

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 26, 2015

Reference No.: 2.8c.(2)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

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

Subject: **POST FACT REQUEST TO EXTEND THE PERIOD OF PROJECT COMPLETION FOR PROPOSITION 1A, HIGH-SPEED PASSENGER TRAIN BOND PROGRAM (HSPTBP), INTERCITY RAIL PROJECTS, PER HSPTBP GUIDELINES WAIVER 15-14**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) extend the period of project completion by 20 months to August 31, 2016, for the Proposition 1A San Onofre to San Diego Positive Train Control (PTC) Project (Project) (EA R004HA) in San Diego County.

ISSUE:

In December 2011, the Commission approved Resolution HST1A-A-1112-03, allocating \$11,010,000 in Proposition 1A Intercity Rail funds for the construction of this Project, which is one of six allocations on the Project. The North County Transit District (NCTD), along with many other railroads throughout the nation, has experienced various software, hardware and integration challenges with implementing the PTC System.

Delays have occurred primarily in the area of system certification and safety plan submittals; this task is behind schedule 20 months.

In February 2015, the Department's Project Manager on this Project was conducting reconciliation on PTC projects and discovered that the timely use of funds deadline had passed in December 2014, for the \$11,010,000 allocation.

In addition, the local agency, NCTD, was advised that the timely use of funds deadline had passed and that a request for a post fact time extension would need to go before the Commission at the next meeting. The Department has a contractual agreement with NCTD that shows an expiration date of June 30, 2016. This date aligns with the timely use of funds deadline for the sixth and final funding allocation on this Project. Due to this, the NCTD believed that the funding deadline was June 30, 2016, and therefore did not realize they needed to request a time extension to comply with the timely use of funds rule for this allocation.

Therefore, the Department is requesting a post fact time extension of 20 months to complete the Project.

BACKGROUND:

In February 2010, the Commission adopted the Proposition 1A HSPTBP Guidelines (Resolution HST1A-G-0910-01) which require the implementing agency to request a time extension if the project will not be completed within 36 months. The Commission may approve a waiver to the timely use of funds deadline one time only, for up to 20 months.