

# Memorandum

**Tab 102**

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 26, 2015

Reference No.: 2.8b.(5)  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

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Programming

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR STATE  
ADMINISTERED PROJECTS ON THE STATE HIGHWAY SYSTEM, PER STIP  
GUIDELINES  
WAIVER 15-11**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) approve time extensions for the period indicated for five State Highway Operation and Protection Program (SHOPP) projects described on the attachment.

## **ISSUE:**

In August 2014, the Commission allocated \$39,235,000 for five SHOPP projects. In accordance with Resolution G-13-07, the deadline to award contracts for projects allocated in August 2014 is February 2015. The Department will not be able to meet the deadlines for these projects and is requesting time extensions for the period of contract award. The attachment shows the details of each project and the delays that have resulted in the extension request.

## **BACKGROUND:**

Current STIP Guidelines, Resolution G-13-07, stipulate that the agency implementing a project request a time extension if the project will not be awarded within six months of the allocation. 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.

Attachment

## 2.8b.(5) Time Extension / Waiver - Contract Award Waiver 15-11

Project Number	Dist-PPNO	EA	County-Route	Description	Fund Source	Allocated Amount (x \$1,000)	Allocation Date	Request	
								Months	until end of (month-yr)
1	03-3453C	1A843	ED-89	Storm water quality improvements.	SHOPP	\$ 7,843	08/20/14	6	Aug-2015
<b>Reason for Delay:</b> Bids for this project were opened in October 2014. The number of bids received was inadequate, so the Department elected to re-advertise the contract. This six-month time extension will allow the Department sufficient time to address any bidder concerns, make improvements to the bid documents (if necessary) and re-advertise and award the contract.									
2	04-0143A	1SS021	ALA-13	Install retaining wall.	SHOPP	\$ 4,179	08/20/14	18	Aug-2016
<b>Reason for Delay:</b> Bids for this project were opened in late October 2014. In November 2014, legal action was initiated by a bidder protesting award. A temporary restraining order has been placed on the contract, preventing award and any further action until a judicial ruling on the matter is made. A case management hearing was held on February 23, 2015. The Judge set a three-day trial to be held in June 2015. Based on a final ruling, award could be further delayed, and/or require the Department to re-advertise the project. As such, the Department is requesting a time-extension of 18-months.									
3	04-0098L	4A480	ALA-260	Rehabilitate bridge at Posey-Webster Tubes	SHOPP	\$ 7,596	08/20/14	4	Jun-2015
<b>Reason for Delay:</b> Advertisement was delayed approximately four months in order to properly address the following issues: concerns about the full versus partial closure of the tubes, air quality monitoring inside the tunnel and language in the special provisions regarding minimum and maximum number of working days, which would affect bid results and impact the traveling public. Bids for this project were opened in February 2015. This four-month time extension will allow the Department to award the contract to the lowest responsible bidder.									
4	04-0142F	0G221	ALA-580	Construct curb ramps and passageways.	SHOPP	\$ 600	08/20/14	7	Sep-2015
<b>Reason for Delay:</b> This project was ready to proceed to advertisement in August 2014. However, some constructability issues were discovered relating to light pole locations and placement of curb ramps in city right-of-way. This delayed advertisement by approximately two months. Once bids were opened in December 2014, the low bidder was deemed non-responsive for failing to meet the Department's Disadvantaged Business Enterprise goal on the project. All remaining bidders were disqualified for failing to provide documents required for contract award. This seven-month time extension will allow the Department sufficient time to re-advertise and award the contract.									
5	04-0378C	25941	NAP-29	Roadway Rehabilitation	SHOPP	\$ 19,017	08/20/14	6	Aug-2015
<b>Reason for Delay:</b> The scope of this project required extensive coordination with utility companies on the design of utility relocations. Following construction allocation in August 2014, PG&E informed the Department of the need to revise the design for relocating main transmission and distribution lines. For several months, the Department and PG&E met to review and collaborate on the revised relocation plans and sequence of work. Advertisement of the project was delayed to December 2014 and bids opened in February 2015. This six-month time extension will allow the Department to award the contract to the lowest responsible bidder.									