

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 16-17, 2023

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 23-137**

ISSUE:

Should the California Transportation Commission (Commission) extend the period of contract awards for 11 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 11 locally-administered ATP projects, for the time period shown in the attachment.

BACKGROUND:

The Commission allocated \$48,660,000 for 11 locally-administered ATP projects, identified in the attachment. The responsible agencies have been unable to award the contracts within six months of allocation. 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
Active Transportation Program**

Project Number: 1
Applicant: City of Chico
County: Butte
District: 3
PPNO: 1026
Allocation Amount: \$6,236,000
Phase: Construction
Allocation Date: 03/23/2023
Allocation Resolution Number: FATP-2223-23
Number of Months Requested: 12 Months
Extended Deadline: 09/30/2024
Department Recommendation: Support

Esplanade Corridor Safety and Accessibility Improvement Project

The City of Chico (City) requests a 12-month time extension to the period of contract award for the Construction (CON) phase of the Esplanade Corridor Safety and Accessibility Improvement Project. The City has experienced unexpected delays in awarding the contract.

The City proposes to construct a Class I bike path, a separated, multi-use pathway with safe crossings, pedestrian crossings signals, Americans with Disability Act (ADA) compliant ramps, and linkages to existing bike paths, among other improvements. The CON allocation was approved in March 2023, and in April 2023, the City submitted the Federal Request for Authorization to authorize the construction funding. The E-76 authorization was received in May 2023, resulting in a two-month delay. Due to the prolonged funding authorization process and a late start to the 2023 construction season, the City has concluded that it would be advantageous for the public and the project to advertise the contract during winter, with construction slated for Spring 2024. This decision is based on the limited availability of contractors, and the tendency for bid prices to surge during the peak of the construction season. The City experienced issues in previous projects that led to bid protests, the need for extra time to evaluate for Disadvantage Business Enterprise compliance, and reconsideration hearings. The requested time extension will allow the City to address any unforeseen circumstances that may necessitate the re-advertisement of the project.

Therefore, the City requests a 12-month time extension to award the CON phase from September 30, 2023 to September 30, 2024.

Project Number: 2
Applicant: City of Oroville
County: Butte
District: 3
PPNO: 1027
Allocation Amount: \$3,411,000
Phase: Construction
Allocation Date: 03/23/2023
Allocation Resolution Number: FATP-2223-23
Number of Months Requested: 6 Months
Extended Deadline: 03/31/2024
Department Recommendation: Support

Oroville State Route 162 Pedestrian Bicyclist and Disabled Mobility and Safety Improvements

The City of Oroville (City) requests a 6-month time extension to the period of contract award for the CON phase of the Oroville State Route (SR) 162 Pedestrian Bicyclist and Disabled Mobility and Safety Improvements project. The City has experienced unexpected delays in awarding the contract.

The City proposes to construct connectivity and safety improvements that will close the sidewalk, bike lane, street lighting, and multi-use gaps on SR 162. The finalization of the design phase of this project required coordination with the Plans Specifications and Estimate (PS&E) phase of the Capital Preventive Maintenance project along the same corridor of SR 162. To avoid duplicative design and construction of key elements such as lighting, intersection traffic control, and striping, the final design and approval of plans for the City's project was delayed by six months. The current timeline for issuing the project for bid will be very close to project contract award deadline. The City will need four months to advertise, review the bids, and award the contract. The City is requesting an additional two months to address any possible issues with the award process.

Therefore, the City requests a 6-month time extension to award the CON phase from September 30, 2023 to March 31, 2024.

Project Number: 3
Applicant: City of Alameda
County: Alameda
District: 4
PPNO: 2300
Allocation Amount: \$6,846,000
Phase: Construction
Allocation Date: 03/23/2023
Allocation Resolution Number: FATP-2223-23
Number of Months Requested: 12 Months
Extended Deadline: 09/30/2024
Department Recommendation: Support

Central Avenue Complete Street Project

The City of Alameda (City) requests a 12-month time extension to the period of contract award for the CON phase of the Central Avenue Complete Street Project. The City has experienced unexpected delays in awarding the contract.

