

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: December 9-10, 2015

Reference No.: 2.8d.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Bruce Roberts, Chief
Division of Rail and Mass
Transportation

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT REIMBURSEMENT FOR
PROPOSITION 116 BOND PROGRAM PROJECTS,
WAIVER 15-52**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) approve a 20-month extension for the period of project reimbursement, to August 31, 2017, for the Metrolink Positive Train Control (PTC) project.

ISSUE:

In May 2010, the Commission approved Resolution BFP-09-06, allocating a total of \$32,715,778 in Proposition 116 funds to the Southern California Regional Rail Authority (SCRRA) for the PTC project. A third party contract was awarded on October 10, 2010. On October 8, 2013, the Commission approved Waiver 13-50 to extend the period of project completion by 20 months to allow SCRRA to fully expend the allocated funds by June 30, 2015.

SCRRA achieved its major project milestone of "System-wide" Revenue Service Demonstration (RSD) in June 2015. However, SCRRA was not be able to close out the project, as well as receive Federal Railroad Administration (FRA) certification of the SCRRA's PTC Safety Plan document by June 30, 2015, due to industry delays in finalizing the PTC software necessary for commuter and freight railroads that share the network. Such a delay has had a ripple effect on the overall program and implementation of this new train technology including federal certification, system testing and acceptance, and project close-out.

SCRRA, in coordination with the Department, is planning final project inspection in mid-2016, following anticipated FRA certification. Therefore, SCRRA respectfully requests a 20-month extension for the period of project reimbursement, to August 31, 2017.

BACKGROUND:

Current Proposition 116 Guidelines stipulate that a local agency has 180 days after project acceptance to make the final payment to the contractor or vendor, prepare the final report of expenditure, and submit the final invoice to the Department for reimbursement. The Commission may approve waivers to the timely use of funds deadline one time only for up to 20 months in accordance with Government Code Section 14529.8.