

## M e m o r a n d u m

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 18-19, 2017

Reference No.: 4.17  
Action

From: SUSAN BRANSEN  
Executive Director

Subject: **ACTIVE TRANSPORTATION PROGRAM AMENDMENT – PROJECT SCOPE CHANGE REQUEST**

**ISSUE:**

Should the California Transportation Commission (Commission) approve the scope change requested by the City of Laguna Hills (City) for the Cycle 1 Active Transportation Program (ATP) La Paz Sidewalk Widening Project (PPNO 2170I)?

**RECOMMENDATION:**

Commission staff recommends that the Commission deny the City's request to change the project scope for the La Paz Sidewalk Widening Project. This recommendation is consistent with the Department of Transportation's (Department) recommendation to the Commission that it does not support the requested scope change unless the City of Laguna Hills identifies and commits local and/or regional funds to construct the entire project scope as contained in the awarded ATP project application.

The proposed scope change would not provide the project scope and benefits promised at the time the application was submitted to the Commission for programming. The amendment request seeks to reduce the project scope by approximately 70%. The ATP project application stated that the project would construct 1220 feet of sidewalk. The scope change request would construct only 320 feet of sidewalk. The Department has advised the Commission this 70% scope reduction will significantly reduce the project scope and benefits promised the Commission at the time of programming.

The ATP is a competitive program and applicants are awarded funding based on the promised scope of work and project benefits set forth in the project application. The integrity of the ATP cannot be assured if applicants are subsequently permitted to significantly reduce promised scope of work and benefits. In this case, the La Paz Sidewalk Widening Project was evaluated and scored based on the scope of work and project benefits stated in the City's ATP application. The project was selected from more than 771 project applications seeking in excess of \$1 billion. Ultimately, this project was one of 265 projects programmed by the Commission. Since only \$367 million

was available for the 2014 Cycle I ATP, more than 500 project applicants seeking ATP funds were not awarded funding.

**BACKGROUND:**

The City of Laguna Hills – La Paz Sidewalk Widening Project was adopted into the Metropolitan Planning Organization Component of the Cycle 1 ATP on November 12, 2014. The original project application requested and resulted in a commitment of ATP funds totaling \$478,000 towards the \$540,000 project to widen the existing four foot wide sidewalks to eight feet on both the south and north sides of La Paz Road. During the design and right-of-way phases of the project, the City determined that project costs would be over three times the amount awarded through the ATP.

On August 23, 2016, the City proposed a scope change request that would reduce the original scope set forth in the project application by approximately 70%. The Department communicated with the City and proposed several scope alternatives that would essentially retain the benefits described in the original project application. The City declined to pursue these or other alternatives that would provide the benefits originally promised at the time of programming or commit the necessary additional funds to carry out the programmed project.

The Commission's March 20, 2014 Cycle I ATP Guidelines require the following as a condition of the project allocation:

- The implementing agency to submit semi-annual reports on the activities and progress made toward implementation of the project and a final delivery report. An agency implementing a project in the MPO selected portion of the program must also submit copies of its semi-annual reports and of its final delivery report to the MPO. The purpose of the reports is to ensure that the project is executed in a timely fashion and is within the scope and budget identified when the decision was made to fund the project.
- Within one year of the project becoming operable, the implementing agency must provide a final delivery report to the Commission which includes:
  - The scope of the completed project as compared to the programmed project.
  - Before and after photos documenting the project.
  - The final costs as compared to the approved project budget.
  - Project duration as compared to the project schedule in the project application.
  - Performance outcomes derived from the project as compared to those described in the project application. This should include before and after pedestrian and/or bicycle counts, and an explanation of the methodology for conduction counts.



# California State Senate

SENATOR  
JIM BEALL

FIFTEENTH SENATE DISTRICT

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October 30, 2016

Honorable Bob Alvarado  
Chair, California Transportation Committee  
1120 N Street, MS-52  
Sacramento, CA 95814

Dear Chairperson Alvarado,

I write to express my support for the City of Laguna Hills' scope change request for the La Paz Road Project. Approval of their request will allow an important portion of the project to move forward and improve safety along the corridor.

In particular, I support the City of Laguna Hills' revised project to widen only the northerly La Paz Road, including right of way acquisition. The revised project fulfills the pedestrian Active Transportation Plan needs on the northerly side of the street and preserves all the functions and modes of the existing transportation uses along the arterial highway. Access to safe sidewalks on the north side also provides the safest option for the nearby school. These improvements will play a vital role in improving safety for residents.