The City proposes to reduce lanes, add Class II bike lane and Class III bike route, roundabouts, curb extensions at intersections, pedestrian refuge islands, rapid flashing beacons, and new crosswalks. The City obtained additional grant funding for an additional roundabout and significant water quality improvements at all roundabouts within the project limits. These grants were approved in July 2023. To be cost-effective, the City is combining several funding sources, such as Congestion Mitigation and Air Quality, Sustainable Transportation Planning, One Bay Area Grant 3 (OBAG3), Environmental Protection Agency water quality standards, ATP, and local match. The City Council approval gave the go-ahead to the consultants to finalize the design of the third roundabout and the bio-retention areas for the three roundabouts. The PS&E revisions are expected to be completed by the Fall of 2023, and bid by January 2024. The additional requested time is due to including the new funds from OBAG3 and Environmental Protection Agency water quality standards for the third roundabout and landscaping, which requires time for design, and to allow for advertising, bid review, and any complications that may arise during the bid process.

Therefore, the City requests a 12-month time extension to award the CON phase from September 30, 2023 to September 30, 2024.

Project Number: 4
Applicant: Sonoma-Marín Area Rail Transit District
County: Sonoma
District: 4
PPNO: 2337
Allocation Amount: \$10,757,000
Phase: Construction
Allocation Date: 03/23/2023
Allocation Resolution Number: FATP-2223-23
Number of Months Requested: 3 Months
Extended Deadline: 12/31/2023
Department Recommendation: Support

SMART Pathway - Santa Rosa to Rohnert Park/Petaluma and Penngrove Gap Closure Project

The Sonoma-Marín Area Rail Transit District (Agency) requests a 3-month time extension to the period of contract award for the CON phase of the SMART Pathway - Santa Rosa to Rohnert Park/Petaluma and Penngrove Gap Closure Project. The Agency has experienced unexpected delays in awarding the contract.

The Agency proposes to construct 5.7 miles of Class I non-motorized pathway within the publicly owned Sonoma-Marín Area Rail Transit railroad right of way. The Agency will combine the \$10 million TIRCP allocation for the Petaluma north infill station portion of the 2020 award for Sonoma County transit improvements with this ATP project into a single contract due to overlapping and similar project scopes of work within the same project limits. All contract items are anticipated to be awarded by November 2023.

Therefore, the Agency requests a 3-month time extension to award the CON phase from September 30, 2023 to December 31, 2023.

Project Number: 5
Applicant: City of Bakersfield
County: Kern
District: 6
PPNO: 7026
Allocation Amount: \$4,306,000
Phase: Construction
Allocation Date: 01/26/2023
Allocation Resolution Number: FATP-2223-14
Number of Months Requested: 12 Months
Extended Deadline: 07/31/2024
Department Recommendation: Support

Friant-Kern Canal Multi-Use Path

The City of Bakersfield (City) requests a 12-month time extension to the period of contract award for the CON phase of the Friant-Kern Canal Multi-Use Path project. The City has experienced unexpected delays in awarding the contract.

The City proposes to construct a Class I bike path. The City received several Requests for Information (RFI) from prequalified contractors regarding a possible bid opening date extension. The City extended the bid opening date by one month to June 30, 2023. The City received bids that were 190 percent higher than the available funds (\$7.5 million gap). The City is actively seeking additional funds from the Local funds to fill the economic gap. The additional time will allow the City to resolve this issue and award the contract.

Therefore, the City requests a 12-month time extension to award the CON phase from July 31, 2023 to July 31, 2024.

Project Number: 6
Applicant: County of Los Angeles
County: Los Angeles
District: 7
PPNO: 5428A
Allocation Amount: \$2,360,000
Phase: Construction
Allocation Date: 03/23/2023
Allocation Resolution Number: FATP-2223-23
Number of Months Requested: 12 Months
Extended Deadline: 09/30/2024
Department Recommendation: Support

Puente Creek Bikeway

The County of Los Angeles (County) requests a 12-month time extension to the period of contract award for the CON phase of the Puente Creek Bikeway project. The County has experienced unexpected delays in awarding the contract.

