

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 17-18, 2023

From: STEVEN KECK, Chief Financial Officer

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

Prepared By: James R. Anderson, Chief
Division of Financial Programming

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT COMPLETION FOR STATE-ADMINISTERED SHOPP PROJECTS, ON THE STATE HIGHWAY SYSTEM, PER SHOPP GUIDELINES WAIVER 23-32**

ISSUE:

Should the California Transportation Commission (Commission) approve time extensions, to complete Construction (CON), for nine State Highway Operation and Protection Program (SHOPP) projects, as described in the attachment?

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the Commission approve time extensions to complete CON, for nine SHOPP projects, as described in the attachment.

BACKGROUND:

In 2019 and 2020, the Commission allocated \$173,218,000 in Construction Capital (CON/CON Support) for the attached nine SHOPP project phases. These projects were awarded in May and June 2020. In accordance with the SHOPP Guidelines (Guidelines), the deadline to complete the Construction Contract Acceptance (CCA) for projects awarded in May and June 2020 is May 31, 2023, and June 30, 2023, respectively. Because the Department will not meet these deadlines, the Department is now requesting time extensions to complete CON. The attachment shows the details of the projects and the delays that have resulted in these time extension requests.

Current SHOPP Guidelines stipulate that the agency implementing a project request a time extension if the project will not be completed within 36 months after award. The Commission may approve waivers to the timely use of funds deadline one-time only for up to 20 months.

Attachment

“Provide a safe and reliable transportation network that serves all people and respects the environment.”

**Time Extension/Waiver – Project Completion for
State Highway Operation and Protection Program**

Project Number: 1
County: Nevada
District: 03
PPNO: 4125
EA: 0H420
Route: Various
Allocation Amount: \$10,489,000
Phase: CON/CON Support
Allocation Date: 12/05/2019
Allocation Resolution Number: FP-19-40
Award Date: 05/08/2020
Number of Months Requested: 12 Months
Extended Deadline: 05/31/2024
Department Recommendation: Support

SHOPP Mobility project

The Department requests a 12-month time extension to complete the CON phase for the SHOPP Mobility project, in Nevada County. The Department has experienced unexpected delays in completing construction.

This project is located in various cities at various locations and intends to update and install five electrical vehicle census count stations. The project has a deadline of May 31, 2023, to complete CCA.

It took the Department longer than anticipated to complete CCA due to the Pacific Gas and Electric Company (PG&E) delays in providing power to the new electrical connections at two locations. The Department continues its extensive coordination efforts with PG&E and anticipates energizing the remaining connections and reaching CCA by May 31, 2024.

Therefore, the Department is requesting a 12-month time extension to allow sufficient time to complete and finalize CCA from May 31, 2023 to May 31, 2024.

Project Number: 2
County: Sutter
District: 03
PPNO: 8378
EA: 1H150
Route: 99
Allocation Amount: \$19,977,000
Phase: CON/CON Support
Allocation Date: 12/05/2019
Allocation Resolution Number: FP-19-40
Award Date: 05/15/2020
Number of Months Requested: 10 Months
Extended Deadline: 03/31/2024
Department Recommendation: Support

SHOPP Roadway Preservation project

The Department requests a 10-month time extension to complete the CON phase of the SHOPP Roadway Preservation project, in Sutter County. The Department has experienced unexpected delays in completing construction.

This project is located on State Route (SR) 99, in the City of Live Oak, from 0.1 mile north of Coleman Avenue to 0.2 mile north of Ramsdell Drive. The project is combined with project EA 03-2H230 under EA 03-3F99U and intends to rehabilitate the roadway. The project has a deadline of May 31, 2023, to complete CCA.

During construction, the project encountered unanticipated drainage and driveway issues. As a result, a Temporary Construction Easement (TCE) was needed to repair the drainage issues. Drainage from private property to the State right of way is inadequate, causing ponding on the private property. Topographic surveys on private properties were unavailable during the design phase. Thus, as designed, the project does not adequately address the current drainage conditions. The Department is currently working to obtain the TCE and anticipates completing the repairs within eight months. However, additional time would be needed to complete the punch list and safety reviews to reach CCA.

Therefore, the Department is requesting a 10-month time extension to allow sufficient time to complete construction and finalize CCA from May 31, 2023 to March 31, 2024.

