

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 5, 2013

Reference No.: 2.5e.(7)  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: Rachel Falsetti  
Division Chief  
Transportation Programming

Subject: **ALLOCATION FOR SUPPLEMENTAL FUNDS FOR PROJECT PREVIOUSLY VOTED  
RESOLUTION FA-12-22**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) allocate an additional \$310,000 for the State Highway Operation and Protection Program (SHOPP) project identified below.

## **ISSUE:**

Additional funds are needed for this previously voted project in order to close-out construction contract.

## **RESOLUTION:**

Resolved, that \$310,000 be allocated from the Budget Act of 2012, Budget Act Items 2660-302-0042 and 2660-302-0890 to provide additional funds for the project identified below.

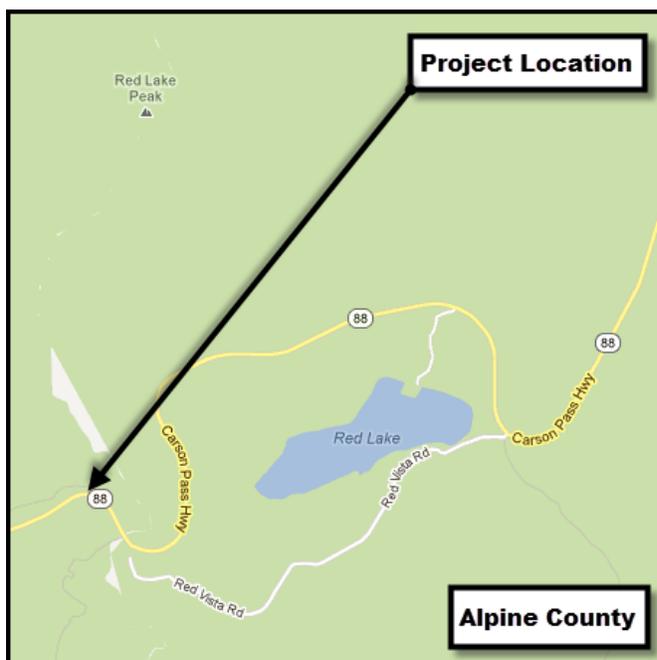
<u>Project</u>	<u>Dist-Co-Rte</u>	<u>Original allocated Amount</u>	<u>Original Award Amount</u>	<u>Current Allocation</u>	<u>Allocation Adjustment</u>	<u>Revised Allocation</u>	<u>% Increase Above Current Allocation</u>
1	10-Alp-88	\$1,860,000	\$2,197,000	\$2,246,000	\$310,000	\$2,556,000	13.8%

Project # Allocation Amount Recipient RTPA/CTC Dist-Co-Rte Postmile	Project Title Location Project Description	PPNO Program Budget Item # Fund Type Program Codes Project ID Adv Phase EA	State Federal Current Amount by Fund Type	State Federal Additional Amount by Fund Type	State Federal Revised Amount by Fund Type
<b>2.5e.(7) Supplemental Funds for Previously Voted Projects</b>					
<b>Resolution FA-12-22</b>					
1 \$310,000 Department of Transportation Alpine 10-Alp-88 R5.3	Near Kirkwood, 1.9 miles east of Woods Lake Road. Remove unstable rocks, flatten existing slope, and provide catchment area at one location	10-0148 SHOPP 2007-08 302-0042 SHA 302-0890 FTF	\$9,000 \$2,237,000		\$9,000 \$2,237,000
	Supplemental Funds needed to close-out contract.	20.20.201.131 1000000232 4 0S1704			
	Total Revised Amount: \$2,556,000	SHOPP 2012-13 302-0042 SHA 302-0890 FTF 20.20.201.131		\$6,000 \$304,000	\$6,000 \$304,000

**PROJECT DESCRIPTION:**

This project is located on Route 88 in Alpine County near Kirkwood, 1.9 miles east of Woods Lake Road. The project stabilizes roadway slope at this location by removing unstable rocks, flattening existing cut slope, and providing rock catchment area at the toe of the slope.

**PROJECT LOCATION:**



**FUNDING STATUS:**

This SHOPP project was originally programmed at \$2,930,000 for construction capital and was voted in June 2010 for \$1,860,000. The project was awarded for \$2,197,000 in November 2010. Construction work started July 2011. Construction was completed and the contract was accepted in December 2011. An additional \$310,000 in supplemental funds is needed to resolve all remaining claims and close-out the construction contract. This request for supplemental fund will result in an overall increase of 13.8 percent over the current allocation.

**REASONS FOR COST INCREASE:**

The volume of loose rock and soil material on the slopes during the blasting process was found to exceed the amount anticipated and specified in the contract. The additional blasting and material removal and disposal required additional use of signs and traffic control. This resulted in the contractor claim for the cost of these items as follows:

Item	Cost
Rock Excavation	\$312,882
Temporary Signals	\$34,200
Portable CMS	\$16,530
Traffic Control	\$7,600
Contingency funds available	(\$61,212)
Total	\$310,000

The Contractor filed claims in response to the proposed final estimate requesting \$939,691 for additional rock excavation, and delay impacts associated to lump-sum items. A Board of Review was held to hear the Contractor's claims, and as a result the Board has recommended a payment of \$371,212 for the resolution of all claims. The Contractor and the Department have concurred with the Board recommendation and the Contractor agreed to accept this amount as full resolution of their claims.

**FUNDING OPTIONS:**

**OPTION A:** Approve this request for supplemental funds, as presented above, for \$310,000 to close-out the contract.

**OPTION B:** Deny this request and allow the contractor to pursue contract arbitration. Arbitration may take several months or years with additional compensation for extended interest.

**RECOMMENDED OPTION:**

The Department recommends that this request for \$310,000, as presented in Option A, above, be approved to allow the close-out of the current construction contract.