The County proposes to construct a Class I bike path and Class III bike route. The project received its CON allocation at the March 2023 Commission meeting, and a scope change was approved to segment the project into two phases. A small portion of the proposed bike path was segmented as Phase II. This segment of Phase II was initially considered to be located within the Los Angeles County Flood Control right of way. However, during the PS&E phase, it was determined that 12 right of way acquisitions were necessary to accommodate the bicycle path. Phase II also included curb ramp and driveway modifications adjacent to the bridge decks to provide a continuous ADA-compliant path of travel throughout the planned bikeway. The work for Phase II will be funded locally with Flood Control District funds and Measure R funds. This requested time extension is to complete the negotiations and acquisition of the 12 properties, obtain the Right of Way (RW) certification, complete the structural evaluations of the curb ramp and driveway modifications, incorporate the design modifications into the plans, and complete a traffic study for the mid-block crossing. The project also has a concurrent time extension request for the Construction Non-Infrastructure (CON-NI) phase on this month's Commission agenda under this same item.

Therefore, the County requests a 12-month time extension to award the CON phase from September 30, 2023 to September 30, 2024.

Project Number: 7
Applicant: County Los Angeles
County: Los Angeles
District: 7
PPNO: 5428B
Allocation Amount: \$200,000
Phase: Construction Non-Infrastructure
Allocation Date: 03/23/2023
Allocation Resolution Number: FATP-2223-23
Number of Months Requested: 12 Months
Extended Deadline: 09/30/2024
Department Recommendation: Support

Puente Creek Bikeway

The County of Los Angeles (County) requests a 12-month time extension to the period of contract award for the CON-NI phase of the Puente Creek Bikeway project. The County has experienced unexpected delays in awarding the contract.

The program proposes to provide bicycle and pedestrian safety education and encouragement training workshops and rodeos to students at five schools. This program is the non-infrastructure portion of the Puente Creek Bikeway project (PPNO 5428A). The safety education workshops will be provided in an educational lecture and an interactive enactment where students can develop bicycle and pedestrian safety techniques and skills. Additionally, volunteers will be trained to conduct walk, bike, and roll-to-school events and to monitor and promote walk, bike, and roll-to-school groups. A before and after study will be conducted with the assistance of the individual schools, and a final report will document the effectiveness of the project. The completion of the Non-Infrastructure project is dependent on the completion of the infrastructure project to be most effective. This time extension request will help align the CON and CON-NI components of the project to benefit the community. The project also has a concurrent time extension request for the CON phase on this month's Commission agenda under this same item.

Therefore, the County requests a 12-month time extension to award the CON-NI phase from September 30, 2023 to September 30, 2024.

Project Number: 8
Applicant: City of Oxnard
County: Ventura
District: 7
PPNO: 5532
Allocation Amount: \$871,000
Phase: Construction
Allocation Date: 01/26/2023
Allocation Resolution Number: FATP-2223-14
Number of Months Requested: 12 Months
Extended Deadline: 07/31/2024
Department Recommendation: Support

City of Oxnard - Etting Road Sidewalk and Bike Lane

The City of Oxnard (City) requests a 12-month time extension to the period of contract award for the CON phase of the City of Oxnard - Etting Road sidewalk and bike lane project. The City has experienced unexpected delays in awarding the contract.

The City proposes to construct and install sidewalks, curb and gutter, access ramps, bike lanes, crosswalks, crosswalk flashing beacons, streetlights, and install all-way stop signs. The City advertised the project in May 2023, and bids were opened in June 2023. The City received one bid that was 143 percent higher than the Engineer's Estimate. The City is currently revising the design plans to reduce mature landscaping items and replace them with other acceptable landscaping items, significantly reducing the landscaping costs. Additionally, the City identified local funds to cover any cost overrun. The City needs a 12-month time extension to revise the design and proceed with readvertising the project.

Therefore, the City requests a 12-month time extension to award the CON phase from July 31, 2023 to July 31, 2024.

Project Number: 9
Applicant: City of Highland
County: San Bernardino
District: 8
PPNO: 1227
Allocation Amount: \$2,354,000
Phase: Construction
Allocation Date: 03/23/2023
Allocation Resolution Number: FATP-2223-23
Number of Months Requested: 12 Months
Extended Deadline: 09/30/2024
Department Recommendation: Support

City Creek and Alabama Street Bikeways

The City of Highland (City) requests a 12-month time extension to the period of contract award for the CON phase of the City Creek and Alabama Street Bikeways project. The City has experienced unexpected delays in awarding the contract.

