

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: May 23, 2012

Reference No.: 2.8a.(1)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Denix D. Anbiah
Division Chief
Local Assistance

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT ALLOCATION FOR
LOCALLY-ADMINISTERED STIP PROJECTS, PER STIP GUIDELINES
WAIVER-12-19**

RECOMMENDATION:

The Department of Transportation (Department) recommends the California Transportation Commission (Commission) extend the period of project allocation for the projects listed on the attached document for the time periods shown.

ISSUE:

The attached document identifies 10 projects totaling \$8,937,000 that are programmed in the State Transportation Improvement Program (STIP) for delivery in Fiscal Year 2011-12. The agencies will not be able to request an allocation of funds by the June 30, 2012 deadline. The attachment shows the details of the projects and the explanation for the delays. The project sponsors are requesting extensions, and the regional planning agencies concur.

BACKGROUND:

Current STIP Guidelines adopted by the Commission stipulate that funds that are programmed for all components of local grant projects or for Department construction costs are available for allocation only until the end of the fiscal year identified in the STIP. 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 Allocation Deadline
 Local Streets and Roads Projects

Project #	Applicant County PPNO Project Description Reason for Project Delay	Extension Amount (\$ in thousands) PA&ED (Project Approval & Environment Document) PS&E (Plans, Specifications & Estimates) ROW (Right of Way) CON (Construction) TOTAL	Number of Months Requested Extended Deadline CT Recommendation
1	County of Lake Lake County PPNO: 1-3032R South Main Street Rehabilitation project, TE	\$0 \$500 \$364 \$0 \$864	12 Months 6/30/2013 Support
<p>The County of Lake (County) is requesting a 12-month extension to the period of project allocation for the plans, specifications & estimate (PS&E) and right of way (ROW) phases of the South Main Street Rehabilitation TE project. The County has experienced delays in the development of the Environmental Document (ED) due to unforeseen issues regarding the State Historic Preservation Office (SHPO); and consequently, cannot proceed with the PS&E and ROW phases of the project. This project is part of a combined corridor improvement project with Project 2 below (PPNO 01-3033R).</p> <p>The time delay in the environmental clearance phase is due to major scope changes related to the development, review and approval of the Historic Preservation Treatment Plan (HPTP), Environmental Sensitive Areas action plan and the Memorandum of Agreement (MOA) required for the completion of the ED. Approximately 12 additional months have been added to the project schedule to accommodate the required changes in scope and additional time for review and approval by the SHPO. The draft MOA and HPTP were submitted by California Department of Transportation (Department) to the SHPO in August 2011 with review scheduled for completion in October 2011. By October the team learned that the SHPO review was going to begin. SHPO comments were received by the Department in February 2012 and shared with the team in March 2012.</p> <p>The County anticipates obtaining NEPA approval by January 2013 and CEQA approval by March 2013. The County estimates that allocation requests for PS&E and ROW will be submitted by April 2013. Therefore, the County is requesting a 12-month extension to June 2013 to complete the project allocation and to account for any unforeseen circumstances.</p>			
2	County of Lake Lake County PPNO: 01-3033R Soda Bay Road Rehabilitation project, TE	\$0 \$310 \$242 \$0 \$552	12 Months 6/30/2013 Support
<p>The County of Lake (County) is requesting a 12-month extension to the period of project allocation for the plans, specifications & estimate (PS&E) and right of way (ROW) phases of the Soda Bay Road Rehabilitation TE project. The County has experienced delays in the development of the Environmental Document (ED) due to unforeseen issues regarding State Historic Preservation Office (SHPO); and consequently, cannot proceed with the PS&E and ROW phases of the project. The project is part of a combined corridor improvement project with Project 1 above (PPNO 01-3032R) and shares the same time delay issues.</p> <p>The time delay in the environmental clearance phase is due to major scope changes related to the development, review and approval of the Historic Preservation Treatment Plan (HPTP), Environmental Sensitive Areas action plan and the Memorandum of Agreement (MOA) required for the completion of the ED. Approximately 12 additional months have been added to the project schedule to accommodate the required changes in scope and additional time for review and approval by the SHPO. The draft MOA and HPTP were submitted by California Department of Transportation (Department) to the SHPO in August 2011 with review scheduled for completion in October 2011. By October the team learned that the SHPO review was going to begin. SHPO comments were received by the Department in February 2012 and shared with the team in March 2012.</p> <p>The County anticipates obtaining NEPA approval by January 2013 and CEQA approval by March 2013. The County estimates that allocation requests for PS&E and ROW will be submitted by April 2013. Therefore, the County is requesting a 12-month extension to June 2013, to complete the project allocation and to account for any unforeseen circumstances.</p>			

