

MEMORANDUM

TAB 110

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: December 7-8, 2022

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.8c.(1), Action Item – ***YELLOW REPLACEMENT ITEM***

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

Subject: **REQUEST TO EXTEND THE PERIOD OF PROJECT COMPLETION FOR STATE-ADMINISTERED SHOPP PROJECTS, ON THE STATE HIGHWAY SYSTEM, PER SHOPP GUIDELINES WAIVER 22-169**

Book Item Update: *After discussion with CTC staff, it was recommended that three projects be identified as “Post-Fact time extensions as exceptions to the SHOPP Guidelines” in both the Book Item and the Book Item Attachment. These projects are Project 6 (PPNO 08-0007N/EA 1C380), Project 7 (PPNO 08-0005U/EA 1C210), Project 8 (PPNO 08-3009A/EA 38423).*

ISSUE:

Should the California Transportation Commission (Commission) approve time extensions, to complete Construction, for nine State Highway Operation and Protection Program (SHOPP) projects, as described in the attachment?

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the Commission approve time extensions to complete Construction (CON), for nine SHOPP projects, as described in the attachment.

BACKGROUND:

In 2018 and 2019, the Commission allocated \$354,089,000 in Construction Capital (CON/CON Support) for the attached nine SHOPP project phases. These projects were awarded in October, and December 2019, and January 2020. In accordance with the SHOPP Guidelines (Guidelines), the deadline to complete the Construction Contract Acceptance (CCA) for projects awarded in October and December 2019, and January 2020, is October, and December 2022, and January 2023, respectively. Because the Department will not meet these deadlines, the Department is now requesting time extensions in accordance with the SHOPP Guidelines and Post-Fact time extensions as an exception to the SHOPP Guidelines

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to complete CON. The attachment shows the details of the projects and the delays that have resulted in these time extension requests.

Current Guidelines stipulate that the agency implementing a project request a time extension if the project will not be completed within 36 months after award. The Commission may approve waivers to the timely use of funds deadline one-time only for up to 20 months.

Attachment

**Time Extension/Waiver – Project Completion for
State Highway Operation and Protection Program**

Project Number: 1
County: Humboldt
District: 01
PPNO: 2400
EA: 0E770
Route: 101
Allocation Amount: \$11,529,000
Phase: CON/CON Support
Allocation Date: 08/14/2019
Allocation Resolution Number: FP-19-12
Award Date: 01/21/2020
Number of Months Requested: 12 Months
Extended Deadline: 01/31/2024
Department Recommendation: Support

SHOPP Bridge Preservation project

The Department requests a 12-month time extension to complete the Construction (CON) phase for the SHOPP Bridge Preservation project in Humboldt County. The Department has experienced unexpected delays in completing construction.

This project is located on United States Highway 101 (U.S. 101), at the South Fork Eel River Bridge and Separation (No. 04-0065) and at the Arcata Overhead (No. 04-0079). The project intends to strengthen two bridge structures by installing prestressed strand ducts. The project has a deadline of January 31, 2023, to complete CCA.

During the CON of this project, the Department encountered unforeseen conflicts with the existing structural steel cross-frames of the bridge and the design plans. The existing cross-frames would cause interference with the proposed location of the planned installing prestressed strand ducts needed to strengthen the bridge girders. The location of the ducts could not feasibly be changed without costly redesign work, so the best course of action for the Department was to modify the existing cross-frames to eliminate the interference and allow unobstructed installation of the prestressed strand ducts. This work required the fabrication, cleaning, painting, and installation of over 200 new structural steel components. This required additional time for the Department to complete construction and reach CCA.

Therefore, the Department is requesting a 12-month time extension to allow sufficient time to complete the construction and finalize CCA from January 31, 2023 to January 31, 2024.

Project Number: 2
County: Napa
District: 04
PPNO: 0380N
EA: 2A32A
Route: 121
Allocation Amount: \$100,000
Phase: CON/CON Support
Allocation Date: 06/27/2018
Allocation Resolution Number: FP-17-60
Award Date: 01/23/2019
Number of Months Requested: 60 Months
Extended Deadline: 01/31/2028
Department Recommendation: Support

SHOPP Bridge Scour project

The Department requests a 60-month time extension to complete the CON phase of the SHOPP Bridge Scour project in Napa County; a 12-month time extension was requested and approved at the time of allocation. The Department has experienced unexpected delays in completing construction.

