

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 11, 2013

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

From: NORMA ORTEGA
Chief Financial Officer

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Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT DEVELOPMENT EXPENDITURES FOR LOCALLY-ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES WAIVER 13-30**

RECOMMENDATION:

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve extensions to the period of project development expenditure for the time periods identified for each project on the attached document.

ISSUE:

The attached list identifies six locally-administered State Transportation Improvement Program (STIP) projects totaling \$4,496,000. The Commission allocated the funds in Fiscal Year 2010-11 for project development phases, as shown on the attachment. The local agencies cannot meet their deadlines prior to project deadlines. The attachment shows the details of the projects and the explanation for the delays.

BACKGROUND:

Current STIP Guidelines stipulate that funds allocated for local project development or right of way costs must be expended by the end of the second fiscal year following the fiscal year in which the funds were allocated. The Commission may approve a waiver to the timely use of funds deadline one time only for up to 20 months in accordance with Section 14529.8 of the Government Code.

Attachment

**Time Extension/Waiver – Project Development Expenditure Deadline
Local Streets and Roads Projects**

Project #	Applicant County PPNO Project Description Reason for Project Delay	Phase Allocation Amount Balance Remaining	Allocation Date Allocation Resolution Number Number of Months Requested Extended Deadline CT Recommendation
1	Tehama County Tehama County PPNO: 02-2182 Pine Creek Bridge (#08C-68) project	PS&E and ROW Allocated: \$22,000 and Allocated 6,000 Balance: \$20,200 and Balance \$6,000	01/19/2011 FP-10-21 9 Months 03/31/2014 Support
<p>The County of Tehama (County) is requesting a nine-month extension to the period of project development for the Plans, Specifications and Estimate (PS&E) and the Right of Way (R/W) phases of the Pine Creek Bridge project. The County experienced delays to the PS&E and R/W phases due to reworking the project survey and design data to make it compatible with the County's updated surveying and design software.</p> <p>The County's surveyor could not accept the original topography or the property corners for the proposed R/W fee areas using the original data. The delay in re-surveying the project site delayed the design of the roadway and bridge sections. The County has to rework the roadway and bridge sections using the newer survey data. These issues delayed the project by approximately nine months. Therefore, the County is requesting an extension to March 31, 2014.</p>			
2	Trinity County Trinity County PPNO: 02-2399D Lewiston Road Bike /Pedestrian Lane project	PS&E Allocated: \$40,000 Balance: \$35,200	06/23/2011 FP-10-38 6 Months 12/31/2013 Support
<p>The County of Trinity (County) is requesting a six-month extension to the period of project development for the Plans, Specifications and Estimates (PS&E) phase for the Lewiston Road Bike/Pedestrian Lane project. The County experienced delays in completing the PS&E phase of the project due to environmental issues during the NEPA process</p> <p>The selection of the preferred alternative at the end of the expenditure timeline for Project Approval & Environmental Document delayed the NEPA process since federal resource agencies will not consult on multiple alternatives. In addition, botanical surveys and wetland delineation must be done in the Spring, and are dependent on normal weather patterns. Unusual weather patterns in the Spring of 2012 prevented the normal development of wetland conditions and normal vegetation. A verifiable wetland delineation and botanical survey was not possible under these conditions. This delayed the federal resource agency consultation, and the completion of environmental reports needed for the NEPA document by 12 months. The County could not make significant progress on the design of the selected alignment, pending completion of the environmental studies, in case there were areas that had to be avoided. Although the delays amount to approximately 12 months, the County is confident in completing the PS&E phase within the requested six-month time extension. Therefore, the County is requesting a six-month time extension to December 31, 2013.</p>			

