

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 15-16, 2019

From: SUSAN BRANSEN, Executive Director

Reference Number: 4.14, Information

Prepared By: Chris Traina  
Chief Engineer

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Subject: **Draft Recommendations for the Local Bridge Seismic Retrofit Program**

## Summary:

The Local Bridge Seismic Retrofit Program was initially mandated by Senate Bill 36X (Kopp, Chapter 18, Statutes of 1989) after the October 17, 1989 Loma Prieta Earthquake. At that time, 1,235 local bridges in need of seismic retrofit work were identified and included in the Local Bridge Seismic Retrofit Program. To date, 46 of these bridges have not proceeded to the construction phase. Therefore, staff developed recommendations as set forth in this report to promote delivery of the remaining bridges. These recommendations are presented as information for purposes of receiving input prior to seeking the Commission's approval at the June 2019 meeting.

Between 1989 and 2002, the California Department of Transportation (Department) administered local bridge seismic safety for local agencies, counties and cities to deliver seismic retrofit projects utilizing federal Highway Bridge Replacement and Rehabilitation funding.

With the passage of Assembly Bill (AB) 2996 (Committee on Budget, Chapter 805, Statutes of 2002), the Local Bridge Seismic Retrofit Program became a discretionary program and local agencies had to secure the 11.5 percent required local match from local funds under their control. Project delivery became stagnant until the passage of the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Bond Act) that was approved by voters as Proposition 1B on November 7, 2006. The Bond Act provided the 11.5 percent required local match to complete the local agency seismic safety retrofit work.

At the January 2018 California Transportation Commission (Commission) meeting, Caltrans reported that 51 projects with nine separate owners were still in the post-strategy phase of design and were not progressing to construction or project

completion. Since that time, bridge owners whose projects were not making substantial progress and had not completed the National Environmental Policy Act evaluation process have entered into Project Delivery Agreements with the Department for 16 separate projects outlined in Attachment B. These delivery agreements state that if any phase of the project is not delivered in the year agreed upon, Highway Bridge Program funds could be withdrawn, and any federal funds used on the project would have to be returned. This requirement is consistent with Federal Highway Administration rules requiring repayment of preliminary engineering costs for projects that do not proceed in a timely manner.

At the March 2019 meeting, Caltrans reported that 47 projects have not progressed to the construction phase. At that time, the Commission requested that measures to ensure delivery of Local Bridge Seismic Retrofit Program projects be identified and brought forward for Commission consideration. Following this meeting, Commission staff, in concurrence with the Department and the Highway Bridge Program Advisory Committee (Committee), developed the following draft recommendations to promote delivery of the Local Bridge Seismic Retrofit Program projects that have not yet commenced to construction as listed in Attachments A and B:

1. The projects listed in Attachment A are projects that are currently in the design phase and do not have an executed project delivery agreement. These projects must begin construction or have an executed project delivery agreement for the project by September 30, 2019. Agencies that do not comply with this requirement will be ineligible to receive other Highway Bridge Program funding or to compete for funding in the Commission's competitive funding programs (the Active Transportation Program, the Local Partnership Program – Competitive, the Solutions for Congested Corridors Program, and the Trade Corridor Enhancement Program) until the project delivery agreement is executed or the bridge begins construction.
2. Agencies that fail to meet a milestone in a project delivery agreement (environmental clearance process completion, design completion, right-of-way certification, ready for construction advertisement) will be ineligible to receive other Highway Bridge Program funding or to compete for funding in the Commission's competitive funding programs until the conditions of the project delivery agreement are met. The Committee will consider allowing a revised project delivery agreement if an unforeseen and extraordinary circumstance beyond the control of the responsible agency has occurred that justifies the delay. Such a revision will only be considered once for each delivery deadline and will not exceed the period of delay directly attributed to the extraordinary circumstance.
3. Funding for projects within the Highway Bridge Program that have scour critical assessments or structural deficiencies prioritized to be more at risk than a project in the Local Bridge Seismic Retrofit Program will not be restricted.