Project Number: 3
County: Sutter
District: 03
PPNO: 8381
EA: 2H230
Route: 99
Allocation Amount: \$4,278,000
Phase: CON/CON Support
Allocation Date: 12/05/2019
Allocation Resolution Number: FP-19-40
Award Date: 05/15/2020
Number of Months Requested: 10 Months
Extended Deadline: 03/31/2024
Department Recommendation: Support

SHOPP Collision Reduction project

The Department requests a 10-month time extension to complete the CON phase of the SHOPP Collision Reduction project, in Sutter County. The Department has experienced unexpected delays in completing construction.

This project is located on SR 99, in the City of Live Oak, at Elm Street and Pennington Road intersections. The project is combined with project EA 03-1H150 under EA 03-3F99U and intends to perform intersection safety improvements. The project has a deadline of May 31, 2023, to complete CCA.

During construction, the project encountered unanticipated drainage and driveway issues. As a result, a TCE was needed to repair the drainage issues. Drainage from private property to the State right of way is inadequate, causing ponding on the private property. Topographic surveys on the private properties were unavailable during the design phase. Thus, as designed, the project does not adequately address the current drainage conditions. The Department is currently working to obtain the TCE and anticipates completing the repairs within eight months. However, additional time would be needed to complete the punch list and safety reviews to reach CCA.

Therefore, the Department is requesting a 10-month time extension to allow sufficient time to complete construction and finalize CCA from May 31, 2023 to March 31, 2024.

Project Number: 4
County: El Dorado
District: 03
PPNO: 3326
EA: 3H450
Route: 50
Allocation Amount: \$12,326,000
Phase: CON/CON Support
Allocation Date: 03/25/2020
Allocation Resolution Number: FP-19-61
Award Date: 06/29/2020
Number of Months Requested: 6 Months
Extended Deadline: 12/31/2023
Department Recommendation: Support

SHOPP Emergency Response project

The Department requests a 6-month time extension to complete the CON phase of the SHOPP Emergency Response project, in El Dorado County. The Department has experienced unexpected delays in completing construction.

This project is located on United States Highway 50 (US 50), in Pollock Pines, from 0.6 mile to 0.2 mile west of Forest Road/Outer Limits Lane. The project intends to permanently restore the roadway by mitigating the progression of a recurring roadway slipout.

The project is at a high altitude with frequent snowfall and has a deadline of June 30, 2023, to complete CCA. However, the project has been in winter suspension for six months due to excessive snow and lower than expected periods of low temperatures, which delayed the completion of construction and reaching CCA.

Therefore, the Department is requesting a 6-month time extension to allow sufficient time to complete construction, perform safety reviews and finalize CCA from June 30, 2023 to December 31, 2023.

Project Number: 5
County: El Dorado
District: 03
PPNO: 3290
EA: 4E620
Route: 50
Allocation Amount: \$27,352,000
Phase: CON/CON Support
Allocation Date: 10/09/2019
Allocation Resolution Number: FP-19-22
Award Date: 05/04/2020
Number of Months Requested: 12 Months
Extended Deadline: 05/31/2024
Department Recommendation: Support

SHOPP Safety Improvement project

The Department requests a 12-month time extension to complete the CON phase of the SHOPP Safety Improvement project, in El Dorado County. The Department has experienced unexpected delays in completing construction.

This project is located on US 50, in the Cities of Placerville and Camino, from 0.2 mile west of Still Meadows Road to 0.4 mile east of Upper Carson Road. The project intends to install median barriers, widen shoulders, construct an acceleration/deceleration lane, construct an undercrossing, and construct access to the undercrossing from local roads.

This project was combined with EA 03-4H370 under EA 03-4E62U for construction, as both projects are located on US 50, and within the same area. Therefore, combining the two projects resulted in administrative cost savings and minimized the disruption to the traveling public.

