

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: January 20-21, 2016

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

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rihui Zhang, Chief
Division of Local Assistance

Subject: **POST FACT REQUEST TO EXTEND THE PERIOD OF PROJECT COMPLETION FOR
LOCALLY-ADMINISTERED STIP PROJECT, PER STIP GUIDELINES
WAIVER 16-05**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the post fact time extension request to the period of project completion deadline for the project listed in the attached document.

ISSUE:

The Commission allocated \$455,000 for the construction of one locally-administered State Transportation Improvement Program (STIP) project identified on the attachment. The responsible agency has been unable to complete the project by the November 30, 2015 deadline. The attachment describes the details of the project and the explanation for the delay. The respective agency requests a post fact extension, and the planning agency concurs.

BACKGROUND:

Current STIP Guidelines stipulate that a local agency has up to 36 months from the time of contract award to accept the contract. The local agency has 180 days after the contract acceptance to prepare and submit the final invoices and reports to the Department. The Guidelines further stipulate that the Commission may approve a waiver to the project completion deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

Time Extension/Waiver – Project Completion Deadline
 Local Streets and Roads Projects

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount <i>Construction Only</i>	Award Date Resolution Number Number of Months Requested Extended Deadline CT Recommendation
1	City of Jackson Amador County PPNO: 10-0015A Kennedy Tailing Wheels Park Building project	\$455,000	11/13/2012 FP-12-07 5 Months 04/30/2016 Support
<p>The City of Jackson (City) is requesting a 20-month extension to the completion of the construction phase of the Kennedy Tailing Wheels Park Building project. The City has experienced an unforeseen delay during the completion of the project.</p> <p>The City awarded the contract in November 2012 and completed construction in November 2013. However, prior to filing the Notice of Completion and acceptance of project completion by the City Council (Council), a lien was filed on the project by one of the general contractor's subcontractors. Unfortunately, the City cannot accept the project until a Release of Lien has been received. Dates for mediation were set in the past and rescheduled multiple times due to the complexity of having several parties fully prepared and in attendance for a hearing. A mediation settlement was recently reached, and the City is waiting for the Release of Lien documentation and for the Council to accept the project. The City anticipates the Council will accept the project by January 31, 2016. However, the City is requesting an additional three months in case the Release of Lien processing and Council project acceptance are delayed. Therefore, the City is requesting a five-month extension from November 30, 2015 to April 30, 2016.</p>			