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3	County of Modoc Modoc County PPNO: 02-2481 County Road 54 Realignment project, TE	\$0 \$0 \$0 \$90 \$90	20 Months 02/28/2014 Support
<p>The County of Modoc (County) is requesting a 20-month extension to the period of project allocation for the construction phase of the County Road 54 Realignment TE project. The County has experienced unforeseen delays with environmental processes and approvals for the NEPA clearance with FHWA and the Bureau of Land Management (BLM), and consequently cannot proceed with the construction phase of the project.</p> <p>The project is partially located on the BLM lands, triggering an additional and separate NEPA and right-of-way (ROW) process. Coordination with the BLM, including archaeological studies and NEPA documentation is in progress. The FHWA NEPA is anticipated to take an additional three months and is expected to be completed by September 2012. The separate BLM's NEPA process is anticipated to take six months longer than the FHWA NEPA, and is expected to be completed by February 2013. The ROW process involves acquiring an easement(s) granting access to the County and its contractors.</p> <p>The County anticipates the NEPA processes to be completed by February 2013, and the ROW process with the BLM is anticipated to be completed by February 2014. Therefore, the County is requesting a 20-month time extension to February 28, 2014, for the allocation of the funds programmed for construction.</p>			

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4	County of Sacramento Sacramento County PPNO: 03-3190 Old Town Florin Streetscape Improvement project	\$0 \$0 \$0 \$2,346 \$2,346	12 Months 06/30/2013 Support
<p>The County of Sacramento (County) is requesting a 12-month extension to the period of project allocation for the construction phase of the Old Florin Town Streetscape Improvement project. The County has experienced delays due to the scope of the environmental studies and right-of-way issues, due to unforeseen issues regarding the State Historic Preservation Office (SHPO), which has resulted in a significant number of parcels added to the project scope.</p> <p>The original milestone target date for environmental clearance was August 2010. In 2010, the County’s Department of Environmental Review and Assessment prepared an Initial Study/Mitigated Negative Declaration (ISIMND) pursuant to CEQA Guidelines. The ISIMND was completed and circulated on January 6, 2011, and the project was heard before the Board of Supervisors and approved (along with CEQA findings) on May 24, 2011. In June 2011, a technical report was prepared and submitted to the SHPO that documented area resources, delineated a proposed Area of Potential Effects, and determined resource eligibility. SHPO determined that one historical district and several individual properties were eligible for listing in the National Register. To comply with the Secretary of the Interior’s Standards for the Treatment of Historic Properties, the project was redesigned. An Environmental Assessment was then prepared, pursuant to NEPA, using the new design. Subsequently, a Categorical Exclusion for NEPA was prepared and approved by California Department of Transportation on December 19, 2011. The new environmental document will require construction easements from twenty-eight parcels, which will take approximately 12 months to complete. Therefore, the County is requesting a 12-month time extension to June 30, 2013, for the allocation of funds programmed for construction.</p>			
5	City of San Jose Santa Clara County PPNO: 04-9035H Lower Guadalupe River Trail: Tasman Dr. Underpass project	\$0 \$0 \$0 \$660 \$660	12 Months 06/30/2013 Support
<p>The City of San Jose (City) is requesting a 12-month extension to the period of allocation for the construction of the Lower Guadalupe River Trail: Tasman Dr Underpass project (Under-Crossing). The Project overlaps the Lower Guadalupe River Trail (River Trail) (SCL050081) project. The Under-Crossing project is the subject of this time extension request and is a component of the River Trail. The City is proposing to sequence construction for these two projects to minimize impact to the public.</p> <p>The City has prepared the necessary NEPA environmental studies and completed construction documents to build the Under-Crossing. The City seeks to delay construction of the Under-Crossing because of its scheduled impact to the larger 6.4-mile River Trail project. The River Trail is developed upon the existing levee structures and is not subject to a seasonal closure. The Under-Crossing requires construction work to occur within the channel and would be subject to seasonal closures. Constructing the River Trail and Under-Crossing independently eliminates the risk of closing the entire 6.4 mile trail system for a prolonged and seasonally-required closure along one of the region’s most important bicycle commuter routes.</p> <p>Extending the construction closure period to beyond 12 months creates a negative impact to recreational users and poses an economic impact by limiting a commuting route for persons working in Silicon Valley. Construction of the River Trail is expected to be completed by May 2013. The City seeks to stage the Under-Crossing for immediate implementation thereafter. The City is requesting a 12-month time extension to June 30, 2013, for the allocation of funds programmed for construction.</p>			