The project has a deadline of May 31, 2023, to complete CCA. However, utility relocation, water line redesign, and the Caldor Fire in late Summer 2021, are the main reasons for the delay in achieving CCA. The project missed the 2020 Summer construction season because PG&E was delayed in relocating utility poles, due to its workload and staff response to the 2020 wildfires. To construct the roadway under the bridge, a significant domestic water line needed to be lowered, and three PG&E poles needed to be realigned outside the new roadway. The waterline, as designed, could not be moved until the PG&E poles were out of the way. The Department's Division of Right of Way notified PG&E that the poles were in conflict, and an agreement was signed to move the poles during construction. The agreement stipulated that PG&E would move the poles within 60 days of notification that the area was ready. PG&E was notified that the site was ready in August 2020, in writing. PG&E was not responsive with the Department within the 60-day timeframe. The Department redesigned the waterline so the waterline work could take place without the poles having been moved so as not to delay the rest of the project. The waterline was constructed in March of 2022. In July 2022, PG&E eventually moved the poles, nearly two years after the initial notification.

And in November 2022, the project was opened to the traveling public. The remaining work is plant establishment, which the Department anticipated to be completed within its initial deadline. However, this was also delayed due to PG&E utility relocation. The plant establishment is now anticipated to be completed by May 2024.

Therefore, the Department is requesting a 12-month time extension to allow sufficient time to complete construction and finalize CCA from May 31, 2023 to May 31, 2024.

Project Number: 6
County: El Dorado
District: 03
PPNO: 3335
EA: 4H370
Route: 50
Allocation Amount: \$2,862,000
Phase: CON/CON Support
Allocation Date: 10/09/2019
Allocation Resolution Number: FP-19-22
Award Date: 05/04/2020
Number of Months Requested: 12 Months
Extended Deadline: 05/04/2024
Department Recommendation: Support

SHOPP Drainage System Restoration project

The Department requests a 12-month time extension to complete the CON phase of the SHOPP Drainage System Restoration project, in El Dorado County. The Department has experienced unexpected delays in completing construction.

This project is located on US 50, in the City of Placerville, from Mosquito Road to 0.3 mile west of 5 Mile Road. The project intends to rehabilitate deteriorated culverts and provide access for wildlife crossing the route.

This project was combined with EA 03-4E620 under EA 03-4E62U for construction, as both projects are located on US 50, and within the same area. Therefore, combining the two projects resulted in administrative cost savings and minimized the disruption to the traveling public.

The project has a deadline of May 31, 2023, to complete CCA. However, utility relocation, water line redesign, and the Caldor Fire in late Summer 2021, are the main reasons for the delay in achieving CCA. The project missed the 2020 Summer construction season because PG&E was delayed in relocating utility poles, due to its workload and staff response to the 2020 wildfires. To construct the roadway under the bridge, a significant domestic water line needed to be lowered, and three PG&E poles needed to be realigned outside the new roadway. The waterline, as designed, could not be moved until the PG&E poles were out of the way. The Department's Division of Right of Way notified PG&E that the poles were in conflict, and an agreement was signed to move the poles during construction. The agreement stipulated that PG&E would move the poles within 60 days of notification that the area was ready. PG&E was notified that the site was ready in August 2020, in writing. PG&E was not responsive with the Department within the 60-day timeframe. The Department redesigned the waterline so the waterline work could take place without the poles having been moved so as not to delay the rest of the project. The waterline was constructed in March of 2022. In July 2022, PG&E eventually moved the poles, nearly two years after the initial notification.

And in November 2022, the project was opened to the traveling public. The remaining work is plant establishment, which the Department anticipated to be completed within its initial deadline. However, this was also delayed due to PG&E utility relocation. The plant establishment is now anticipated to be completed by May 2024.

Therefore, the Department is requesting a 12-month time extension to allow sufficient time to complete construction and finalize CCA from May 31, 2023 to May 31, 2024.

Project Number: 7
County: Sonoma
District: 04
PPNO: 0817R
EA: 4G381
Route: 116
Allocation Amount: \$200,000
Phase: CON Support
Allocation Date: 05/13/2020
Allocation Resolution Number: FP-19-76
Award Date: 05/13/2020
Number of Months Requested: 84 Months
Extended Deadline: 05/31/2030
Department Recommendation: Support

SHOPP Collision Reduction project

The Department requests an 84-month time extension to complete the CON phase of the SHOPP Collision Reduction project, in Sonoma County. The Department has experienced unexpected delays in completing construction.

This project is located on SR 116, in the City of Sebastopol, at the intersection of SR 116 and Llano Road, and intends to perform environmental mitigation. The project has a deadline of May 31, 2023, to complete CCA.

