

MEMORANDUM

TAB 104

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 21-22, 2024

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.5e.(14), Action Item - **YELLOW REPLACEMENT ITEM**

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District 07 – Director

Subject: **SUPPLEMENTAL FUNDS FOR CONSTRUCTION COMPLETION PHASE
PPNO 4930/EA 31820 – VENTURA COUNTY – STATE ROUTE 1
RESOLUTION FA-23-96**

ACTION UPDATE: *Additional information on the reason for cost increase.*

ISSUE:

Should the California Transportation Commission (Commission) approve the California Department of Transportation's (Department) request for an additional \$1,600,000 in Construction Support for the State Highway Operation and Protection Program (SHOPP) Major Damage Restoration (Permanent Restoration) project on State Route (SR) 1, in Ventura County, to complete the construction contract?

RECOMMENDATION:

The Department recommends that the Commission approve the requested supplemental funds allocation for this SHOPP project.

PROJECT DESCRIPTION:

This project is located on SR 1, near the City of Oxnard, between Point Mugu State Park and Sycamore Canyon Road, in Ventura County. The project will construct secant retaining walls at two locations as a permanent slope restoration solution to stabilize the slope and prevent continued erosion.

FUNDING AND PROGRAMMING STATUS:

In October 2016, the project was programmed for \$27,179,000 in Construction Capital and \$2,600,000 in Construction Support in the SHOPP for allocation in Fiscal Year 2019-20. In June 2019, the project was amended to increase the Construction Capital to \$54,615,000 and Construction Support to \$4,350,000 due to increased retaining wall foundation requirements.

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The amendment also increased the Right of Way Capital due to the relocation of an additional power pole and moved out the allocation of the Construction phases to 2020-21 to acquire easements to install rockfall protection. In September 2019, the project was selected to utilize the Construction Manager/General Contractor delivery process. In June 2021, the project received a 2-month allocation time extension for the Construction phase. In August 2021, the project was allocated for \$51,100,000 in Construction Capital and \$5,154,000 in Construction Support. In September 2021, the project was awarded to the CMGC with a Construction Capital budget of \$51,100,000, and 550 working days. In October 2023, the project received partial G-12 funds in the amount of \$500,000 for Construction Support. The remaining Construction Support funds are currently at \$215,000. The project is 85 percent complete with 30 working days remaining. The planned Construction Contract Acceptance is scheduled for April 2025.

REASON FOR COST INCREASE:

The project realized Construction Support increases due to a revision of the retaining wall design resulting from differing site conditions, impacts from excessive rain, additional utility relocation coordination efforts, the use of consultants for environmental monitoring, removal of rock slope protection and reconstruction of the slope, and removal of a cable net mesh for rock fall protection.

Non-storm related changes:

In October 2022, during the primary pile installation for retaining wall number two, it was discovered that the top-of-rock elevation was significantly lower than what was specified in the contract plans. The Department performed investigations during the design phase. However, during construction, a lot of variation in ground conditions and rock elevations were encountered. The differences between field conditions and the plans required an increase of the retaining wall design height and changes in the soil model used to determine the required pile embedment length. This contributed to 15 percent of the support cost increase requested and resulted in an additional 58 working days.

The construction of retaining walls was delayed until the utility relocation work was completed. The utility relocation was anticipated to be completed prior to construction of the retaining walls. However, the relocation required more time, effort, and coordination with the utility companies. These efforts required more resources than was anticipated. The relocation work began in January 2023 and ended in May 2023. This contributed to 10 percent of the support cost increase requested.

California Coastal Commission's (CCC) Coastal Development Permit (CDP) requires that the Department perform daily environmental monitoring. The monitoring for the original scope of work was included in the original work plan. However, additional resources are needed to perform the monitoring due to delays. Since the project is located in a remote area with limited

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in-house specialized staff, the use of a consultant was required to perform the daily monitoring. This contributed to 10 percent of the support cost increase requested.

In addition, 86 days will be needed for permanent erosion control establishment work. This work duration was overlooked from being included in the special provisions. The permanent erosion control establishment work consists of weekly inspections of the project site for deficiencies in erosion control measures. The time for this work will be added in the contract documents with a contract change order (CCO). This contributed to five percent of the support cost increase requested.

The CDP also requires the Department to remove existing rock slope protection in front of retaining wall number one. This rock slope protection was initially installed as a temporary slope protection at the location with a Director's Order to repair a slope washout prior to this project. Once the retaining walls are constructed, the temporary rock slope protection will not be needed and is required to be removed. This will be performed at the end of the project and will require additional resources to create the plans and coordinate with CCC for plan approval. A nature-based restoration plan for the slope is also required once the rock slope protection is removed. For this removal, it is estimated that Contractor will claim additional 20 working days. This CDP requirement was not part of the original contract and will require additional efforts from environmental and construction staff to implement and may also require a plant establishment period. Work is pending on the final plans and approval from the CCC. Once the plans are approved, then a CCO will be issued and will result in an additional 66 working days. This will require more support resources than originally anticipated to inspect the work. This contributed to 25 percent of the support cost increase requested.

As part of stage construction work to construct the retaining walls, shifting traffic was required. Due to the instability of the rocky hillside, a cable net mesh was installed to protect construction workers and the public from rockfall hazards during construction as a temporary measure. The original intent was to leave the cable net mesh in place after construction. However, the last-minute negotiation with the State Parks required the removal. Once the construction is completed, the cable net mesh will need to be removed. This work will require a right of entry from the Department of Parks and Recreation to remove the cable net mesh and deenergizing and reenergizing four utility lines in close proximity. This work will result in an additional 20 working days. Work will start after construction is complete and traffic switched to permanent configuration. This contributed to 15 percent of the support cost increase requested.

Storm related changes:

During the Winter season of 2021/22, excessive rain caused some erosion near the location of the retaining walls and the Department exhausted additional resources to mitigate the saturation and evaluate the possibility of extending the retaining walls. The Department chose not to extend the retaining walls due to permit requirements, high time-related overhead, and timely use of funds policy. A determination was made that the newly eroded areas did not pose

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an imminent risk to the highway. This contributed to five percent of the support cost increase requested.

The excessive rain also caused a washout in front of retaining wall two. In May 2022, a CCO was processed to temporarily place rock slope protection to mitigate the washout at retaining wall number two, which required additional time and effort for construction as additional permits were required to perform the work. This work resulted in an additional 20 working days. The temporary rock slope protection work was removed in February 2024. This contributed to 15 percent of the support cost increase requested.

To address the revision of the retaining wall design, impacts from the excessive rain, additional utility relocation coordination efforts, the use of consultants for environmental monitoring, reconstruction of the temporary rock slope protection work area, and removal of the cable net mesh work for rock fall protection, the project requires an additional \$1,600,000 in support funding and the addition of a total of 270 working days.

CONSEQUENCES:

If this request for supplemental funds is not approved, the Department will not be able to complete the permanent restoration of the slopes at two locations that had extensive storm damage and improve safety of the traveling public. There may be a risk of delay-claims by the contractor, followed by potential litigation. To complete this work at a later time, another project will have to be programmed in a future SHOPP cycle at a possible higher project cost.

FINANCIAL RESOLUTION:

Resolved, that \$1,600,000 be allocated for Construction Support to provide funds to complete the Construction phase for this SHOPP project.

Attachment