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6	City of Marina Monterey County PPNO: 05-2297 Imjin Parkway Class II Bike Lane project, TE	\$0 \$0 \$0 \$2,000 \$2,000	12 Months 6/30/2013 Support
<p>The City of Marina (City) is requesting a 12-month extension to the period of project allocation for the construction of the Imjin Parkway Class II Bike Lane project. The City has experienced delays due to unforeseen environmental studies required for NEPA approval.</p> <p>The City originally anticipated receiving NEPA approval by April 2012. The scope of the environmental studies revealed a soil disturbance after completion of the project's design. The City notified the California Department of Transportation (Department) of the ground disturbance and on November 21, 2011, and then the City received the Preliminary Environmental Studies (PES). The PES revealed that a biological study and a cultural resource study were necessary for the project's area of potential impact.</p> <p>Due to requests for proposals for biological and cultural resource consultants, the consultant selection process, City Council approval, and processing of the consultant contract, the biological survey schedule was delayed from April to July 2011. As a result, the April 2012 deadline for completing the NEPA documents was not feasible. The plant survey is now scheduled for completion in July 2012. The Department will submit the studies to the United States Fish and Wildlife Service (USFWS) for review and approval, which will take about 135 days. The City estimates that upon receipt of the USFWS approval, the Department will be able to prepare a NEPA document by February 2013. To allow for any unforeseen issues, the City is adding a four-month contingency, but the City is committed to allocate construction funds as early as possible. Therefore, the City is requesting a 12-month time extension to June 30, 2013.</p>			
7	City of Los Angeles Los Angeles County PPNO: 07-4300A Figueroa Corridor Bike Station & Cycling project, TE	\$0 \$99 \$0 \$0 \$99	6 Months 12/31/2012 Support
<p>The City of Los Angeles (City) is requesting a six-month extension to the period of project allocation for the Plans, Specifications & Estimate (PS&E) of the Figueroa Corridor Bike Station and Cycling TE project. The City has experienced unforeseen delay due to Statue changes beyond their control.</p> <p>Delay of the project's delivery is attributable to the State Legislature's dissolution of Redevelopment Agencies as chaptered in Assembly Bill 1X 26 (ABX1 26). The lead agency/project sponsor at the time of the grant award was the Community Redevelopment Agency of the City of Los Angeles (CRA/LA). However, since the passage of ABX1 26 on June 29, 2011, the CRA/LA was not able to sign contracts for six months, including the Letter of Agreement with the local agency (Metro) for this project. Without the ability to sign contracts, the CRA/LA could not move forward with the design of the project, as they could not sign the Letter of Agreement or procure the services of a bike station vendor or architectural consulting firm.</p> <p>Following the State Supreme Court ruling on December 29, 2011, that upheld the dissolution of redevelopment agencies, the CRA/LA began working to identify a new lead agency/project sponsor within the City. The City of Los Angeles Department of Transportation has agreed to be the lead agency for the project. The City is diligently working on moving this project forward. Therefore, the City is requesting a six-month time extension to procure the services of a bike station vendor or architectural and engineering firm and allocation of the PS&E phase of the project to December 31, 2012.</p>			