This project is located on SR 121 at Sarco Creek Bridge (No. 21-0008) and will perform plant establishment for the bridge replacement project EA 04-2A320. The project has a deadline of January 31, 2023, to complete the CCA.

This plant establishment, mitigation, and monitoring project is a follow-up project for the construction of the new Sarco Creek Bridge (EA 04-2A320). As part of the permit conditions from the Regional Water Quality Control Board and the California Department of Fish and Wildlife, the project is required to have 10 years of water quality monitoring prior to CCA. The Department is complying with this requirement by providing one year of coverage under EA 04-2A320, and four years under a child project (EA 04-2A32A) to accommodate the entire 10 years of plant establishment included in the main project and nine years under this project. Therefore, the Department needs additional 60 months to satisfy the permit requirements for reaching CCA. Unfortunately, the additional time to complete the Plant Establishment Period and weed control was not requested at the time of the construction allocation.

Therefore, the Department is requesting a 60-month time extension as an exception to the SHOPP guidelines to allow sufficient time to complete the plant establishment, perform safety reviews, and finalize CCA from January 31, 2023 to January 31, 2028.

Project Number: 3
County: Sonoma
District: 04
PPNO: 1482F
EA: 0J642
Route: 101
Allocation Amount: \$78,935,000
Phase: CON/CON Support
Allocation Date: 08/14/2019
Allocation Resolution Number: FP-19-12
Award Date: 12/24/2019
Number of Months Requested: 20 Months
Extended Deadline: 08/31/2024
Department Recommendation: Support

SHOPP Roadway Preservation project

The Department requests a 20-month time extension to complete the CON phase of the SHOPP Roadway Preservation project in Sonoma County. The Department has experienced unexpected delays in completing construction.

This project is located on U.S. 101 in the Cities of Windsor, Healdsburg, and Cloverdale, from Old Redwood Highway to 2.0 miles south of the Mendocino County line, and intends to rehabilitate pavement. The project has a deadline of December 31, 2022, to complete the CCA.

This project requires a 3-year Plant Establishment Period (PEP) and a 2-year weed control per the permit issued by the Regional Water Quality Control Board to begin after the irrigation system installation work and the vegetation planting are completed. It took the Department 30 months to complete these activities and start the 3-year PEP. The PEP started on June 30, 2022, and this 20-month time extension would cover 2 years and 2 months of the mandatory 3-year PEP to be fulfilled during this project. The remaining 2 years and 10 months of the monitoring can be achieved under a project in the vicinity; which would be able fulfill the permit requirements before this project's CCA date. Unfortunately, the additional time to complete the PEP and weed control was not requested at the time of allocation.

Therefore, the Department is requesting a 20-month time extension to allow sufficient time to complete the plant establishment, perform safety reviews, and finalize CCA from December 31, 2022 to August 31, 2024.

Project Number: 4
County: Los Angeles
District: 07
PPNO: 4709
EA: 30370
Route: 101
Allocation Amount: \$37,001,000
Phase: CON/CON Support
Allocation Date: 08/14/2019
Allocation Resolution Number: FP-19-12
Award Date: 12/19/2019
Number of Months Requested: 15 Months
Extended Deadline: 03/31/2024
Department Recommendation: Support

SHOPP Safety Enhancements project

The Department requests a 15-month time extension to complete the CON phase of the SHOPP Safety Enhancements project in Los Angeles County. The Department has experienced unexpected delays in completing construction.

This project is located in on U.S. 101 the City of Los Angeles, from Pilgrimage Bridge to Valley Circle Boulevard/Mulholland Drive, and intends to upgrade the median concrete barrier to meet the current standards.

The project has a deadline of December 31, 2022, to complete CCA. However, the project was suspended at the beginning of the COVID-19 pandemic (Pandemic). The contractor requested pre-construction suspension from March 2020 to September 2020, due to difficulties in procuring equipment, materials, and labor. The Pandemic impacted work by limiting the workforce and restricting the supply chain. Once the contractor started work, labor and material shortages were encountered, which slowed the construction progress.

Additionally, there were differing site conditions encountered in multiple stages of work which could not have been ascertained during the design phase. The existing concrete barrier had deeper footing than what was shown on the plans, and removing the deeper footing had caused some inefficiency; in addition to the buried fence posts and cable railings posts that were discovered during excavation and had to be removed. This resulted in additional time to perform the work and led the Department to grant the contractor 50 additional working and 65 of non-working days to accommodate for the delays caused by bad weather.

