

MEMORANDUM

TAB 128

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 17-18, 2022

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8i.(4), Action Item **YELLOW MEETING HANDOUT**

Prepared By: James R. Anderson, Chief
Division of Financial Programming

Subject: **POST-FACT REQUEST TO EXTEND THE PERIOD OF PROJECT COMPLETION FOR A STATE-ADMINISTERED SENATE BILL 1 SOLUTIONS FOR CONGESTED CORRIDORS PROGRAM PROJECT ON THE STATE HIGHWAY SYSTEM, PER THE SB 1 SCCP GUIDELINES WAIVER 22-147**

ISSUE:

Should the California Transportation Commission (Commission) approve a Post-Fact time extensions, to complete construction for the State-Administered Senate Bill 1 (SB1) Solutions for Congested Corridors Program (SCCP) US 101 Managed Lanes Project - Southern Segment (PPNO 0658H), in San Mateo County, for the time period as described in the attachment?

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the Commission approve this Post-Fact time extension, to complete construction for the State-Administered SB1 SCCP US 101 Managed Lanes Project - Southern Segment (PPNO 0658H), in San Mateo County, for the time period as described in the attachment.

BACKGROUND:

In December 2018, the Commission allocated \$74,810,000 in construction capital and support for the the State-Administered SB1 SCCP US 101 Managed Lanes Project - Southern Segment. In accordance with the SCCP Guidelines, the deadline to complete the Construction Contract Acceptance (CCA) for projects awarded in December 2018 is December 31, 2021. However, the Department did not meet this deadline, and is now requesting a Post-Fact time extension for this phase.

“Provide a safe and reliable transportation network that serves all people and respects the environment.”

These projects are coming to the Commission as Post-Fact time extension requests because they were not identified by one of the Department's project delivery reporting tools. The tool was developed primarily to track and report SHOPP project time extensions; however, it was discovered that the report was not capturing the entire population of projects, due to the way data was being filtered. This filtering resulted in missed/unidentified projects that needed time extensions across all programs (SHOPP and Non-SHOPP), as the reporting and tracking tool did not capture and alert all exceptions related to time extensions and timely use of funds requirements, due to various program nuances. As a result, the Department missed the submittal deadlines past the Timely Use of Funds (TUF) deadlines because the tool did not flag these types of projects.

The Department created the current list before the Commission by performing a detailed review through a manual analysis of each record which involved investigation all phases of the project in conjunction with the TUF requirements. The Department has made several enhancements and updates to the filtering of the tracking tool to make tracking and monitoring project related TUF information more accessible. The Department recognizes the need for better communication and education of the TUF requirements throughout the Department and making it part of the regular monitoring and oversight of the project delivery process.

The Department looks forward to the continued partnership with Commission staff and further discussions toward streamlining how the Department can improve its performance by meeting the TUF requirements.

Attachment

Post-Fact Time Extension/Waiver – Project Completion for Senate Bill 1 Solutions for Congested Corridors Program

Project Number: 1
Applicant: Department of Transportation
County: San Mateo
District: 04
PPNO: 0658H
EA: 1J561
Route: 101
Allocation Amount: \$74,810,000
Phase: CON/CON Support
Allocation Date: 12/05/2018
Allocation Resolution Number: SCCP-A-1819-05
Award Date: 12/21/2018
Project CCA Date: 08/01/2022
Post Fact Months Approved by Commission to August 2022: 8 Months
Extended Deadline: 08/31/2022

US 101 Managed Lanes Project - Southern Segment

The Department requests an 8-month post-fact time extension to complete the construction (CON) phase of the US 101 Managed Lanes Project - Southern Segment. The Department has experienced to experience delays in completing construction prior to construction contract acceptance (CCA).

This project is located on United States Highway 101 (US 101) in the City of Palo Alto, from 2 miles south of the Santa Clara County Line to the Whipple Avenue Interchange, and intends to convert existing High Occupancy Vehicle (HOV) Lanes to Express Lanes. This project was being delivered using Construction Management General Contractor method.

This project was awarded on December 21, 2018, and construction began shortly thereafter. This project is one of four projects in the corridor (EAs 04-1J561, 04-1J569, 04-1J568, and 04-1J567) and was constructed first and was anticipated to be completed by December 2021. However, due to unforeseen delays, the project reached CCA on August 1, 2022.

During construction, multiple contract change orders, as well as weather delays, resulted in the need for additional working days. Prior to the CCA of this project, the Department missed the opportunity to request a completion time extension prior to the deadline due to an oversight.

In addition to contract change orders and weather delays, the project remained open to be able to retain the civil contractor for this project, who was also coordinating work with a separate system integrator contractor on an adjacent corridor project (EA 04-1J568). The adjacent project includes the installation of hardware and software equipment required to activate the express lane system. Since these projects are related to the corridor, coordination during construction was required. This caused further delays in reaching CCA.

Therefore, the Department is requesting an 8-month post-fact time extension for project completion to allow sufficient time to complete and finalize construction and CCA from December 31, 2021 to August 31, 2022.