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8	City of Lancaster Los Angeles County PPNO: 07-4318 Downtown Lancaster Gateway & Roundabout project, TE	\$0 \$0 \$0 \$896 \$896	14 Months 08/31/2013 Support
<p>The City of Lancaster (City) is requesting a 14-month extension to the period of project allocation for the construction of the Downtown Lancaster Gateway & Roundabout TE project. The City has experienced delays due to unforeseen environmental studies required for CEQA approval.</p> <p>The delay is due primarily to additional unforeseen Hazardous Waste and Cultural Resource studies needs. An Initial Site Assessment (ISA) or Site Investigation (SI), and/or an Aerially Deposited Lead (ADL) Study may be required. The City is currently in discussion with the California Department of Transportation (Department) District Hazardous Waste Coordinator to confirm the need. The Department is also requesting an Archeological Survey Report (ASR) and a Historic Property Survey Report (HPSR). An Environmental Impact Report (EIR) was prepared for the Downtown Specific Plan which included the intersection of Lancaster Boulevard and 10th Street West. As part of the EIR, the option of installing a roundabout at Lancaster Boulevard and 10th Street West was addressed. However, the need for these additional studies and reports were not anticipated.</p> <p>The Project's footprint exceeds the limits of the existing intersection and roadway in two locations. Due to both locations being fully developed/disturbed, the Initial Study (IS) and EIR finding less than significant impact to Cultural Resources, and because the EIR and a Historic-Period Building Survey did not identify either property as a "historical resource" as defined by the CEQA, it was anticipated that the project would qualify for a CE "with no required technical studies". The Preliminary Environmental Studies (PES) submittal was expected to take two weeks to complete as noted in the Local Assistance Procedures Manual (LAPM). Based on the LAPM requirement, a CE "with required technical studies" may take from one month to one year to complete. The City is still discussing the need for additional Hazardous Waste requested reports and the worst case estimate for revised PES approval is March 1, 2013.</p> <p>Although the City may submit the Commission allocation request to the Department once the PES has been approved, the City will still need to complete right of way (ROW) Certification and get Request for Authorization (RFA) prior to obtaining a Program Supplemental Agreement and Authorization to Proceed with Construction (E-76). The delay of PES approval has subsequently delayed the ROW Certification submittal and the RFA submittal. The City anticipates processing of the ROW Certification to take up to two months after PES approval on May 1, 2013. The City anticipates processing of the RFA submittal and issuance of the E-76 to take up to one month after ROW Certification on June 1, 2013. Therefore, the City is requesting a 14-month time extension to August 30, 2013, for the allocation of funds programmed for construction and to account for any unforeseen circumstances.</p>			

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9	County of Inyo Inyo County PPNO: 09-2556 Independence Town Rehabilitation project, TE	\$0 \$0 \$0 \$885 \$885	3 Months 09/30/2012 Support
<p>The County of Inyo (County) is requesting a three-month extension to the period of project allocation for the construction of the Independence Town Rehabilitation TE project. The County has experienced unforeseen delays due to unforeseen American with Disabilities Act (ADA) ramp design conforming issues.</p> <p>The County is requesting more time to deal with the complex engineering required for the ADA ramps. After surveying for the project was completed, the survey data indicated that the sidewalks in Independence are not uniform, and each ramp will require a unique design to tie into the existing sidewalks with the required grade. Approximately 20 ramps will need special engineering, and additional surveying data may also need to be collected in conformity with ADA requirements. Therefore, the County is requesting a three-month time extension to September 30, 2012.</p>			
10	City of Jackson Amador County PPNO: 10-0015A Kennedy Tailing Wheel Park Building project	\$0 \$0 \$0 \$455 \$455	12 Months 06/30/2013 Support
<p>The City of Jackson (City) is requesting a 12-month extension to the period of allocation for the construction of the Kennedy Tailing Wheel Park Building project. The City is requesting a time extension due to unforeseen delays in the environmental clearance process.</p> <p>The City does not anticipate obtaining environmental clearance in time to obtain the Authorization to Proceed with Construction (E-76), advertise, and award the contract. The California Department of Transportation (Department) is currently working with the City's environmental team to prepare and approve the Finding of Effect which will then be sent to the State Historic Preservation Office (SHPO) for review and approval. Under the current schedule, SHPO requires a minimum of four to six weeks to complete their work. The Department needs two weeks to obtain the E-76 approval, thus leaving one to two weeks to advertise the project. The project delay is anticipated to be one or two months, but there is the possibility that the delay will extend beyond the summer of 2012 construction window and go to construction during the summer of 2013 instead.</p> <p>The City is continuing to work diligently and anticipates construction to proceed in June 2013. Therefore the City is requesting a time extension of 12 months for allocation of the funds programmed for the construction component of the project. There will be no cost increase if construction is delayed 12 months. Therefore, the City is requesting a 12-month time extension to June 30, 2013.</p>			