This is an environmental mitigation project for safety improvement project EA 04-4G380. The project environmental permits include a Programmatic Biological Opinion from the National Marine Fisheries Services and Biological Opinion from the US Fish and Wildlife Service, a Streambed Alteration Agreement, an Incidental Take Permit from the California Department of Fish and Wildlife, a Nationwide Permit from US Army Corp of Engineers, and a Water Quality Certification from the Regional Water Quality Control Board. These permits required a 10-year biological and creek stability monitoring with a 5-year Plant Establishment Period (PEP), running concurrently.

The parent project EA 04-4G380 was extended to cover the PEP until November 14, 2023, and covers the first two-year plant establishment work of this project and biological and creek stability monitoring. This project covers the remaining biological and creek stability monitoring per the permit requirements for the remaining eight years.

Therefore, the Department is requesting an 84-month time extension, as an exception to the Guidelines, to allow sufficient time to complete the perform safety reviews and finalize CCA from May 31, 2023 to May 31, 2030.

Project Number: 8
County: Marin
District: 04
PPNO: 0350H
EA: 4G820
Route: 101
Allocation Amount: \$14,731,000
Phase: CON/CON Support
Allocation Date: 03/25/2020
Allocation Resolution Number: FP-19-72
Award Date: 05/05/2020
Number of Months Requested: 6 Months
Extended Deadline: 11/30/2023
Department Recommendation: Support

SHOPP Bridge Preservation project

The Department requests a 6-month time extension to complete the CON phase of the SHOPP Bridge Preservation project, in Marin County. The Department has experienced unexpected delays in completing construction.

This project is located on US 101, in the City of San Rafael, from US 101 northbound offramp to 2nd Street at San Rafael Harbor Bridge No. 27-0033S, and intends to replace a bridge.

The project has a deadline of May 31, 2023, to complete CCA. However, additional time is needed to accommodate the delays in the placement of the thermoplastic traffic stripes due to the heavy rain and low temperature this season encountered. This work requires the pavement surface to be warm and dry prior to placement. The project is targeted to complete the work during the 2023 Spring and Summer season and is anticipated to be completed by November 2023.

Therefore, the Department is requesting a 6-month time extension to allow sufficient time to complete construction, punch list items, perform safety reviews and finalize CCA from May 31, 2023 to November 30, 2023.

Project Number: 9
County: Los Angeles
District: 07
PPNO: 4718
EA: 30450
Route: 57
Allocation Amount: \$81,003,000
Phase: CON/CON Support
Allocation Date: 08/14/2019
Allocation Resolution Number: FP-19-12
Award Date: 06/11/2020
Number of Months Requested: 20 Months
Extended Deadline: 02/28/2025
Department Recommendation: Support

SHOPP Pavement Preservation project

The Department requests a 20-month time extension to complete the CON phase of the SHOPP Pavement Preservation project, in Los Angeles County. The Department has experienced unexpected delays in completing construction.

This project is located on SR 57, in the City Diamond Bar, from the Orange County line to SR 60, and intends to rehabilitate pavement. The project has a deadline of June 30, 2023, to complete CCA. However, additional time is needed to accommodate delays this project encountered due to additional staging work, inclement weather, and several Contractor Change Orders (CCO).

After allocating the construction funds for this project, the project issued several addendums, related to the need for additional staging of work, to address concerns about potential freeway flooding. The additional staging added multiple drainage facilities on SR 57 to collect stormwater. Initially, the project work was anticipated to be 40 months, followed by the addition of 7 months for the revised staging plan and addendums, for a total of 47 months. Unfortunately, the Department missed the opportunity to request additional time at time of allocation. The project encountered an unexpected extreme Winter of atmospheric rivers, which halted construction for two months.

Additionally, during the removal of the existing concrete barrier, the contractor encountered steel fence posts and fence post foundations embedded into the existing concrete barrier, which delayed the removal of the concrete barrier. There were also bridge repairs that were not anticipated in the design phase and needed to be completed prior to proceeding to the next stage. In addition, temporary drainage facilities needed to be placed in the median prior to shifting traffic onto the median. There were 16 major CCOs that delayed construction progress.

Therefore, the Department is requesting a 20-month time extension to allow sufficient time to complete construction and finalize CCA from June 30, 2023 to February 28, 2025.