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3	Solano Transportation Authority Solano County PPNO: 04-5301 I-80 Reliever Route/Jepson Parkway project	PS&E Allocated: \$2,400,000 Balance: \$1,259,000	07/01/2010 FP-09-55 8 Months 2/28/2014 Support
<p>The Solano Transportation Authority (STA) is requesting an eight-month extension to the period of project development expenditure for Plans, Specifications and Estimates (PS&E) phase of the I-80 Reliever Route/Jepson Parkway project. The STA experienced delays to the project due to coordination efforts regarding funding and development agreements and roadway construction and maintenance Memorandums Of Understanding (MOUs) with the City of Fairfield (Fairfield), City of Vacaville (Vacaville) and Solano County.</p> <p>The project is being delivered in two phases by Fairfield and Vacaville. The Fairfield portion of the project is being designed by consultants. Prior to Fairfield authorizing a design consultant, the funding agreement with STA and a development agreement had to be completed. The development agreement was completed in October 2011. During the finalization of the funding agreement, Fairfield realized that the roadway construction MOU did not cover the maintenance of the proposed improvements. The maintenance MOU and funding agreement were completed in April 2012, allowing the design consultant to commence work. Fairfield selected a consultant and initial design work commenced in May 2012. The initial work was needed to refine the scope of the project to incorporate changes resulting from the Fairfield Train Station Specific Plan. At the completion of the initial work in October 2012, the scope of work for design was refined and contract amendment negotiated. The changes triggered the need for a pre-award audit prior to execution of the amendment. Fairfield feared the delay from obtaining a pre-award audit would further impact the project's delivery and requested approval from the Department to utilize a post-award audit approach in order to proceed with design. Approval was obtained in February 2013 and the amendment executed in March 2013. These issues have delayed the project by approximately eight months. The design work is ongoing and although much of the design has been completed, STA anticipates final design to be completed by February 2014. Therefore, STA is requesting an eight-month extension to February 28, 2014.</p>			
4	County of Inyo Inyo County PPNO: 09-2586 Sunland Drive Bicycle Lanes project	PA&ED Allocated: \$50,000 Balance: \$ 50,000	06/23/2011 FP-10-38 6 Months 12/31/2013 Support
<p>The County of Inyo (County) is requesting a six-month extension to the period of project development expenditure for Project Approval and Environmental Document (PA&ED) for the Sunland Drive Bicycle Lanes project. The County experienced delays in completing the NEPA process due to unforeseen cultural and archaeological issues.</p> <p>The County did not anticipate encountering cultural resources within the project limits since the project is within their maintained, previously undisturbed, prescriptive right of way. The Departments' archaeological specialist identified potential cultural resource issues in the project vicinity during the review of the Preliminary Environmental Studies (PES) form. At a minimum, an archaeological survey and records search will be required to comply with NEPA. Based on the results of the survey and records search; more studies, investigation, and reporting may need to be addressed. The County anticipates completing the additional environmental studies by December 2013. Therefore, the County is requesting a six-month extension to December 2013.</p>			

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5	San Diego Association of Governments San Diego County PPNO: 11-7421U Bayshore Bikeway Segment 8B project	PA&ED Allocated: \$381,000 Balance: \$381,000	6/23/2011 FP-10-38 12 Months 6/30/2014 Support
<p>The San Diego Association of Governments (SANDAG) is requesting a 12-month extension to the period of project development expenditure for Project Approval and Environmental Document (PA&ED) for the Bayshore Bikeway Segment 8B project. SANDAG has experienced delays in the PA&ED phase of the project due to pending consensus on a final alignment with regulatory agencies.</p> <p>SANDAG has met with many stakeholders including regulatory environmental agencies, the City of San Diego, City of Chula Vista, the Department, Metropolitan Transit System, private property owners, and community and special interest groups to receive input and build consensus support for a final alignment. Due to the environmental concerns in the project area and vicinity, SANDAG was asked by regulatory agencies to investigate several alternatives within the vicinity of the project. The studies on the additional alternative alignments have significantly impacted the original environmental process timeline and therefore extended all milestones. SANDAG has completed the existing conditions portions of environmental documents. SANDAG anticipates completing the additional studies by June 30, 2014. Therefore, SANDAG is requesting a 12-month extension to June 30, 2014.</p>			
6	San Diego Association of Governments San Diego County PPNO: 11-7421W Inland Rail Trail – Phases IIA, IIB, IIIA and IIIB project	PA&ED Allocated: \$1,597,000 Balance: \$1,597,000	6/23/2011 FP-10-38 6 Months 12/31/2013 Support
<p>The San Diego Association of Governments (SANDAG) is requesting a six-month extension to the period of project development expenditure for Project Approval and Environmental Document (PA&ED) for the Inland Rail Trail – Phase IIA, IIB, IIIA and IIIB project</p> <p>SANDAG has experienced delays to the PA&ED phase of the project due to delays in completing the CEQA process and the preconstruction survey required on the federally threatened, state endangered plant species: <i>Thread-Leaved Brodiaea</i>. The review of the required technical studies by some regulatory agencies took longer than originally anticipated, resulting in several months of delay. SANDAG anticipates releasing the draft environmental document for the mandatory 30-day CEQA public review period in June 2013 with final approval in Fall of 2013.</p> <p>The preconstruction survey on the <i>Thread-Leaved Brodiaea</i> is required prior to construction. This plant species and its designated critical habitat were found outside, but adjacent to, the project area. The surveys must be performed during the 2013 breeding season (May 1 to June 15) to maintain the anticipated construction schedule. The results of the 2013 breeding season surveys will be incorporated into the final subsequent mitigated Negative Declaration. SANDAG anticipates completing the CEQA process and preconstruction surveys by December 2013. Therefore, SANDAG is requesting a six-month extension to December 31, 2013.</p>			