phase: Construction
Allocation Date: 03/17/2022
Allocation Resolution Number: FATP-2122-18
Number of Months Requested: 6 Months
Extended Deadline: 3/31/2023
Department Recommendation: Support

Onaga Trail Pedestrian Improvements

The Town of Yucca Valley (Town) requests a 6-month time extension to the period of contract award for the CON phase of the Onaga Trail Pedestrian Improvements project. The City has experienced unexpected delays in awarding the project.

The Town proposes to construct sidewalks, curb and gutter, ADA ramps, and driveway approaches. The project was advertised in June 2022. The bid opening was held on August 3, 2022, and the award was scheduled for the end of August 2022. Unfortunately, the Town received only one bid that was 52 percent above the engineer's estimate. After a thorough bid analysis and review of the engineer's estimation, the bid was considered non-competitive and rejected. The Town needs additional time to re-advertise the construction contract and award the project. The Town anticipates re-advertising the construction contract by October 2022, opening bids by December 2022, and awarding the project by February 2023. The Town does not expect to receive bids over the engineer's estimate. However, if the lowest bid is above the engineer's estimate, the Town would use local funds to cover the cost increase.

Therefore, the Town requests a 6-month time extension to award the CON phase from September 30, 2022, to March 31, 2023.

Project Number: 6
Applicant: City of Santa Ana
County: Orange
District: 12
PPNO: 2189
Allocation Amount: \$2,277,000
Phase: Construction
Allocation Date: 03/17/2022
Allocation Resolution Number: FATP-2122-18
Number of Months Requested: 12 Months
Extended Deadline: 9/30/2023
Department Recommendation: Support

City of Santa Ana - West Willits Street Protected Bicycle Lanes

The City of Santa Ana (City) requests a 12-month time extension to the period of contract award for the CON phase of the City of Santa Ana - West Willits Street Protected Bicycle Lanes project. The City has experienced unexpected delays in awarding the project.

The City proposes to construct medians and protected Class IV bicycle lanes along West Willits Street, which provide a physical barrier that acts as a buffer. The construction contract was advertised in June 2022. On bid opening, the City received two construction bids that were above the engineer's estimate. The lowest bid was 22 percent above the engineer's estimate. The City completed a bid analysis and determined that the lowest bid was higher than the available budget. The City needs additional time to evaluate the project cost, available options to reduce project cost and seek local funding sources if needed. The City anticipates re-advertising the construction contract by March 2023 and awarding the project by September 2023.

Therefore, the City requests a 12-month time extension to award the CON phase from September 30, 2022, to September 30, 2023.