The project's main scope is to replace the median barrier placed between the median shoulders with non-standard shoulder widths. Due to the narrow work area, the contractor has to relocate and reset the temporary railings every work shift to conduct the work. Aggravated by the differing site conditions encountered during the excavation, the contractor is claiming a lot of

inefficiency for the work. The project is approximately 75 percent complete. The remaining stages include the most restrictive work areas compared to the completed stages.

Therefore, the Department is requesting a 15-month time extension to allow sufficient time to complete the construction, perform safety reviews, and finalize CCA from December 31, 2022 to March 31, 2024.

Project Number: 5
County: Los Angeles
District: 07
PPNO: 4814
EA: 31140
Route: 101
Allocation Amount: \$5,132,000
Phase: CON/CON Support
Allocation Date: 08/14/2019
Allocation Resolution Number: FP-19-12
Award Date: 12/19/2019
Number of Months Requested: 20 Months
Extended Deadline: 08/31/2024
Department Recommendation: Support

SHOPP Storm Water Mitigation project

The Department requests a 20-month time extension to complete the CON phase of the SHOPP Storm Water Mitigation project, in Los Angeles County. The Department has experienced unexpected delays in completing construction.

This project is located in the City of Los Angeles, from 0.1 mile north of U.S. 101 to 0.1 mile south of North Gower Street. The project intends to provide storm water mitigation by installing vegetation control and a supporting irrigation system to stabilize the soil surface, prevent erosion, and reduce sedimentation at the source. The project has a deadline of December 31, 2022, to complete the CCA.

The Department is unable to complete the project CCA due to the contractor defaulting on the contract and failing to meet the contractual obligations to complete the project. This project's construction is over 85 percent complete. However, completion of the project is on hold as the contractor did not conclude the remaining work. The unfinished items will be completed using the Bond/Surety by the Department's District Division of Construction.

Once this requested additional time is approved, the Department will be able to complete the remaining work plus 14 of the original 36 months of plant establishment, at which time the Department will initiate a Minor project to continue and complete the remaining 22 months of plant establishment.

Therefore, the Department is requesting a 20-month time extension to allow sufficient time to complete construction, the plant establishment, and finalize CCA from December 31, 2022 to August 31, 2024.

Project Number: 6
County: Riverside
District: 08
PPNO: 0007N
EA: 1C380
Route: 10
Allocation Amount: \$204,521,000
Phase: CON/CON Support
Allocation Date: 08/15/2018
Allocation Resolution Number: FP-18-01
Award Date: 11/26/2019
Number of Months Requested: 6 Months
Extended Deadline: 05/31/2023
Department Recommendation: Support

SHOPP Roadway Preservation project

The Department requests a 6-month time extension to complete the CON phase of the SHOPP Roadway Preservation project in Riverside County. The Department has experienced unexpected delays in completing construction.

This project is located on Interstate 10 (I-10) in the Cities of Beaumont and Banning, from Pennsylvania Avenue to SR 111, and intends to rehabilitate pavement. The project is combined with EA 08-1C210 for CON under EA 08-1C38U. The Department is also requesting a contract award time extension concurrently for EA 08-1C210 at the December 2022 Commission meeting.

This project's current deadline to complete CCA is November 30, 2022. However, the Department encountered unanticipated delays have pushed out CCA past its originally scheduled milestone date. These delays include modifications to enhance visibility and safety, upgrading traffic stripes from tape to paint, and minor changes to pavement strategies. As a result, additional working days are needed to complete the remaining construction work and to accommodate the delay due to bad weather days that delayed the CON progress.

Therefore, the Department is requesting a 6-month Post-Fact time extension, as an exception to the SHOPP Guidelines, to allow sufficient time to complete construction and finalize CCA from November 30, 2022 to May 31, 2023.

Project Number: 7
County: Riverside
District: 08
PPNO: 0005U
EA: 1C210
Route: 10
Allocation Amount: \$1,303,000
Phase: CON/CON Support
Allocation Date: 08/15/2018
Allocation Resolution Number: FP-18-01
Award Date: 11/26/2019
Number of Months Requested: 6 Months
Extended Deadline: 05/31/2023
Department Recommendation: Support

SHOPP Roadside Safety Improvements project

The Department requests a 6-month time extension to complete the CON phase of the SHOPP Roadside Safety Improvements in Riverside County. The Department has experienced unexpected delays in completing construction.