The City proposes to install Class I bike path and Class II bike lane, a freeway undercrossing, and bicycle and pedestrian enhancements along the west levee of City Creek. The project received approval for scope change in March 2023 Commission meeting. Due to the recent escalation of construction costs, the design team presented an alternate design that would stabilize the top slope of the flood control channel by extending the slope of the rock slope protection with full grout penetration instead of using a retaining wall. However, this extension encroaches into the San Bernardino County Flood Control District (SBCFCD) right of way, thereby requiring an encroachment permit. The permit from SBCFCD is contingent upon regulatory permits from the California Fish and Wildlife and the United States Army Corps of Engineers. It is anticipated that these permits will require 12 months to coordinate and obtain. Removing the retaining wall from the project will result in a construction cost savings that will close the City's funding gap and help move the project forward. The City anticipates completing the design and obtaining all required permits, and advertising the CON contract, and opening bids by the end of July 2024. The construction contract award would then be taken to the City Council in August 2024 for approval.

Therefore, the City requests a 12-month time extension to award the CON phase from September 30, 2023 to September 30, 2024.

Project Number: 10
Applicant: City of Santa Ana
County: Orange
District: 12
PPNO: 2198
Allocation Amount: \$5,875,000
Phase: Construction
Allocation Date: 03/23/2023
Allocation Resolution Number: FATP-2223-23
Number of Months Requested: 12 Months
Extended Deadline: 09/30/2024
Department Recommendation: Support

McFadden Avenue Protected Bike Lane and Bicycle Boulevard Project

The City of Santa Ana (City) requests a 12-month time extension to the period of contract award for the CON phase of the McFadden Avenue Protected Bike Lane and Bicycle Boulevard Project. The City has experienced unexpected delays in awarding the contract.

The project scope includes Class III bike route and Class IV bikeway on McFadden Avenue, from Harbor Boulevard to Grand Avenue. The City has been coordinating with Union Pacific Railroad (UPRR) throughout the design process. Once UPRR was notified of the City's intent to advertise by July 2023, UPRR informed the City that the construction and maintenance agreements, which are needed prior to advertising the project, would not be finalized by July 2023. The City's initial schedule had assumed that these agreements would be executed by July 2023. However, based on current discussions with UPRR, a 12-month time extension is needed to provide them with sufficient time to complete the agreements. The City needs the additional time requested to review and execute the agreements and award the project.

Therefore, the City requests a 12-month time extension to award the CON phase from September 30, 2023 to September 30, 2024.

Project Number: 11
Applicant: City of Santa Ana
County: Orange
District: 12
PPNO: 2199
Allocation Amount: \$5,444,000
Phase: Construction
Allocation Date: 03/23/2023
Allocation Resolution Number: FATP-2223-23
Number of Months Requested: 12 Months
Extended Deadline: 09/30/2024
Department Recommendation: Support

Standard Avenue Protected Bike Lane and Protected Intersection Project

The City of Santa Ana (City) requests a 12-month time extension to the period of contract award for the CON phase of the Standard Avenue Protected Bike Lane and Protected Intersection Project. The City has experienced unexpected delays in awarding the contract.

The City proposes to construct a Class IV protected bikeway, a Class II buffered bike lane, a Class III bike boulevard, and a protected intersection. To maximize funding efficacy, the City intends to advertise the project concurrently with another ATP-funded project, McFadden Avenue Protected Bike Lane and Bicycle Boulevard Project (McFadden Project) (PPNO 2198). This will result in lower unit prices and ensure within-budget project delivery. The City's previous experience has shown by bundling projects and increasing item quantities, this resulted in lower bid prices. However, the McFadden Project encountered an unanticipated 12-month delay in obtaining a maintenance agreement. As a result, the City requests a 12-month time extension to align this project schedule with the McFadden Project. The McFadden Project has a concurrent time extension request under this same item on this month's agenda.

Therefore, the City requests a 12-month time extension to award the CON phase from September 30, 2023 to September 30, 2024.