Unexpected soil conditions revealed during the design process require a substantially more robust and costly retaining wall resulting in significant cost increases. The project cannot move forward without additional funding or approving the scope change request to reduce the project limits. For these reasons, I believe the option above coupled with the City's commitment to seek alternative funding to complete widening the southerly sidewalk is the best path forward. I urge your support.

Sincerely,

A handwritten signature in blue ink that reads "Jim Beall".

Jim Beall

California State Senate, District 15

Cc: California Transportation Commission, Susan Bransen, Executive Director, California Transportation Commission, California State Assemblymember Jim Frazier, California State Senator Pat Bates, Laguna Hills City Council



## CITY OF LAGUNA HILLS

December 16, 2016

Mr. Mitch Weiss  
Deputy Director  
California Transportation Commission  
1120 N Street, Room 2233 (MS-52)  
Sacramento, CA 95814

**SUBJECT: LA PAZ ROAD SIDEWALK WIDENING, CIP NO. 171, SCOPE CHANGE  
PPNO 12-217OI, ATPL-5468(009), ID 1216000058**

Dear Mr. Weiss,

The subject project Active Transportation Program Scope Change Request is pending before the California Transportation Commission and we understand the matter will now be heard by the CTC at the next scheduled meeting on January 18, 2017, in Sacramento, CA. In furtherance of the approval of this issue and pursuant to our telephone conversation, the matter of the commitment of the City of Laguna Hills to the original scope of work for the La Paz Road Sidewalk Widening Project has been presented to the City Council at their regular meeting of December 13, 2016.

I am pleased to inform the CTC that the City Council reaffirmed their commitment to the project and the community when they unanimously adopted the following motion as a minute action:

*"City Council requests the CTC approve the La Paz Road Sidewalk Widening project ATP scope change request to widen only the northerly La Paz Road sidewalk to eight-feet wide at this time with the City's commitment to widen the southerly sidewalk to eight-feet wide at the earliest future opportunity when funding becomes reasonably available."*

In adopting this motion, the City Council noted that the southerly sidewalk widening is important to complete but that it was not feasible to commit to a shorter timeline than stated as the cost of that portion of the project could represent 5% of the City's annual operating revenue. Hence, it will take a reasonable period of time to accumulate the funding necessary for this work without significantly impacting the City's operations.

December 16, 2016  
Mr. Mitch Weiss, Deputy Director  
California Transportation Commission  
La Paz Road Sidewalk Widening ATP Scope Change Request  
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We request and look forward to a staff support position for the Scope Change Request for the La Paz Road Sidewalk Widening ATP project as outlined in my letter dated November 18, 2016, addressed to Theresa McWilliam, ATP Program Manager.

We also request that consideration be given to providing a time range that this matter will be heard on January 18<sup>th</sup> by the CTC with respect to the elected officials that plan to address the Commission.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kenneth H. Rosenfield".

Kenneth H. Rosenfield, P.E.  
Director of Public Services

c: Mr. Ray Zhang, Chief, Caltrans Local Assistance (via email)  
Teresa McWilliam, ATP Program Manager (via email)

## Remedios, Douglas@DOT

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**Subject:** FW: CTC Agenda Item for City of Laguna Hills-La Paz Widening Project

**From:** Bassett, Kevin <Kevin.Bassett@sen.ca.gov>  
**Date:** Thu, Dec 1, 2016 at 3:20 PM  
**Subject:** CTC Agenda Item for City of Laguna Hills-La Paz Widening Project  
**To:** "Carl Guardino (cguardino@svlg.org)" <cguardino@svlg.org>

Carl:

I hope you are well. From the SVLG e-newsletter it looks like it has been a busy and productive year at SVLG.

My email today is to address an issue that falls under your CTC role. There is a project in Senator Bates' district that is important to the City of Laguna Hills and local residents concerned about safety. A change in scope for the project has run into a few hurdles. I have attached three documents that include: some bullet points on the project; a letter from the City of Laguna Hills to CalTrans; and a letter from Senator Beall outlining his support for the City's request.

Senator Bates knows this location in Laguna Hills very well and has met with the City to discuss this project. She is in strong support of the City's recommended option and would greatly appreciate your review and consideration of this project.

If I can be of assistance or can track down any information for you on this project, please do not hesitate to call.

All the best,

**Kevin Bassett**

Chief of Staff

Office of Senator Patricia C. Bates

916.651.4036 | Capitol Room 4048

**Connect with Senator Bates:**

[Website/Facebook/Twitter](#)