4. Agencies must submit final invoices within 6 months of construction contract acceptance. Agencies that do not comply with this requirement will be ineligible to receive other Highway Bridge Program funding until they have provided documentation of construction contract acceptance on the project and have submitted final invoices to the Committee.

Commission staff will consider feedback on these draft recommendations, and present final recommendations for approval at the June 2019 Commission meeting.

**Background:**

The Bond Act established the Local Bridge Seismic Retrofit Account in the amount of \$125 million and specifically dedicated these state funds to provide the 11.5 percent required local match for the seismic retrofit work on local bridges, ramps, and overpasses as identified by the Department. The implementing legislation for the Bond Act, SB 88 (Committee on Budget and Fiscal Review, Chapter 181, Statutes of 2007), designated the Commission as the administrative agency responsible for programming Local Bridge Seismic Retrofit Account funds and authorized the adoption of guidelines for the use of these funds. The California Department of Finance set aside \$2.5 million to cover bond administrative costs, making \$122.5 million available for projects.

In May 2008, the Commission approved resolution LBS1B-G-0708-01 to adopt the Proposition 1B Local Bridge Seismic Retrofit Account Guidelines. The guidelines allowed for funding of new phases of work on a first come, first served basis. With cost increases for eligible bridges thought to be highly probable, the Department agreed to exchange a portion of the local share of funds received through the federal Highway Bridge Program for state funds to accommodate the seismic retrofit match needs, up to \$32.9 million. The intent of this exchange was to fully fund the Local Bridge Seismic Retrofit Program required local match at \$155.4 million (\$122.5 Local Bridge Seismic Retrofit Account and \$32.9 million Department exchange).

The Department is responsible for issuing detailed criteria for the programming, selection, and funding of local bridge projects consistent with Federal guidelines. In May 2008, the Department formed the Committee to obtain input and advice from stakeholders and to provide a forum to confer with cities and counties on local bridge funding and programming matters within the Highway Bridge Program. The Committee is comprised of the Department Local Assistance Division Chief and technical staff from the California State Association of Governments, the California State Association of Counties, the League of California Cities, the Federal Highway Administration, the California Association of Councils of Governments and the Commission. The key functions of the Committee are to provide stakeholder input and advice to the Department in the development and implementation of policies and

procedures for the Highway Bridge Program, promote organizational effectiveness and efficiency on local bridge program delivery, ensure the most cost effective projects are selected for the program in compliance with applicable federal and state laws and regulations, and to provide effective leadership at the federal, state, and local levels.

At the time the Bond Act was approved, the Department reported that local agencies had completed retrofit work on 756 of the 1,235 bridges leaving 479 local bridges initially eligible for Local Bridge Seismic Retrofit Account funding in need of seismic retrofit. Between 2008 and 2018, the Department, working with the Committee, removed 104 bridges from the Local Bridge Seismic Retrofit Program that were retrofitted with other funds, demolished or removed, or found to be privately owned.

In January 2018, the Department reported that 375 local bridges remained in the program. Of the 375 bridges remaining in the program, construction was complete on 311 bridges and 51 bridges were in various stages of the design and pre-strategy phase, and 13 bridges were in construction. Commission and Department staff, in conjunction with the Committee, reviewed the project list to identify bridge owners who had shown little to no progress on the work necessary for these bridges to achieve seismic safety. At the March 2018 Commission meeting, several bridge owners briefed the Commission on their projects and discussed their plans to advance bridge projects to completion. In May 2018, the Commission sent letters to bridge owners asking them to work with the Department to develop a work plan for each project.

As of April 9, 2019, there are 63 bridges remaining on the Local Bridge Seismic Retrofit Program project list with 17 of these bridges outlined in Attachment C currently in the construction phase. The delivery schedule for the remaining 46 bridges is summarized in the table below:

<b>Forecasted Delivery Fiscal Year</b>	<b>Number of Projects</b>
2018-19	6
2019-20	22
2020-21	10
2021-22	4
2022-23	3
2023-24	1
<b>Total</b>	<b>46</b>

Attachments:

- Attachment A: Projects without Delivery Agreements
- Attachment B: Projects with Delivery Agreements
- Attachment C: Projects in Construction