This project is located in the City of Beaumont, from SR 60 westbound offramp to 0.3 mile east of Highland Springs Avenue, and intends to improve roadside safety. The project is combined with EA 08-1C380 for CON under EA 08-1C38U. The Department is also requesting a contract award time extension concurrently for EA 08-1C380 at the December 2022 Commission meeting.

The project's current deadline to complete CCA is November 30, 2022. However, the Department encountered unanticipated delays have pushed out CCA past its originally scheduled milestone date. These delays include modifications to enhance visibility and safety, upgrading traffic stripes from tape to paint, and minor changes to pavement strategies. As a result, additional working days are needed to complete the remaining construction work and to accommodate the delay due to bad weather days that delayed the CON progress.

Therefore, the Department is requesting a 6-month Post-Fact time extension, as an exception to the SHOPP Guidelines, to allow sufficient time to complete construction and finalize CCA from November 30, 2022 to May 31, 2023.

Project Number: 8
County: San Bernardino
District: 08
PPNO: 3009A
EA: 38423
Route: 10
Allocation Amount: \$8,722,000
Phase: CON/CON Support
Allocation Date: 08/14/2019
Allocation Resolution Number: FP-19-12
Award Date: 10/30/2019
Number of Months Requested: 6 Months
Extended Deadline: 04/30/2023
Department Recommendation: Support

SHOPP Transportation Management project

The Department requests a 6-month time extension to complete the CON phase, for the SHOPP Transportation Management project, in San Bernardino County. The Department has experienced unexpected delays in completing construction.

This project is located on I-10 in the City of Redlands from I-210 Junction to the Riverside County line and intends to install wireless vehicle detection station poles, changeable message signs, closed circuit television, data node cabinets and fiber optic elements.

The project's deadline to complete CCA is October 31, 2023. However, due to unanticipated delays encountered in procuring electrical materials (transformers, fiber optic lines, and electrical cabinets), as well as coordination with Southern California Edison to provide power to the electrical systems, the completion has been moved out.

The project was awarded on October 30, 2019, but delays in obtaining materials impacted the beginning of construction by several months. Subsequently, the Pandemic impacts caused additional delays since the contractor stopped operations for several months after the project was awarded. In addition, due to staff turnover, the construction staff have also faced challenges in scheduling time with Southern California Edison to provide power. As a result, the target construction completion date was not achieved, and additional time is needed to ensure that power is provided to the electrical systems, the lines are tested, and other remaining work gets finalized.

Therefore, the Department is requesting a 6-month Post-Fact time extension, as an exception to the SHOPP Guidelines, to allow sufficient time to complete construction and finalize CCA from October 31, 2022 to April 30, 2023.

Project Number: 9
County: Orange
District: 12
PPNO: 4642A
EA: 0N490
Route: 91
Allocation Amount: \$6,846,000
Phase: CON/CON Support
Allocation Date: 05/15/2019
Allocation Resolution Number: FP-18-63
Award Date: 12/29/2019
Number of Months Requested: 12 Months
Extended Deadline: 12/31/2023
Department Recommendation: Support

SHOPP Weight Stations and Weight in Motion Facilities project

The Department requests a 12-month time extension to complete the CON phase of the SHOPP Weight Stations and Weight in Motion Facilities in Orange County. The Department has experienced unexpected delays in completing construction.

This project is located in the City of Anaheim, at the Commercial Vehicle Enforcement Facility (CVEF) Peralta Weigh Station (eastbound), and intends to rehabilitate and upgrade the Facility.

The Department is unable to complete the project CCA due to the contractor defaulting on the contract and has failed to meet the contractual obligations to complete the project. This project's construction is over 96 percent complete. However, the completion of the project is on hold as the contractor did not complete the project. The unfinished items will be completed using the Bond/Surety by the Department's District Division of Construction so that the CCA can be signed off. The estimated time to get the new contractor on board is four months, the time to complete the construction work is three months, and the time to complete final building and site inspections once the work is complete is five months, totaling approximately 12 months from the original CCA date of December 31, 2022.

Therefore, the Department is requesting a 12-month time extension to allow sufficient time to complete construction and finalize CCA from December 31, 2022 to December 31, 2023.