

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: January 25, 2012

Reference No.: 2.8b.(4) - **REVISED**
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **REQUEST TO EXTEND THE PERIOD OF CONTRACT AWARD FOR STATE AND
LOCALLY ADMINISTERED PROJECTS ON THE STATE HIGHWAY SYSTEM, PER
RESOLUTION G-06-08, AND PER STATE AND LOCAL PARTNERSHIP GUIDELINES
WAIVER 12-04**

**CTC ACTION UPDATE: The California Transportation Commission took action on
extension requests as follows: The extension request for Project 3 (PPNO 04-5301R) was
approved for eight months. The extension requests for Projects 1, 2 and 4 through 8 were
approved as requested.**

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve time extensions for the period indicated for six State Highway Operation and Protection Program (SHOPP) project and one Multi-Funded Trade Corridor Improvement Fund TCIF/SHOPP project described on the attachment.

ISSUE:

On June 22, 2011, the Commission allocated \$159,951,000 for six SHOPP project and \$470,000,000 for one multi-funded TCIF/SHOPP project. In accordance with Resolution G-06-08, the deadlines to award contracts for projects allocated in June 2011 is December 31, 2011. The Department will not be able to meet the deadlines for these projects and are requesting time extensions for the period of contract award. The attachment shows the details of each project and the delays that have resulted in the extension request.

BACKGROUND:

In June 2006, the Commission adopted Resolution G-06-08, making the six-month period to award a permanent requirement under the State Transportation Improvement Program Guidelines. ~~In December 2008, the Commission adopted the State Local Partnership Program (SLPP) Guidelines, making the six-month period to award a requirement in the same manner as for STIP projects.~~

Attachment

2.8b.(4) Time Extension / Waiver - Contract Award Waiver 12-04

Project Number	Dist-PPNO	EA	County-Route	Description	Fund Source	Allocated Amount (x \$1,000)	Allocation Date	Request	
								Months	until end of (month-yr)
1*	04-0104	4A070	Ala-580	In and near the city of Livermore, construct Truck Climbing Lane, rehabilitate pavement and construct retaining walls.	SHOPP	\$ 48,959	06/22/11	6	June-2012
2*	04-0137B	4S260	Ala-580		SHOPP	\$ 12,920	06/22/11	6	June-2012
<p>Reason for Delay: The project was advertised on July 25, 2011 and bids were opened on September 27, 2011. However, the award of this contract was delayed due to reconciliation of conditions of an Incidental Take Permit (ITP) with the Department of Fish and Game. This issue is expected to be completed by February 2012. The 6-month time extension will allow the Department sufficient time to award the contract.</p>									
3	04-5301R	0A535	Sol-80	In Fairfield, at the Eastbound Codelia Truck Scale. Relocate and expand truck scale.	SHOPP/ TCIF	\$ 42,300	06/22/11	2 8	Feb-2012 August-2012
<p>Reason for Delay: Bids for this project were opened on December 14, 2011. Delay to award is due to large number of bid inquires. These inquires were due to specialty scope of building and truck scale facility project and resulted in multiple addenda being issued. This 2 8-month time extension will allow the Department sufficient time to assess the bid results and award the project contract.</p>									
4	07-3189	2332A	LA-5	From State Route 14 Interchange to Pico Canyon Road. Add Truck Lanes.	SHOPP	\$ 53,626	06/22/11	6	June-2012
<p>Reason for Delay: The project was advertised on 7/18/11 and bids were opened on 9/8/11. The lowest bidder did not meet UDBE requirements so the Department proceeded to award the contract to the second lowest bidder. However, the first bidder filed a writ with the Superior Court in Los Angeles to temporarily restrain the Department from awarding the contract to the higher bidder. The court upheld the restraining order until the next hearing which is scheduled for February 24, 2012. This time extension is needed to resolve the bidder dispute and award the contract.</p>									
5**	07-3037	22830	LA-710	At the Port of Long Beach, at the terminus of the I-710 freeway. Replace existing bridge.	TCIF	\$ 299,795	06/22/11	6	June-2012
6**	07-4425	28860	LA-710		SHOPP	\$ 170,205	06/22/11	6	June-2012
<p>Reason for Delay: The Request For Proposal (RFP) was released on 9/2/11. However, in an effort to reduce the amount of potential bids by the four pre-qualified proposers, a series of meetings have been arranged to receive, evaluate and approve Alternative Technical Concepts (ATC's) prior to receiving the final bid packages. Bids are due in February 2012 and Notice of Intent (NOI) to award is anticipated in June 2012.</p>									

**2.8b.(4) Time Extension / Waiver - Contract Award
 Waiver 12-04**

Project Number	Dist-PPNO	EA	County-Route	Description	Fund Source	Allocated Amount (x \$1,000)	Allocation Date	Request	
								Months	until end of (month-yr)
7	08-0133K	0P160	SBd-10	Near Ontario, from Milliken Avenue to Wilson Creek Bridge. Repair decks, joints and overlay with merthacrylate on 21 structures to extend the bridges service life.	SHOPP	\$ 1,114	06/22/11	6	June-2012
<p>Reason for Delay: Bids for this project were opened on 10/6/11. The lowest bidder did not meet all of the UDBE requirements and did not perform a good faith estimate. Furthermore, the second low bidder cannot be awarded the contract since they use the same sub-contractor as the first bidder. This time extension will allow the Department to analyze all bids and award the contract to the lowest responsible bidder that meet all qualifications.</p>									
8	11-0969	29671	SD-75	In San Diego and Imperial Beach from Saturn Boulevard to Thirteen Street. Modify pedestrian sidewalks and driveways.	SHOPP	\$ 1,032	06/22/11	6	June-2012
<p>Reason for Delay: Bids for this project were opened on 9/8/11. The Department was not able to award the contract to the 3 lowest responsive and responsible bidders because they did not meet the UDBE goals. There is a determination hearing scheduled for the third bidder on 1/12/12. Depending on the outcome of the hearing, the Department might have to proceed with awarding the contract to the fourth bidder. This 6-month time extension will allow the Department sufficient time to award the contract to the lowest responsible bidder that meet all of the UDBE goals.</p>									

- * Projects 1 and 2 are combined for construction purposes.
- ** Projects 5 and 6 are one project with multiple funding source.