Attachment A- Projects without Delivery Agreements  
May 10, 2019

Bridges in Design Phase (No Project Delivery Agreement)

District	County	Agency	Bridge ID	Project Title	Scope	Forecasted Right of Way Bond Amount	Forecasted Construction Bond Amount	Begin Design Date	NEPA Comp.	Forecasted Design End Date	Forecasted Construction Begin Date	Forecast Construction End Date
11	IMP	Imperial County	58C0094	Winterhaven Drive	Retrofit	\$0	\$152,780	9/8/08	8/30/16	4/21/18	12/10/18	1/21/19
07	LA	Los Angeles	53C1882	Hyperion Avenue	Retrofit	\$0	\$290,191	11/14/00	2/4/15	12/31/18	1/1/19	6/30/22
05	SCR	Santa Cruz	36C0108	Murray Avenue	Replace	\$38,540	\$1,065,678	7/10/09	6/30/11	4/30/19	4/1/19	4/1/20
04	SON	Sonoma County	20C0262	Boyes Boulevard	Replace	\$74,555	\$676,730	9/3/96	12/11/18	3/1/17	5/3/19	11/30/21
08	SBD	Barstow	54C0088	North 1st Avenue	Replace	\$0	\$350,000	3/26/13	9/15/16	5/6/19	6/1/19	5/3/21
10	STA	Stanislaus County	38C0010	Crows Landing	Replace	\$0	\$745,550	4/1/98	4/9/13	12/31/18	6/1/19	6/30/21
10	STA	Stanislaus County	38C0004	Hickman Road	Replace	\$0	\$820,105	4/11/12	1/16/18	3/1/19	7/1/19	12/30/20
04	SOL	Vallejo	23C0152	Sacramento Street	Replace	\$0	\$219,000	11/15/11	3/1/17	12/31/18	7/1/19	12/31/19
07	LA	Los Angeles	53C1883	Glendale Boulevard	Retrofit	\$0	\$114,700	11/14/00	2/4/15	12/31/18	8/1/19	9/30/22
07	LA	Los Angeles	53C1884	Glendale Boulevard	Retrofit	\$0	\$114,700	11/14/00	2/4/15	12/31/18	8/1/19	9/30/22
07	LA	Los Angeles	53C1881	Hyperion Avenue	Retrofit	\$0	\$1,220,371	11/14/00	2/4/15	12/31/18	8/31/19	9/30/22
04	SF	San Francisco County Transportation Authority	01CA0003	East Bound I-80 off ramp connecting to Treasure Island Road (2 Bridges)	Replace	\$34,410	\$1,096,115	8/20/10	12/20/12	9/30/19	9/30/19	6/30/21
04	SF	San Francisco County Transportation Authority	01CA0006	Hillcrest Road West of Yerba Buena Island	Replace	\$0	\$264,672	8/20/10	12/20/12	9/30/19	9/30/19	7/31/21
04	SF	San Francisco County Transportation Authority	01CA0002	West Bound I-80 on ramp West of Yerba Buena Island	Replace	\$63,085	\$2,471,629	8/20/10	12/20/12	9/30/19	9/30/19	7/31/21
04	SF	San Francisco County Transportation Authority	01CA0004	Treasure Island Road West of SFOBB	Retrofit	\$0	\$223,487	8/20/10	12/20/12	9/30/19	9/30/19	7/31/21
04	SF	San Francisco County Transportation Authority	01CA0008	Treasure Island road West of SFOBB	Retrofit	\$0	\$65,450	8/20/10	12/20/12	9/30/19	9/30/19	7/31/21
04	SF	San Francisco County Transportation Authority	01CA007A	Treasure Island Road West of SFOBB	Retrofit	\$0	\$35,119	8/20/10	12/20/12	9/30/19	9/30/19	7/31/21
04	SF	San Francisco County Transportation Authority	01CA007B	Treasure Island Road west of SFOBB	Retrofit	\$0	\$46,294	8/20/10	12/20/12	9/30/19	9/30/19	7/31/21
08	RIV	Indio	56C0084	Jackson Street	Retrofit	\$0	\$277,777	8/15/07	2/11/20	5/30/19	10/17/19	10/25/20
08	SBD	Colton	54C0077	La Cadena Drive	Replace	\$0	\$134,199	4/13/12	12/29/16	12/31/18	10/31/19	9/30/21
05	SB	Santa Barbara County	51C0006	Floradale Avenue	Replace	\$29,822	\$1,468,389	4/1/99	5/6/15	10/31/19	11/1/19	12/21/25
08	RIV	Indio	56C0292	North Bound Indio Boulevard	Retrofit	\$5,735	\$241,868	4/15/10	3/25/10	8/3/19	11/29/19	11/28/20
07	LA	Los Angeles County	53C0084	Slauson Avenue	Retrofit	\$0	\$128,805	Self funded	9/3/13	10/30/19	12/1/19	3/30/22
05	MON	Monterey County	44C0009	Nacimiento Lake Drive	Replace	\$34,339	\$805,194	9/1/98	12/18/12	12/31/08	12/1/19	12/31/20
04	SF	San Francisco County Transportation Authority	01CA0001	West Bound SFOBB on ramp West of Yerba Buena Island	Retrofit	\$0	\$47,890	8/20/10	12/20/12	9/30/19	1/1/20	7/31/21
08	SBD	Grand Terrace	54C0379	Barton Road	Replace	\$0	\$52,188	6/16/17	12/1/19	4/30/20	7/1/20	6/30/21
01	MEN	Mendocino County	10C0034	Eureka Hill Road	Retrofit	\$0	\$464,535	5/1/01	9/3/20	8/15/20	8/15/20	3/31/21
11	IMP	Imperial County	58C0014	Forrester Road	Replace	\$28,675	\$725,569	9/16/16	9/1/20	7/21/21	8/21/21	2/21/22
04	SON	Sonoma County	20C0155	Wohler Road	Retrofit	\$11,470	\$1,591,563	4/8/13	7/17/15	9/29/21	10/1/21	12/31/23
08	SBD	San Bernardino Associated Governments	54C0066	Mount Vernon Avenue	Replace	\$0	\$3,452,670	8/24/17	6/11/11	10/4/21	6/5/22	2/24/24
<b>Totals</b>						<b>\$320,631</b>	<b>\$19,363,218</b>					

Attachment B- Projects with Delivery Agreements  
 May 10, 2019

Bridges in Design Phase (With Project Delivery Agreement)

District	County	Agency	Bridge ID	Project Title	Scope	Forecasted Right of Way Bond Amount	Forecasted Construction Bond Amount	Begin Design Date	NEPA Comp.	Forecasted Design End Date	Forecasted Construction Begin Date	Forecasted Construction End Date
08	SBD	Colton	54C0101	Mount Vernon Avenue	Retrofit	\$0	\$19,384	3/1/12	2/23/18	12/31/19	1/1/20	12/31/22
08	RIV	Lake Elsinore	56C0309	Auto Center Drive	Retrofit	\$0	\$379,794	10/1/18	12/1/19	6/30/20	6/1/20	11/30/21
07	LA	Los Angeles County	53C1403	The Old Road	Retrofit	\$0	\$402,429	9/10/10	11/1/19	4/30/20	6/30/20	9/30/22
04	CC	Orinda	28C0331	Bear Creek Road	Retrofit	\$0	\$11,929	9/14/18	2/1/20	10/1/19	8/1/20	12/1/21
08	RIV	Riverside County	56C0071	Mission Boulevard//Buena Vista	Replace	\$57,350	\$2,518,000	7/7/10	10/1/18	7/15/20	9/15/20	7/15/23
04	ALA	Oakland	33C0215	Leimert Boulevard	Retrofit	\$28,675	\$557,968	4/27/14	9/1/19	8/1/20	12/1/20	8/1/22
10	STA	Stanislaus County	39C0001	River Road	Retrofit	\$0	\$670,995	8/1/18	1/1/20	11/1/20	1/1/21	10/1/22
04	CC	Orinda	28C0330	Miner Road	Retrofit	\$3,854	\$141,091	9/10/18	3/1/20	10/1/20	1/29/21	6/1/22
04	CC	Contra Costa County	28C0442	Marsh Drive	Replace	\$0	\$506,928	11/14/16	12/1/19	12/1/20	2/1/21	7/1/24
08	SBD	Barstow	54C0583	Yucca Street	Retrofit	\$0	\$50,000	7/3/17	1/1/19	11/30/20	3/1/21	3/1/22
04	SON	Sonoma County	20C0017	Watmaugh Road	Replace	\$28,675	\$573,500	7/9/09	7/1/19	2/1/21	4/1/21	10/1/22
01	HUM	Humboldt County	04C0055	Mattole Road (Honeydew)	Replace	\$3,441	\$688,200	9/15/09	6/1/20	1/1/21	5/1/22	10/1/23
08	SBD	Barstow	54C0089	North 1st Avenue	Replace	\$0	\$82,010	8/15/14	7/1/19	2/1/22	7/1/22	7/1/24
08	SBD	Colton	54C0100	Mount Vernon Avenue	Retrofit	\$0	\$71,285	3/13/12	12/31/20	6/30/22	7/1/22	6/30/24
04	SON	Sonoma County	20C0018	Bohemian Highway	Replace	\$45,880	\$1,912,508	4/10/12	4/1/22	10/1/23	12/1/23	10/1/23
11	SD	Oceanside	57C0010	Douglas Drive	Retrofit	\$0	\$2,090,866	8/6/13	6/1/19	7/1/24	7/21/24	8/19/26
<b>Totals</b>						<b>\$167,875</b>	<b>\$10,676,887</b>					

Bridges in Construction Phase

District	County	Agency	Bridge ID	Project Title	Forecasted Right of Way Bond Amount	Forecasted Construction Bond Amount	Forecasted Construction Begin Date	Forecasted Construction End Date
07	LA	Los Angeles	53C0859	North Spring Street	\$0	\$229,400	7/17/12	11/30/18
04	SF	San Francisco County Transportation Authority	34U0003	Ramps on East side of Yerba Buena Island Tunnel at SFOBB on/off of I-80	\$114,700	\$8,888,946	7/30/13	12/31/18
05	SB	Santa Barbara County	51C0001	Cathedral Oaks Road	\$0	\$229,400	4/1/14	6/19/19
04	ALA	Oakland	33C0030	Embarcadero Street	\$0	\$1,696,681	4/2/14	12/31/18
04	ALA	Fremont	33C0128	Niles Boulevard	\$0	\$589,299	4/4/14	12/31/18
07	LA	Los Angeles	53C1880	Sixth Street	\$0	\$31,851,593	2/2/15	12/31/21
05	SB	Santa Barbara County	51C0017	Jalama Road	\$9,176	\$244,175	3/24/15	12/31/18
01	HUM	Humboldt County	04C0104	Waddington Road	\$1,147	\$150,000	6/9/15	12/1/17
10	SJ	Tracy	29C0126	Eleventh Street	\$0	\$2,278,743	10/6/15	1/30/19
07	LA	Los Angeles	53C0045	Beverly-First Street	\$0	\$848,780	4/1/17	2/28/19
10	SJ	San Joaquin County	38C0032	Mchenry Avenue	\$0	\$238,576	4/24/17	4/24/20
10	STA	Stanislaus County	38C0003	Santa Fe Avenue	\$0	\$536,796	8/1/17	12/31/19
04	CC	Pittsburg	28C0165	North Parkside Drive	\$0	\$44,214	2/1/18	1/25/19
04	ALA	Oakland	33C0148	23rd Avenue	\$108,965	\$1,149,868	5/1/18	12/31/19
06	KER	Bakersfield	50C0021L	Manor Street North Bound	\$0	\$298,220	12/3/18	12/31/19
06	KER	Bakersfield	50C0021R	Manor Street South Bound	\$0	\$298,220	12/3/18	12/31/19
02	TEH	Tehama County	08C0043	Jellys Ferry Road	\$11,000	\$4,574,950	10/18/19	10/18/21
				<b>Totals</b>	<b>\$244,988</b>	<b>\$54,147,861</b>		